

**CHAPTER xciv.**

An Act to empower the mayor aldermen and burgesses of the borough of Eastbourne to acquire the Downs and Downland in and near the borough to make further provision with regard to the improvement of the borough and the electricity undertaking of the Corporation to authorise the consolidation of the rates of the borough and for other purposes.

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[4th August 1926.]

WHEREAS the borough of Eastbourne is a municipal borough under the government of the mayor aldermen and burgesses of the borough of Eastbourne (in this Act called "the Corporation"):

And whereas it is expedient to confer upon the Corporation and the Minister of Health the powers contained in this Act with regard to the downs and downland in and near the borough for preserving the amenities of the borough and its neighbourhood:

And whereas it is expedient to make further and better provision with regard to streets in the borough and with regard to the improvement of the borough as in this Act provided:

And whereas the Corporation supply electricity in the existing borough and in part of the parish of Willingdon in the rural district of Eastbourne in the

A.D. 1926. — county of East Sussex and it is expedient to confer upon them the further powers with regard to the supply of electricity contained in this Act:

And whereas the said parish of Willingdon immediately adjoins the existing borough and the housing estate of the Corporation extends into part of the said parish and it would be of public advantage to alter and extend the boundaries of the existing borough so as to include within it the part of the said parish in which the said housing estate is situate:

And whereas it is expedient to provide for the consolidation of the rates levied in the borough and to enact the further financial provisions contained in this Act:

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

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

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

For the purchase of lands	-	-	£30,000
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And whereas it is expedient that the cost of such lands should be spread over a term of years:

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

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

PART I.

PRELIMINARY.

Short title.

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

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

- Part I.—Preliminary.
 Part II.—Improvement provisions.
 Part III.—Electricity.
 Part IV.—Extension.
 Part V.—Rating provisions.
 Part VI.—Financial and miscellaneous.

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 —
 Division of
 Act into
 Parts.

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

Incorpora-
 tion of
 Acts.

- (1) The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) and except the provisions with respect to the taking of lands otherwise than by agreement:
- (2) The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) as amended by the Electricity (Supply) Acts 1909 to 1922.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts 1875 to 1925 have the same respective meanings unless there be something in the subject or context repugnant to such construction. And in this Act unless the subject or context otherwise requires—

Interpreta-
 tion.

“The Corporation” means the mayor aldermen and burgesses of the borough of Eastbourne;

“The borough” means in this Act other than in Part IV. (Extension) the borough of Eastbourne and in Part IV. (Extension) means the existing borough of Eastbourne as extended by this Act;

“The council” means the council of the borough;

“The borough fund” “the borough rate” “the district fund” and “the general district rate”

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

“The Act of 1885” means the Eastbourne Improvement Act 1885;

“The Order of 1899” means the Eastbourne Electric Supply Order 1899;

“The Order of 1905” means the Eastbourne Corporation Electric Lighting (Willingdon Extension) Order 1905;

“The electricity limits” means the area within which the Corporation are for the time being authorised to supply electricity;

“The town clerk” and “the treasurer” mean respectively the town clerk and the treasurer of the borough;

“The county” and “the county council” mean respectively the administrative county of East Sussex and the county council of that county;

“The appointed day” means the first day of April nineteen hundred and twenty-seven;

“Existing” in relation to any area altered by this Act means existing immediately before the appointed day;

“The borough map” means the map marked “Map of the borough of Eastbourne as extended by the Eastbourne Corporation Act 1926” and signed in triplicate by the Right Honourable the Earl of Wemyss the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred of which one copy has been deposited with the Clerk of the Parliaments House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk at his office;

“The Eastbourne District” and “the Eastbourne Council” mean respectively the rural district of Eastbourne and the rural district council of that district;

“The parish of Eastbourne” means the existing parish of Eastbourne as altered by this Act;

“The parish” means the parish of Eastbourne;

- “ The added area ” means the part of the Eastbourne District which is added to the existing borough by this Act; A.D. 1926.
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- “ The parish council ” means the parish council of the existing parish of Willingdon;
- “ The Act of 1888 ” and “ the Act of 1894 ” mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- “ The Municipal Corporations Acts ” means the Municipal Corporations Act 1882 and the Acts amending and extending the same and “ the Public Health Acts ” means the Public Health Act 1875 and the Acts amending and extending the same;
- “ The Act of 1907 ” and “ the Act of 1918 ” mean respectively the Public Health Acts Amendment Act 1907 and the Representation of the People Act 1918;
- “ Local authority ” means a local authority as defined in section 34 (Definitions) of the Local Loans Act 1875 and includes a standing joint committee of a county;
- “ The Minister ” means the Minister of Health;
- “ Revenues of the Corporation ” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation;
- “ Statutory borrowing power ” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

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

“The overseers” means the overseers of the poor of the parish;

“The poor rate” means the poor rate for the parish;

“The Act of 1925” means the Rating and Valuation Act 1925;

“The date of the first new valuation” means the date on which the first new valuation list made under Part II. of the Act of 1925 comes into force;

“Daily penalty” means a penalty for each day on which an offence is continued by a person after conviction.

PART II.

IMPROVEMENT PROVISIONS.

Power to
acquire
downs and
downland.

5.—(1) Subject to the provisions of this Act the Corporation may acquire by agreement for the purpose of preserving the amenities of the borough and its neighbourhood any lands forming part of the downs and downland in and near the borough which downs and downland are coloured green on the ordnance map signed in triplicate by the Right Honourable the Earl of Wemyss the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred of which map one copy has been deposited with the Clerk of the Parliaments House of Lords one copy has been deposited at the Private Bill Office of the House of Commons and one copy has been deposited with the town clerk at his office in the borough.

(2) If the Corporation are unable to purchase by agreement any of the lands coloured green on the said

map which the Corporation think it expedient to purchase the Minister may on compliance by the Corporation with the provisions of section 176 of the Public Health Act 1875 grant a Provisional Order in accordance with the provisions of the said section to empower the Corporation to put into force with reference to such lands the powers of the Lands Clauses Consolidation Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them and either absolutely or with such conditions and modifications as the Minister may think fit and the provisions of the Public Health Act 1875 with respect to Provisional Orders authorised to be made by the Minister under that Act shall apply to Provisional Orders granted under the powers of this section.

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6. For the protection of William Erskine Mawhood or other the owner or owners for the time being of the estate in the parish of Willingdon known as the Ratton Estate (all of whom are hereinafter in this section included in the expression "the owner") the following provisions shall notwithstanding anything contained in this Act apply and have effect (that is to say) :—

For protec-
tion of
William
Erskine
Mawhood.

The provisions of subsection (2) of the section of this Act whereof the marginal note is "Power to acquire downs and downland" shall not apply to any lands of the owner shown on the map referred to in that section.

7.—(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 lands 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 or for the benefit improvement or development of the borough and with the consent of the Minister may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister.

Further
powers for
the acqui-
sition of
lands.

(2) 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

A.D. 1926. — 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.

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

(b) in such other manner as may be approved by the Minister.

Retention
and disposal
of lands.

8. Notwithstanding anything in any Act or Acts to the contrary (but subject in the case of any lands purchased in pursuance of a Provisional Order granted under the provisions of subsection (2) of the section of this Act of which the marginal note is "Power to acquire downs and downland" to any conditions or modifications made by the Minister in empowering the Corporation to put into force the powers of the Lands Clauses Consolidation Acts) the Corporation may retain hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act or any Act incorporated with this Act or any Provisional Order granted in pursuance of the section of this Act of which the marginal note is "Power to acquire downs and downland" and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may

make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

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9.—(1) So long as any lands remain to be acquired by the Corporation under the authority of this Act they may so far as they consider necessary apply any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act or under any other powers and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act or any other Act under which such loans have been raised except to such extent and upon such terms as may be approved by the Minister.

Proceeds
of sale of
surplus
lands.

(2) Provided that—

- (a) the amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by or under this Act for the purpose of such purchase;
- (b) the borrowing powers conferred by or under this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

(3) Any capital moneys received by the Corporation under the section of this Act of which the marginal note is "Retention and disposal of lands" on the re-sale or exchange of or by leasing any lands acquired under any local Act other than this Act shall be applied in the same manner as capital moneys received under that Act are applicable or in such other manner as may be approved by the Minister.

The provisions of this section shall not apply to lands acquired under the powers of the section of this Act of which the marginal note is "Further powers for the acquisition of lands."

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Persons
under
disability
may grant
easements
&c.

10. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Confirma-
tion of
agreement
with
Marquess
of Hart-
ington.

11. The agreement dated the twelfth day of May one thousand nine hundred and twenty-six and made between the most Honourable Edward William Spencer Cavendish M.P. (commonly called Marquess of Hartington) of the one part and the Corporation of the other part set out in the First Schedule to this Act is hereby confirmed and made binding upon the parties to the said agreement.

For pro-
tection of
Jevington
Place
Estate.

12. For the protection of Zorzis George Michalinos or other the owner or owners for the time being of the estate in the parish of Jevington in the county of Sussex known as the Jevington Place Estate (all of whom are hereinafter in this section included in the expression "the owner") the following provisions shall notwithstanding anything contained in this Act and unless otherwise agreed between the owner and the Corporation apply and have effect (that is to say) :—

(1) The Corporation shall not purchase and take otherwise than by agreement any lands of the owner other than the lands of the owner coloured pink (in this section referred to as "the said lands") on the plan signed in duplicate by Fred Lawson Lewis on behalf of the owner and by Charles Joseph Knight and Ernest William Batchelor on behalf of the Corporation :

(2) If the Corporation shall purchase and take from the owner whether by agreement or otherwise the said lands or any part thereof the Corporation shall not without the consent of the owner erect any buildings on such lands and there

shall be reserved to the owner if he so requires the right of using the same as a gallop and training ground in connection with his racing stables. A.D. 1926.

13. The following provisions for the protection of the Eastbourne Waterworks Company (hereinafter called "the company") shall unless otherwise agreed between the company and the Corporation have full force and be binding upon the Corporation—

For protection of Eastbourne Waterworks Company.

- (1) Notwithstanding anything in the section of this Act whereof the marginal note is "Power to acquire downs and downland" contained the Corporation shall not purchase or acquire any part of the lands property or works belonging to the company without the consent of the company :
- (2) Nothing in this Act contained shall prejudice the company in any future application to Parliament for the acquisition of any part of the downs and downland for the purpose of any extension of their water undertaking :
- (3) Nothing in this Act contained shall take away or affect any easements or other rights exercised or exerciseable by the company with respect to their waterworks undertaking in or upon the downs and downland :
- (4) In the event of the Corporation exercising the powers of the section of this Act whereof the marginal note is "Retention and disposal of lands" the Corporation shall only sell lease exchange or otherwise dispose of any lands acquired under the powers of this Act subject to a restriction that the purchaser shall not erect upon any such lands any houses buildings or other works which in the opinion of an arbitrator would be likely to cause pollution to the sources of water supply of the company :
- (5) Any question which may arise between the Corporation and the company under this section shall be referred to the arbitration of a single arbitrator appointed unless otherwise agreed by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

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Provisions
as to fore-
courts.

14.—(1) Where a garden forecourt area or space or any portion thereof has been left unfenced in front of any building adjoining Terminus Road Grove Road Seaside Road or South Street in the borough and the extent of such garden forecourt area or space or portion thereof has been defined as provided by section 88 (Garden forecourts &c. to be fenced off from streets) of the Act of 1885 no temporary or permanent erection or obstruction shall be placed in such garden forecourt area or space or portion thereof without the licence of the Corporation which may be granted for such period and upon and subject to such terms and conditions as the Corporation may think fit.

(2) Any person who shall offend against this enactment or shall fail to comply with the terms and conditions of a licence granted in pursuance of subsection (1) of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and the court before which such person is brought may authorise the Corporation to enter upon the garden forecourt area or space in which the erection or obstruction may be and remove the same and to recover the cost of so doing from the owner of the garden forecourt area or space.

(3) The Corporation shall make compensation to the owner lessee and occupier of any garden forecourt area or space referred to in subsection (1) of this section for any loss or damage he may suffer by reason of the exercise of the provisions of this section and any such compensation shall in case of dispute be ascertained in manner provided by the Public Health Acts.

Banners
and signs
over
streets.

15.—(1) If the Corporation shall by resolution determine that any banner streamer sign or lettering suspended across or hung over any street is a nuisance or objectionable by reason of its size construction or situation or an injury to the amenities of the borough they may by notice in writing require the owner of or person responsible for the suspension or hanging of such banner streamer sign or lettering to remove the same within such period not being less than three days as may be specified in the notice.

(2) Any person neglecting to comply with the requirement of any such notice and any person who

shall have removed any such banner streamer sign or lettering as is referred to in any such notice (whether the removal be effected before or after the receipt of the notice) and shall after such removal suspend or hang the same or any similar banner streamer sign or lettering without the permission in writing of the Corporation or without complying with any conditions attaching to any such permission shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding ten shillings.

A.D. 1926.

(3) For a period of two years from the passing of this Act the foregoing provisions of this section shall not apply to any such banner streamer sign or lettering as is referred to in subsection (1) hereof which was in use on the eighteenth day of November nineteen hundred and twenty-five.

(4) Any person aggrieved by any requirement of any notice of the Corporation or the withholding of permission by the Corporation or the conditions attached to any such permission under the provisions of this section may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written 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. Notice of the right to appeal shall be endorsed on every notice of the Corporation under this section.

(5) The court before which any proceedings are taken under subsections (2) or (4) of this section may for the purpose of giving effect to any decision at which it may arrive authorise the Corporation to enter the premises from which the banner streamer sign or lettering is suspended or hung and to remove the same and to recover the cost of so doing from the person in default.

16.—(1) In any case where the Corporation shall have executed works in accordance with section 150 (Power to compel paving &c. of private streets) of the Public Health Act 1875 they may apportion the expenses incurred by them in so doing (unless they otherwise resolve) according to the frontage of the respective premises fronting adjoining or abutting on the street or part of a street in respect of which the expenses have

Amend-
ment of
section 150
of Public
Health Act
1875.

A.D. 1926: been incurred but the Corporation may if they think
— just resolve that in settling the apportionment regard
shall be had to the following considerations (that is to
say):—

- (a) The greater or less degree of benefit to be derived by any premises from such works ;
- (b) The amount and value of any work already done by the owners or occupiers of such premises.

(2) The Corporation may recover the expenses so apportioned in a summary manner and may also if they think just include in the apportionment any premises which do not front adjoin or abut on the street or part of a street but the access to which is obtained from the street through a court passage or otherwise and which in the Corporation's opinion will be benefited by the works and may fix the sum or proportion to be charged against any such premises accordingly and may in like manner recover the expenses so apportioned from the owners of such premises.

(3) Any difference which may arise between the Corporation and any person who deems himself aggrieved by a decision of the Corporation under the powers of this section shall be settled by arbitration in manner provided by the Public Health Act 1875 and the provisions of that Act with regard thereto shall thereupon apply to the determination of the matter and to any proceedings that may have been commenced for the recovery of expenses from such person but a refusal of the Corporation to exercise the powers conferred by paragraph (a) of subsection (1) of this section or by the latter part of subsection (2) of this section shall not be questioned in any proceedings whatever.

Contribu-
tion
towards
bands of
music &c.

17.—(1) The Corporation in addition to any powers which they may exercise under the Public Health Act 1925 may from time to time pay for or contribute towards the provision of bands of music concerts and other entertainments whether held in parks or pleasure grounds or other places of public resort or in buildings provided by the Corporation or by other bodies or persons/such sums in any year as after deducting any moneys received by the Corporation for admission to any enclosure building or other place at which band performances concerts and other entertainments shall take place shall not be

greater in the aggregate than the amount which would be produced by a rate of two pence in the pound levied in that year on property in the borough assessable in that year to the borough rate :

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Provided that no cinematograph film other than a film illustrative of questions relating to health or disease shall be shown at any concert or other entertainment provided by the Corporation under this section nor shall the Corporation themselves use any building referred to in this section for the purpose of the performance of stage plays by professional companies of performers or themselves use for the purpose of any performance in the nature of a variety entertainment any building provided by the Corporation.

(2) Section 236 (Public bands) of the Act of 1885 Article VIII. of the Eastbourne Order 1895 and the Eastbourne Order 1898 are hereby repealed.

18. The Corporation may establish and maintain an information bureau for the purpose of supplying such information with regard to the borough as may be desired by visitors or intending visitors to the borough and others and may employ and pay such number of clerks assistants and servants as they may think fit for the purpose and may if they think fit make charges for the use of such bureau or for information supplied by means thereof Provided that the amount to be expended in any year for the purposes of this section shall not be greater than the amount which would be produced by a rate of one farthing in the pound levied in that year on property in the borough assessable in that year to the borough rate.

Power to
establish
information
bureau.

PART III.

ELECTRICITY.

19. The undertaking authorised by the Order of 1899 and the Order of 1905 and the Corporation in respect thereof shall be subject to the provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Act and so much of the said Orders as is inconsistent with those provisions or this Act is hereby repealed without prejudice to anything done or suffered thereunder.

Applica-
tion of
Electric
Lighting
Acts.

A.D. 1926.

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Attach-
ment of
brackets
&c. to
buildings.

20.—(1) The Corporation may with the consent of the owner of any building or bridge attach thereto such brackets pipes wires and attachments as may be required for lighting any street in the electricity limits.

(2) Provided that—

(a) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a court of summary jurisdiction who shall have power having regard to the character of the building or bridge and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid;

(b) Any consent of an owner and any order of a court of summary jurisdiction under this section shall not have effect after the owner ceases to be in possession of the building or bridge but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply and the court of summary jurisdiction shall have the same powers as under proviso (a);

(c) The owner may require the Corporation temporarily to remove the attachments where necessary during any reconstruction or repair of the building or bridge.

(3) For the purpose of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

(4) Notwithstanding anything contained in this section no brackets wires or attachments shall be attached to any bridge or building belonging to or forming part of the railway undertaking of a railway company without

the previous consent in writing of that company or if in the opinion of an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers such consent is unreasonably withheld the consent of such engineer.

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21.—(1) Subject to the provisions of the Electricity (Supply) Acts 1882 to 1922 and the schedule to the Electric Lighting (Clauses) Act 1899 the Corporation may within the electricity limits in or under any street repairable by the inhabitants at large or dedicated to public use and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use construct and maintain sub-stations transforming stations and other works in connection with the electricity undertaking of the Corporation and may in any such street as aforesaid provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient. Provided that where in the opinion of the Corporation the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to the public use is unreasonably withheld the Corporation may appeal to a court of summary jurisdiction who shall have power to allow the construction and maintenance of such sub-stations transforming stations and works subject to such terms and conditions as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid. Provided also that the Corporation shall not construct any such sub-station transforming station or work so as to interfere with or render less convenient the access to or exit from any station or depôt of a railway company nor shall the Corporation construct any such sub-station transforming station or work in any main road outside the borough without the consent of the East Sussex County Council.

Power to construct electrical sub-stations under streets.

(2) The Corporation shall not exercise the powers of this section so as to affect or interfere with any main pipe or apparatus of the Eastbourne Gas Company or the laying of any such main pipe or apparatus without that company's consent but such consent shall not be unreasonably withheld and where in the opinion of the Corporation such consent is unreasonably withheld the provisions of

A.D. 1926. — this section with regard to an appeal to a court of summary jurisdiction shall apply as if the said company were a person liable to repair the street.

(3) No sub-station transforming station or other work which the Corporation are authorised to construct under the provisions of this section shall be constructed in or upon any bridge carrying a street over a railway of the Southern Railway Company or within ten feet of any abutment or wing wall of any such bridge without the consent of the said company or within a further distance of ten feet of any such abutment or wing wall without the like consent but such last-mentioned consent shall not be unreasonably withheld and any question which may arise as to whether or not such consent has been unreasonably withheld shall be referred to and determined by a single arbitrator to be appointed failing agreement on the application of either party by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference.

Power to
lay electric
lines &c.
in private
streets.

22.—(1) The Corporation may upon the application of the owner or occupier of any premises in the electricity limits abutting on or in process of erection in any street laid out or made but not dedicated to public use supply such premises with electricity and may lay down take up alter relay or renew in across or along such street such electric lines and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1922 and of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof and to any works constructed or executed by the Corporation under the powers of this section.

(2) The powers conferred by this section shall not extend to any street which is repairable by the Southern Railway Company and is used for the purposes of their railway unless the consent of that company is obtained by the Corporation but such consent shall not be unreasonably withheld and upon an application made to the Minister by the Corporation the Minister may if he thinks fit determine whether a consent has unreasonably been withheld to the exercise by the Corporation of their powers under this section.

23. In case any owner or occupier of premises who has hired from the Corporation any electric line fitting apparatus or appliance (in this section referred to as "fittings") desires to purchase such fittings or sells or leaves the premises in which such fittings are fixed or fastened and the next owner or occupier of those premises desires to purchase instead of to hire those fittings the Corporation may notwithstanding anything contained in the Electricity (Supply) Acts 1882 to 1922 sell those fittings to such owner or occupier or to such next owner or occupier as the case may be upon such terms and conditions as may be agreed between him and the Corporation.

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Sale of
electrical
apparatus
let on hire.

24. The Corporation may in connection with and for the purposes of their electricity undertaking provide fit up and maintain showrooms and offices and exhibit specimen installations machinery fittings and other apparatus appliances articles and things used in connection with the consumption of electricity and give demonstrations of the uses to which electricity can be put and may appoint and pay persons for the purposes aforesaid and may by public advertisement or otherwise publish and make known any matters connected with or affecting the sale of electricity and may do all such other acts as they may deem expedient to assist develop or promote the use of electricity.

As to offices
and show-
rooms.

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

As to
maximum
power
which may
be de-
manded.

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

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—
Use for
lighting
purposes
of elec-
tricity
supplied
for power.

26.—(1) No consumer to whom electricity is supplied by the Corporation for power purposes shall without the consent in writing of the Corporation use such electricity for lighting purposes or suffer it to be so used.

(2) Any consumer who without such consent shall use or suffer to be used for lighting purposes electricity supplied to him by the Corporation through a meter fixed for the purpose of ascertaining the value of the supply to him of electricity agreed to be supplied to him for power purposes shall be subject to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and shall in addition be liable to pay to the Corporation at such higher rate as they may be for the time being charging for the supply of electricity for lighting purposes for all or any portion of the electricity which has been supplied to him for power purposes within one year previous to the date when the Corporation shall sue for any penalty as aforesaid.

(3) Any court having jurisdiction to impose such penalty may and shall on the application of the Corporation decide for what portion (if any) of such electricity the higher charge as aforesaid shall be payable to the Corporation.

(4) The provisions of section 18 (Power to refuse to supply electrical energy in certain cases) of the Electric Lighting Act 1909 shall apply to any person whom the Corporation have reasonable grounds for believing to be acting contrary to the provisions of this section.

(5) In this section the expression "power purposes" includes all purposes to which electricity may be applied other than lighting purposes.

Provisions
as to
supply of
electricity
by agree-
ment.

27.—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement. Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in

writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

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(2) A consumer supplied with electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 (Penalty for failure to supply) of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Corporation under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Corporation fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

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

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

Power to recover charge for reconnection.

29.—(1) Notwithstanding anything in the Electricity (Supply) Acts 1882 to 1922 or in any other Act or Order a person shall not be entitled to demand or continue to receive from the Corporation a supply of electricity for any premises unless he has agreed with the Corporation to pay for the same in accordance with the terms and conditions contained in any method of charging for the time being selected by the Corporation and approved by the Minister of Transport.

Methods of charging for electricity.

(2) Any such method may be other than by the actual amount of energy supplied or the electrical quantity contained in such supply and may authorise a

A.D. 1926. — periodical charge in respect of the maximum power demanded installed or required by the consumer in addition to a charge for the energy supplied to him.

(3) Provided that nothing in this section shall authorise the Corporation during the continuance of any agreement existing at the passing of this Act for the supply of energy on terms stated in the agreement to charge for or in respect of the energy supplied under the agreement by any method of charge other than that stated in the agreement except with the consent in writing of the party to the agreement to whom or for whose benefit the energy is supplied.

Contracts
for supply
of elec-
tricity in
bulk.

30.—(1) The Corporation and any local authority company or person authorised by Act of Parliament or Order confirmed by Parliament or by a special order under the Electricity (Supply) Act 1919 to produce or supply electricity may enter into and carry into effect contracts for the supply by the Corporation beyond the electricity limits to any such local authority company or person or by any such local authority company or person to the Corporation of electricity in bulk upon and subject to such terms and conditions as may be agreed upon but nothing in this section shall authorise any party to any such contract to lay any mains or electric lines or to interfere with any street outside the limits of such party for the supply of electricity.

(2) Any contract entered into under the provisions of this section shall be submitted to the Electricity Commissioners for their approval.

Period of
error in
defective
meters.

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

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

32.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding forty shillings.

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—
Entry
upon
premises
Penalty for
obstruction.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to the Corporation and cannot be ascertained after diligent inquiry after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

33. The Corporation may make byelaws for the purpose of preventing fire in any building or premises supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 (Regulations to be inserted in licences &c.) of the Electric Lighting Act 1882 shall apply to any byelaws made under this section.

Byelaws
as to
apparatus
and
fittings.

34.—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the electrical engineer of the Corporation or be given by the consumer personally at the office of the Corporation's electrical engineer.

Notice to
discontinue
supply of
electricity.

(2) Notice of the effect of this section shall be endorsed upon any demand note for charges for electricity.

35.—(1) Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act and not otherwise provided for shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of section 7 (Expenses of local

Receipts
and ex-
penses.

A.D. 1926. — authority) and section 8 (Power of local authority to borrow money) of that Act shall extend and apply accordingly to such expenses.

(2) Any moneys received by the Corporation under this Part of this Act shall be deemed to be moneys received in respect of their electricity undertaking and shall be applicable accordingly.

PART IV.

EXTENSION.

Commence-
ment of
this Part
of Act.

36. This Part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the appointed day :

Provided that for the purposes of all proceedings preliminary or relating to any election to be held for any area constituted or affected by this Act in the year nineteen hundred and twenty-seven this Part of this Act shall operate from the date of this Act.

Extension
of borough.

37.—(1) The boundary of the existing borough the area whereof is coloured pink on the borough map shall be altered so as to include in addition to that area the added area coloured blue on the said map.

(2) The boundary of the borough shall be that shown by the red line on the borough map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Eastbourne for the purposes of the Act of 1888.

Borough
map.

38.—(1) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent by him within one month after the passing of this Act to the clerk of the county council to the clerk to the Eastbourne Council to the clerk to the Eastbourne Guardians to the Minister to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commis-
sioners.

(2) Copies of or extracts from the borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the borough map so far as it relates to the boundaries of the borough and the borough map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

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(3) All fees so received shall be carried to the credit of the borough fund.

39. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect :—

Wards.

- (1) For the purposes of the election of councillors the borough shall continue to be divided into nine wards :
- (2) The added area shall be included in the St. Mary's Ward of the borough :
- (3) The councillors representing the St. Mary's Ward immediately before the appointed day shall be deemed on and after that day to represent that ward as altered by this section and shall retire from office on the day on which they would have retired if this Act had not been passed.

40. For the purposes of the application to the borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added area shall be deemed always to have formed part of the borough.

County and
Borough
Councils
(Qualification)
Act 1914.

41.—(1) The powers and duties of the justices of the peace for the existing borough and of the clerk to those justices and of the police constables and other peace officers of the existing borough shall extend to and apply throughout the borough :

Jurisdic-
tion of
borough
justices &c.
extended.

Provided that—

- (a) every person committing an offence in any part of the added area prior to the appointed day shall be tried and dealt with as if this Act had not been passed ;

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(b) every proceeding which prior to the appointed day has been begun by or before any justice in relation to any matter arising in or concerning any part of the added area may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

(2) The added area shall cease to form part of any petty sessional division of the county.

Officers of
Corpora-
tion con-
tinued.

42.—(1) The town clerk and all other officers of the Corporation of the existing borough who hold office at the appointed day shall continue to be the town clerk and officers of the Corporation of the borough and shall hold their offices by the same tenure as on the appointed day.

(2) The auditors of the existing borough who are in office immediately before the appointed day shall continue in office until the next ordinary day of election of borough auditors.

Corpora-
tion
property
&c.

43. Subject to the provisions of this Act all property vested in the Corporation at the appointed day for the benefit of the existing borough shall by virtue of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which at the date aforesaid are exercisable by or vested in the Corporation for the benefit of the existing borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing borough shall from and after that date attach to them in respect of the borough.

Local Acts
and
Orders.

44. Subject to the provisions of this Act the un-repealed provisions of—

(a) the local Acts specified in the Second Schedule to this Act;

(b) the Confirmation Acts specified in that schedule so far as those Acts respectively relate to the Provisional Orders specified in that schedule; and

(c) any other local Act or Provisional Order duly confirmed and affecting the existing borough or the Corporation;

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as the same respectively are in force within the existing borough at the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall be deemed to refer to the borough and the Corporation thereof.

45.—(1) Such of the provisions of the following Acts (namely):—

Adoptive
Acts.

The Public Libraries Act 1892;

The Baths and Washhouses Acts 1846 to 1899;

The Infectious Disease (Prevention) Act 1890;

The Public Health Acts Amendment Act 1890;

The Health Resorts and Watering Places Act 1921;

The Public Health Act 1925;

as are in force in the existing borough shall be in force in and apply to the borough as if the same had been adopted in respect of every part thereof.

(2) The provisions of any adoptive Act other than the Acts mentioned in subsection (1) of this section shall cease to be in force in any part of the added area.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which is in force at the appointed day throughout the existing borough shall extend and apply to the added area and any such order in force on the day aforesaid in the added area shall save as hereinbefore provided cease to be in force in that area.

46. Subject to any order which the Minister or the Secretary of State may make after the appointed day—

Powers
under Act
of 1907.

(1) The provisions of any order made before the appointed day whereby any parts or sections of the Act of 1907 are in force in the existing borough shall have effect as if any reference in that order to the borough as it existed at the date of such order extended and applied to the borough and as if the said parts or sections were accordingly declared to be in force in the borough:

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(2) Any other order under the Act of 1907 which is in force at the appointed day throughout the existing borough shall extend and apply to the added area :

(3) The provisions of any order made before the appointed day and declaring to be in force in any part of the added area any parts or sections of the Act of 1907 shall cease to apply to any such part and subject to the provisions of this section the parts or sections declared by any such order to be in force shall cease to be in force in any such part but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

Orders
under
section 33
of Act of
1894.

47.—(1) The powers duties and liabilities transferred to or conferred upon the Corporation by any order of the Local Government Board under section 33 (Power to apply certain provisions of Act to urban districts and London) of the Act of 1894 in relation to certain powers duties and liabilities of the vestry and overseers and to any other matter referred to in the said order shall be deemed to have been transferred to or conferred on the Corporation in respect of the borough and of the parish of Eastbourne.

(2) An order may be made by the Minister under section 33 of the Act of 1894 with respect to any charity held wholly or partly for the benefit of the inhabitants of the existing parish of Eastbourne as if this Act had not been passed.

Orders
under Shop
Hours Act
1904 or
Shops Acts
1912 to
1920.

48. Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applied immediately before the appointed day.

Orders
under
Wild Birds
Protection
Acts.

49. Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force at the appointed day in the existing borough shall extend to the added area and any order under those Acts which is then in force in the county shall cease to apply to the added area.

50. Subject to the provisions of this Act—

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- (1) All byelaws made by the Corporation or by the watch committee of the Corporation which immediately before the appointed day are in force throughout the existing borough shall extend and apply to the borough until such byelaws may be altered or repealed :
- (2) Save as hereinbefore provided all byelaws made by the county council by the standing joint committee of the county or by the Eastbourne Council (or their predecessors) and in force immediately before the appointed day in the added area shall on that day cease to be in force therein except as regards any work which has been begun before that day or as regards any work which has not been so begun but for which plans have been approved before that day by the Eastbourne Council or have been sent to their surveyor or clerk one month at least before that day and have not been disapproved by that council :
- (3) As regards any work within the exception in the preceding subsection of this section the byelaws in force immediately before the appointed day shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the borough were referred to therein instead of the Eastbourne Council and the Eastbourne District :
- (4) Any proceedings which if this Act had not been passed might have been taken by the county council by the standing joint committee of the county or by the Eastbourne Council for any offence committed before the appointed day against any byelaws which by virtue of this section cease to be in force may be taken by the Corporation as if those byelaws had remained in force and the Corporation had been substituted therein for the county council or the Eastbourne Council as the case may be :
- (5) In this section " byelaws " includes any regulation.

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Byelaws
and regu-
lations.

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Education
byelaws.

51. Any byelaws under the Education Act 1921 or any enactment repealed by that Act which may be in force in the existing borough immediately before the appointed day shall apply to the borough until revoked or altered by the Corporation in substitution for any such byelaws which may be in force in the added area.

Powers
property
&c. of
Eastbourne
Council.

52.—(1) Subject to any necessary adjustment all property or liabilities which immediately before the appointed day are vested in or attach to the Eastbourne Council in relation exclusively to any part of the added area shall by virtue of this Act be transferred to and vest in the Corporation as urban authority.

(2) Any property or liabilities vested in or attaching to the Eastbourne Council in relation to any part of the added area conjointly with any other area shall be a matter for adjustment under section 62 (Adjustment of property and liabilities) of the Act of 1888.

Mortgage
debts of
Corpora-
tion.

53. Subject to the provisions of this Act and to any necessary adjustment—

(a) So much of any sums borrowed by the Corporation as will at the appointed day be owing and charged upon a fund or rate levied within the existing borough shall be charged upon the corresponding fund or rate to be levied within the borough;

(b) All borrowed moneys to which this section applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

County
councillors
and
electoral
division.

54.—(1) Subject to the provisions of section 54 of the Act of 1888 the area of the Eastbourne Rural Electoral Division of the county shall on the appointed day be diminished by the exclusion of the added area therefrom.

(2) The person who immediately before the appointed day was the county councillor representing the existing Eastbourne Rural Electoral Division shall be deemed to have been elected to represent that division as

altered by this Act and shall retire from office on the day on which he would have retired if this Act had not been passed.

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(3) No alderman or councillor or guardian in office immediately before the appointed day shall be deemed to lose his qualification by reason of the inclusion of the added area in the borough.

55.—(1) In any case where the extension of the existing borough by this Act affects the distribution between the county and the borough or between the county and the borough on the one hand and any other county borough on the other hand of the moneys payable out of the local taxation account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) or any financial relations or questions between those areas or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested.

Adjustment of financial relations between county and county boroughs.

(2) Any adjustment authorised by subsection (1) of this section may be made by agreement between the councils of the borough the county and the county borough affected and if such adjustment has not been made before the thirty-first day of December nineteen hundred and twenty-seven then on the application of any of the councils interested the Minister may if he thinks fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed by him as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an

A.D. 1926. — arbitrator within the meaning of section 62 (Adjustment of property and liabilities) of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided that—

- (a) in lieu of subsection (6) of section 61 (Appointment of Commissioners) of the Act of 1888 subsections (1) and (5) of section 87 (Application of provisions of 38 & 39 Vict. c. 55 as to local inquiries and Provisional Orders) of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this section and to the costs of those inquiries ; and
- (b) subsection (6) of section 32 (Adjustment of financial relations between counties and county boroughs) of the Act of 1888 shall apply to any agreement or award made under this section.

Modifica-
tion of
Local
Govern-
ment
(Adjust-
ments)
Act 1913.

56. In the application of Part II. of the schedule to the Local Government (Adjustments) Act 1913 in respect of any permanent increase of burden in connection with the maintenance of roads paragraph 2 of that schedule shall have effect as if "twenty-one" were therein mentioned instead of "fifteen."

Adjust-
ment for
purposes of
Licensing
(Consolida-
tion) Act
1910.

57.—(1) An equitable adjustment shall be made between the county and the borough respecting the interest of the added area in any compensation fund constituted under section 21 (Compensation fund) of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough within twelve months from the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 (Adjustment of property and liabilities) of the Act of 1888 and the provisions of that Act shall apply accordingly.

58.—(1) The Minister may by order at any time after the passing of this Act make such provision as appears to him to be necessary for transferring to the insurance committee for the borough such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added area.

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Insurance
committees.

(2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added area until such date not being later than the thirtieth day of June nineteen hundred and twenty-seven as may be specified in the order and may for that purpose postpone the operation of this Act so far as relates to the rights and duties of the respective insurance committees for the county and borough until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section shall have effect as if enacted in the National Insurance Act 1911 and may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing borough shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county as altered by this Act and the borough.

59. All poor law orders in force immediately before the appointed day in and applicable to the existing parish of Eastbourne shall extend and apply to the parish.

As to
existing
poor law
orders.

60.—(1) The parish for the purposes of the election of guardians shall continue to be divided into nine wards but the added area shall be included in St. Mary's Ward and the guardians representing St. Mary's Ward immediately before the appointed day shall be deemed on and after that day to represent that ward as altered by this section and shall retire from office on the day on which they would have retired if this Act had not been passed.

Wards for
guardians'
elections
&c.

(2) The persons who at the appointed day are holding the office of rural district councillors and guardians

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of the poor for the existing parish of Willingdon shall be deemed to have been elected for and to represent that parish as altered by this Act as if they had been originally elected to represent the altered parish and shall retire from office on the day on which they would have retired if this Act had not been passed.

Apportionment of balances and sums received under precepts.

61.—(1) As soon as practicable after the appointed day the county council and the Eastbourne Council shall as regards any cash balance in their hands at the appointed day estimate the proportion thereof derived from contributions paid by the added area and subject to a deduction on account of undischarged liabilities in respect of the added area accruing up to the appointed day shall transfer such amount to the Corporation.

(2) Any sum received after the appointed day by the county council or the Eastbourne Council under a precept issued before that day in respect of the added area shall be dealt with in the manner prescribed by subsection (1) of this section.

(3) The apportionment under this section of any balance or sum received shall be subject to review on an adjustment under this Act.

Adaptation of provisions as to adjustment.

62. Section 62 (Adjustment of property and liabilities) of the Act of 1888 shall apply to any adjustment which may become necessary in consequence of this Act and for the purposes of such application that section shall have effect—

(a) As if in subsections (5) (6) and (7) thereof the expression "council" included any authority affected by this Act or by anything done in pursuance of this Act; and

(b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act

but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction. A.D. 1926.
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63. For the purposes of the application of section 62 (Adjustment of property and liabilities) of the Act of 1888 to any adjustment which may become necessary in consequence of this Act so far as it relates to the alteration of the area of any existing parish that section shall have effect— Parochial
adjust-
ments.

(a) As if the persons who immediately before the appointed day were the overseers of such parish were within the meaning of the said section as applied by this Act authorities affected by this Act;

(b) As if the poor rate or any other rate leviable in pursuance of the said section as applied by this Act were substituted for any fund mentioned in the section; and

(c) As if for subsections (6) and (7) of the said section there were substituted the subsections hereunder appended (that is to say):—

“ (6) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part of a parish only the agreement or award may authorise the making of such a separate rate as if it were a poor rate and as if the part of the parish on which it is to be levied were a whole parish;
“ (7) Any capital sum paid for the purposes of any adjustment or in pursuance of any order or award of an arbitrator shall be applied by such person in such manner and for such purpose as the Minister of Health may authorise or direct.”

64. Any cash balances and other assets and any liabilities of the county council the Eastbourne Council and the parish council respectively at the appointed day and any sums received by them respectively after the appointed day in respect of the added area shall be matters for adjustment under section 62 of the Act of 1888. Balances in
accounts
of various
authorities.

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As to
valuation
lists and
county
rate basis.

65.—(1) Such adjustments may be made by the assessment committee of the Eastbourne Poor Law Union in the valuation lists of the existing parishes of Eastbourne and Willingdon as may be necessary to give effect to the provisions of this Part of this Act.

(2) Any adjustment in the basis of the county rate of the county which may be necessary in consequence of the provisions of this Part of this Act may be made by the appropriate committee of the county council.

(3) This section shall operate from the passing of this Act but no adjustment made in pursuance of this section shall affect any rate made before the appointed day or any contribution order or precept made or issued before that day.

Provisions
as to
register of
electors.

66.—(1) For the purposes of the register of local government electors of the borough prepared for the year nineteen hundred and twenty-seven and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have formed part of the borough as from the first day of March nineteen hundred and twenty-seven.

(2) If the register of local government electors for any electoral area affected by this Act is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for a parish or ward or other voting area the registration officer shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(3) It shall be the duty of the overseers to render such assistance as may be required by the registration officer for the purpose of such alteration or re-arrangement.

(4) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this Act and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Alteration
of parishes.

67. The added area shall be separated from the existing parish of Willingdon and shall be amalgamated with the existing parish of Eastbourne and with that existing parish shall form the parish.

68. The parish council shall be deemed to have been elected as and shall be the parish council of the parish of Willingdon as altered by this Act.

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Parish
council of
Willingdon.

69. All the powers rights duties capacities liabilities and obligations of an urban authority and all the powers in relation to the chargeability of expenses with which the Eastbourne Council are invested in pursuance of any order issued by the Local Government Board or the Minister under the Public Health Acts in respect of the existing parish of Willingdon shall be deemed to vest in and attach to the Eastbourne Council in respect of the parish of Willingdon as altered by this Act.

Urban
powers &c.
in excluded
part of
Willingdon.

70. Subject to the provisions of this Act—

Powers
property
and
liabilities
of parish
council &c.

(1) Any powers and duties transferred by or under the Act of 1894 to the parish council (except powers or duties as the authority under any of the adoptive Acts as defined in the Act of 1894) shall so far as regards the added area be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the added area had been included in the parish on the appointed day within the meaning of the Act of 1894 and all property and liabilities held or incurred in relation exclusively to the added area for the purpose or by virtue of the said powers and duties shall by virtue of this Act be transferred to and vest in the persons and authorities aforesaid :

(2) Any property or liabilities of the parish council held or incurred so far as regards the added area otherwise than by virtue or for the purposes of the powers or duties aforesaid shall by virtue of this Act be transferred to and vest in the Corporation :

(3) The powers duties property and liabilities of the parish council under any of the adoptive Acts as defined in the Act of 1894 or of any authority under any such adoptive Act shall so far as regards the added area by virtue of this Act be transferred to and vest in the Corporation :

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- (4) Any property or liabilities held or incurred by the parish council in relation to the added area conjointly with any other area shall be a matter for adjustment under section 62 (Adjustment of property and liabilities) of the Act of 1888.

Jurisdiction of existing authorities to cease.

71. Subject to the provisions of this Part of this Act the powers rights privileges authorities and duties of the county council the standing joint committee of the county the Eastbourne Council and the parish council respectively shall as from the appointed day cease to be exercisable by or attach to those councils and that committee so far as regards the added area. Provided that any provisions in any local Act or Order confirmed by Parliament for the benefit or protection of any of those councils or the said committee so far as they relate to or affect the added area shall from and after the appointed day enure for the benefit and protection of the Corporation.

Saving for existing jury lists.

72. For the purposes of jury service any parish affected by this Act shall be deemed to continue unaltered until a new jurors book relating to the parish as altered comes into force.

Settlement of poor.

73.—(1) Every person who at any time before the appointed day has acquired or who immediately before such day is in the course of acquiring a settlement in the existing parish of Eastbourne or in the existing parish of Willingdon by reason of residence birth or other qualification in—

(i) the existing parish of Eastbourne; or

(ii) the added area; or

(iii) the parish of Willingdon;

shall be deemed to have acquired or to be in the course of acquiring thereby—

(a) in the first and second cases a settlement in the parish as if the existing parish of Eastbourne and the added area had always been part of the parish;

(b) in the third case a settlement in the parish of Willingdon as if that parish had always been the parish of Willingdon.

(2) For the purposes of this section consecutive periods of residence in the added area and in the parish of Willingdon shall be aggregated and reckoned as continuous residence in that part of the existing parish of Willingdon in which the person was residing immediately before the appointed day.

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74. Subject to any adjustment all rates not collected at the appointed day and levied by overseers upon any hereditament situate in any parish affected by this Act shall be collected and recovered by the rating authority for the parish in which the hereditaments will be situate by virtue of this Act.

Arrears of
rates made
by over-
seers.

75. No alteration effected by this Act shall cause to abate prejudicially affect or prevent any action cause of action or proceeding which at the appointed day is pending or existing by or against the Eastbourne Council or the parish council or any contract deed bond agreement or other instrument (subsisting at the appointed day) entered into or made by any such council or their predecessors :

Savings
for actions
contracts
&c.

Provided that—

- (i) Any action cause of action or proceeding which at the appointed day is pending or existing by or against either of such councils in relation exclusively to any part of the added area may be continued prosecuted and enforced by or against the Corporation ; and
- (ii) All contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by either of such councils or their predecessors in relation exclusively to any part of the added area may be continued and enforced as fully and effectually as if instead of such council (or their predecessors) the Corporation had been a party thereto.

76. Notwithstanding the alterations in the areas of the parish of Willingdon or the Eastbourne District effected by this Act all contribution orders issued and precepts made before the appointed day shall be as valid in law as if this Act had not been passed.

Saving for
contribu-
tion orders
and pre-
cepts.

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Saving pro-
visions.**77.**—(1) Nothing contained in this Act shall—

(a) be construed as restricting the powers of the Minister under the Acts relating to the relief of the poor or the powers of the Secretary of State the Minister the county council or the Corporation under the Act of 1888 or the Act of 1894;

(b) affect the powers of the county council under section 31 (Division of constituency into polling districts and appointment of polling places) of the Act of 1918 or any order or scheme made by the county council for the division of the parliamentary county of East Sussex into polling districts and the appointment of polling places for parliamentary elections;

(c) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment;

(d) affect land tax.

(2) For the purposes of income tax the provisions of the section of this Act whereof the marginal note is "Alteration of parishes" shall not come into operation during any year in which under any enactment the annual value of any property adopted for the purpose of income tax under Schedules A and B for the preceding year is taken as the annual value of that property for the same purpose for that year.

Saving for
Rating and
Valuation
Act 1925.**78.** Nothing in this Part of this Act shall affect the provisions of the Act of 1925.

PART V.

RATING PROVISIONS.

Commence-
ment.**79.** This Part of this Act shall come into operation on the thirty-first day of March nineteen hundred and twenty-seven.Transfer
to Cor-
poration
of powers
of vestry.**80.** On the commencement of this Part of this Act all and every right custom privilege or power other than in matters ecclesiastical and in relation to ecclesiastical

charities within the meaning of the Local Government Act 1894 vested in or exerciseable by the parishioners ratepayers or inhabitants in vestry assembled of the parish shall cease to be so vested or exerciseable and every such right custom privilege or power shall for and within the parish be vested in and exerciseable by the Corporation.

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81.—(1) All expenses of the Corporation which if this Act had not been passed would have been payable out of and all rates charges damages penalties and other moneys which if this Act had not been passed would have been paid or carried to the credit of the district fund or general district rate shall be charged on and defrayed out of or paid and carried to the credit of the borough fund and the borough rate and in any case for which no specific provision is made in this Part of this Act any reference to the district fund or general district rate in any Act or Provisional Order in force in the borough or in any mortgage of or charge on such fund or rate granted by the Corporation in pursuance of the provisions of any such Act or Order shall be deemed to be a reference to the borough fund and the borough rate.

All ex-
penses of
Corpora-
tion to be
paid out of
borough
fund.

(2) The district fund shall be closed and any balance standing to the credit or to the debit of the district fund or the general district rate respectively shall be transferred to the credit or the debit (as the case may be) of the borough fund but any moneys owing to the Corporation in respect of or in connection with the district fund or the general district rate shall notwithstanding the provisions of this Act continue to be payable to and recoverable by the Corporation as if this Act had not been passed and when received by the Corporation shall be carried to the credit of the borough fund.

(3) The Corporation may make and levy any borough rate prospectively in order to raise money to pay charges and expenses to be incurred thereafter or retrospectively in order to raise money to pay charges and expenses already incurred.

82. The contribution of the parish to the borough rate shall be paid out of the poor rate and the provisions of section 145 (Collection of borough rate in undivided parish) of the Municipal Corporations Act 1882 shall (subject to the provisions of this Part of this Act) apply to the said contribution.

Contribu-
tion to
borough
rate to be
paid out of
poor rate.

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—
Poor rate
to be called
general rate.

83. The poor rate (inclusive of the contributions to the borough fund levied as part thereof in pursuance of the provisions of this Act) shall be called "the general rate" but except as expressly provided by this Act that rate shall continue to be subject to all Acts passed and to be passed relating to the poor rate and to be made assessed levied and recovered as the poor rate.

Differential
rating for
certain
classes of
heredita-
ments.

84. The provisions contained in this section shall have effect with respect to the general rate (that is to say) :—

- (1) In respect of any period before the date of the first new valuation the owner of any tithes or any tithe commutation rentcharge or the occupier of any land used as woodlands and the occupier of any land covered with water or used only as a canal or towing path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed to the general rate in respect of such hereditaments on the full rateable value thereof but (subject as next hereinafter provided) shall be liable to pay in each year in respect of such hereditaments a rate calculated on the basis of sixty-four per centum only of the amount in the pound of the rate payable in respect of hereditaments not entitled to relief from rating :
- (2) Notwithstanding anything in subsection (8) of section 2 or subsection (2) of section 69 of the Act of 1925 during the continuance of the Tithe Rentcharge (Rates) Act 1899 such Act shall subject to the provisions of the Tithe Act 1925 have effect within the borough as if the following provision were substituted for section 1 thereof (that is to say) :—

"The owner of tithe rentcharge attached to a benefice shall be liable to pay only (a) in respect of any period before the date of the first new valuation thirty-eight sixty-fourths of the amount payable under subsection (1) of the section of the Eastbourne Corporation Act 1926 whereof the marginal note is 'Differential rating for certain classes of

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—

hereditaments ' in respect of any rate which is assessed on him as owner of that tithe rentcharge and (b) on and after the date of the first new valuation thirty-eight sixty-fourths of the amount assessed upon him as owner of that tithe rentcharge in respect of any general rate (including any additional item thereof) made in accordance with the provisions of the Act of 1925 and the remaining twenty-six sixty-fourths thereof shall on demand being made by the collector of the rate on the inspector of taxes for the borough or any district therein be paid by the Commissioners of Inland Revenue and deducted from the moneys payable to the local taxation account " :

(3) Nothing in this section shall in any way affect—

(a) The share of the annual grant payable under the Agricultural Rates Act 1896 to any spending authority or save as expressly provided in this Act the operation of that Act; or

(b) The operation of the Agricultural Rates Act 1923 or the power of the Minister to estimate as respects each half-year after the commencement of this Part of this Act the amount of the deficiency which would have arisen by reason of section 1 of that Act if this Act had not been passed in the produce of any rate for the purpose of the issue from the local taxation account of the share of any spending authority in the additional annual grant under the Agricultural Rates Act 1923; or

(c) The amount of the contribution for any purposes to be made by the parish out of the poor rate; or

(d) Subject as hereinafter mentioned the operation of the Tithe Act 1925 Provided that for the purposes of subsection (3) of section 7 and subsection (2) of section 14 of that Act this Act shall be deemed to be a local Act modifying the Tithe Rentcharge (Rates) Act 1899 :

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(4) (a) If any occupier referred to in subsection (1) of this section claims that in respect of any rate made or levied he is not receiving the full benefit to which he is entitled under the said subsection he may appeal to the next court of quarter sessions holden not less than twenty-one days after the demand of the rate and according to the provisions of the Summary Jurisdiction Acts but no such appeal shall be entertained by such quarter sessions unless fourteen days' notice in writing of such appeal and of the ground thereof be given by the appellant to the Corporation;

(b) On appeals under this subsection the court to which such appeal shall be made shall have power to determine the amount payable by the occupier in respect of such rate and to award costs between the parties to the appeal:

(5) The Corporation shall for the purpose of the estimate to be made by the Minister of Health under section 3 of the Agricultural Rates Act 1923 prepare and transmit to him before the thirty-first day of March nineteen hundred and twenty-seven such a return as they might have been required by him to prepare and transmit under paragraph 5 of Part III. of the Second Schedule to the Act of 1925 if this Act had not been passed.

Form of
rate &c. to
be pre-
scribed
by Minister.

85.—(1) Any charge for electricity payable to the Corporation may be collected together with the general rate and the same books may be used for the said charges and rate.

(2) The general rate and the demand note and any other necessary documents to be used for the purposes of or in connection with the general rate or charges for electricity shall be in such form as the Minister may from time to time prescribe.

Rating of
and collec-
tion of rates
by owners.

86. The provisions of section 11 of the Act of 1925 shall (notwithstanding anything contained in subsection (10) thereof) come into operation in the borough on the first day of April nineteen hundred and twenty-seven and shall have effect in substitution for the provisions contained in sections 3 and 4 of the Poor Rate Assessment

and Collection Act 1869 and section 211 (1) (a) of the Public Health Act 1875 and on and after the said date all resolutions agreements and notices then in force under any such provisions as aforesaid shall cease to have effect. A.D. 1926.

87. The purposes to which the borough fund is applicable shall include the provision of a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is charged on the borough fund or on and after the date of the first new valuation the general rate fund of the borough and the Corporation may (in estimating the amount sufficient for those purposes and in ordering the borough rate to be made) include such a sum as they may consider to be necessary for the provision of such working balance. Borough rate may include working balance.

88.—(1) This Act shall be deemed to be a local Act within the meaning of sections 2 22 and 66 of the Act of 1925 and an Act within the meaning of section 69 of the Act of 1925. Act to be deemed a local Act passed before commencement of Rating and Valuation Act 1925.

(2) For the purposes of paragraph (3) in column (1) of Part II. of the Second Schedule to the Act of 1925 this Act shall be deemed to be a local Act passed before the commencement of the Act of 1925 and for the purposes of paragraph (3b) in column (2) of the said Part the percentage of the net annual value which corresponds with the percentage of the relief from rating given by this Act shall be deemed to be thirty-six per centum.

(3) Proviso (b) of subsection (3) subsection (4) and subsection (7) of section 2 and sections 5 15 55 and 59 of the Act of 1925 shall be deemed to be incorporated with and to form part of this Part of this Act Provided that for the purposes of the incorporation of the said subsection (7) of section 2 the expression "valuation list" where used therein shall mean a valuation list made under the Act of 1925.

PART VI.

FINANCIAL AND MISCELLANEOUS.

89.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective Power to borrow.

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sums mentioned in the second column of that table and in order to secure the repayment of the said sums and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation and they shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act and of any enactment incorporated therewith or applied thereto shall respectively be "the prescribed period") mentioned in the third column of the said table (namely) :—

1	2	3
Purpose.	Amount.	Period for repayment.
(a) The purchase of lands	£ 30,000	Sixty years from the date or dates of borrowing.
(b) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

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

(b) The Corporation may also borrow such further moneys as may be necessary for the purpose of providing a fund for working capital—

(i) for the purpose of the electricity undertaking with the consent of the Electricity Commissioners;

(ii) for the purpose of any undertaking with respect to which any deficiency is required to be defrayed out of any fund for which a rate is leviable by or under the direction of the Corporation (other than any account relating to the electricity undertaking) with the consent of the Minister.

(c) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(d) In order to secure the repayment of any money borrowed under this subsection and the payment of

interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Minister or Commissioners with whose consent the money is borrowed.

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(3) The provisions of this section prescribing the fund and rate which may be mortgaged or charged shall not limit the powers conferred upon the Corporation by the sections of this Act of which the marginal notes are respectively "Power to use one form of mortgage for all purposes" and "Consolidated loans fund."

90. In calculating the amount which the Corporation may borrow under the provisions of the Public Health Acts any sums which the Corporation may borrow under or for the purposes of this Act shall not be reckoned and the power of the Corporation of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

Certain provisions of Public Health Acts not to apply.

91. The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or by the creation and issue of stock or partly in one way and partly in another or others. 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 sections 15 and 16 of that Act.

Mode of raising money.

92. Subject to the provisions of the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" the following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):—

Provisions of Public Health Act 1875 as to mortgages to apply.

Section 236 (Form of mortgage);

Section 237 (Register of mortgages);

Section 238 (Transfer of mortgages).

93. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those

Mode of payment off of money borrowed.

A.D. 1926. — methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within twelve months or when the moneys are repaid by half-yearly instalments within six months from the date of borrowing.

Sinking
fund.

94.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act or any other statutory borrowing power such fund shall be formed and maintained either—

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a “non-accumulating sinking fund”; or

(b) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or such other rate as the Minister may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the

prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5) (a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Corporation.

(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments provided for by this Act.

(7) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Minister that any such increase is necessary the Corporation shall increase the payments to such extent as the Minister may direct.

(8) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister be more than

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sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may with the consent of the Minister discontinue the annual payments to such sinking fund until the Minister shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Minister may determine.

(12) All moneys which at the commencement of this Act are standing to the credit of any sinking fund in respect of moneys borrowed otherwise than by the issue of stock and not applied in repayment thereof may be transferred to the sinking fund established under this Act and the sums so transferred shall be taken into account in calculating the future payments to be made to the sinking fund under this section.

Reserve
fund to
meet
depreciation of
investments.

95.—(1) The Corporation may establish a reserve fund to provide against the depreciation of investments and securities held for the sinking funds of the Corporation and any fund so established before the passing of this Act shall be deemed to have been lawfully established.

(2) The Corporation shall carry to such fund such annual or other payments as appear to them to be required for enabling the fund to satisfy the purposes for which it is established:

Provided that if it appears to the Minister that any such payments are required for the purpose aforesaid it shall be the duty of the Corporation to make such payments.

(3) The Corporation may invest the moneys forming such reserve fund and the interest on the investments of such moneys in statutory securities.

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(4) Particulars of any such reserve fund shall be furnished to the Minister and shall form part of the return required to be made to him under the section of this Act of which the marginal note is "Return to Minister of Health with respect to repayment of debt" and the provisions of that section shall apply as if such reserve fund were a sinking fund within the meaning of that section.

96. Notwithstanding anything contained in any previous enactment the Corporation may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals depreciation accident or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

Use of
moneys
forming
part of
sinking
and other
funds.

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

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

- (2) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on

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mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power :

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

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

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

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

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner

and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

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

98.—(1) The Corporation shall have power—

Power to
re-borrow.

(a) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended forthwith to be repaid; or

(b) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(a) by instalments or annual payments; or

(b) by means of a sinking fund; or

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- (c) out of moneys derived from the sale of land; or
 (d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

As to mortgage of revenues of Corporation.

Power to use one form of mortgage for all purposes.

99. Any reference in any mortgage or charge granted by the Corporation to the revenue of any undertaking of the Corporation shall be deemed to be a reference to the revenues of the Corporation.

100.—(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.

(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 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 granted by the Corporation at any time after the date of the first grant of a mortgage under this section.

(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) 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 town clerk or other person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

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(6) 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.

(7) 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 town clerk 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.

(8) 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 moneys secured thereby.

(9) If the town clerk 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.

101. When under the provisions of this Act or of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and to the accumulations thereof (if any) required to be set apart for or paid into such sinking fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Corporation the accumulations of the said yearly sums shall be paid and provided out of the borough fund and borough rate and any

Investment
of and
payments
into sink-
ing fund.

A.D. 1926. interest dividends and proceeds arising from the investment of the said yearly sums and the accumulations thereof (including such annual sums and accumulations as have been provided prior to the passing of this Act) shall be paid into and form part of the borough fund.

Consolidated
loans
fund.

102.—(1) Notwithstanding anything contained in the Public Health Acts Amendment Act 1890 or in any other Act or Order on and after the thirty-first day of March nineteen hundred and twenty-seven the Corporation may (if they think fit) establish a fund to be called “the consolidated loans fund” to which shall be paid as and when they are received—

- (a) all moneys borrowed by the Corporation whether by issue of stock or other security together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the redemption of stock or any other securities issued by the Corporation the purchase of stock for extinction or the repayment of any moneys borrowed by the Corporation; and
- (b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation:

And the moneys of the consolidated loans fund not used or applied in these ways may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund including the accumulations arising from the investments thereof shall not except with the consent of the Minister be used or applied otherwise than as provided in this subsection. A.D. 1926.
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(3) Subject to any priority existing at the passing of this Act all stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

(4) Save as in this section expressly provided all the obligations of the Corporation to the holders of stock or other securities of the Corporation shall continue in force.

(5) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

103. Notwithstanding anything contained in the Municipal Corporations Act 1882 any money borrowed or to be borrowed by the Corporation in pursuance of that Act shall be repaid within such period not exceeding sixty years as the Minister shall in each case prescribe. Period for repayment of loans under Municipal Corporations Act 1882.

104. In calculating under subsection (2) of section 234 of the Public Health Act 1875 the amount which the Corporation may borrow the amount of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by the Corporation under the Sanitary Acts and the Public Health Act 1875 shall be deducted from the total debt of the Corporation under those Acts. As to section 234 of Public Health Act 1875.

105. All moneys borrowed under the provisions of this Act shall be applied only to the purposes for which they are authorised to be borrowed and (except in the case of money borrowed for current expenses) to which capital is properly applicable. Application of moneys borrowed.

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Expenses
of execution
of Act.

106. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall be defrayed by the Corporation out of the borough fund.

Interest on
mortgages
held
jointly.

107. Where more persons than one are registered as joint holders of any mortgage of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation or the treasurer by any other of them.

Receipt in
case of
persons
not sui
juris.

108. If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

Evidence
of transfer
or trans-
mission of
securities.

109.—(1) It shall not be obligatory on the Corporation to receive or register any transfer, assignment, certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any authorised security (except securities issued under the Local Loans Act 1875 and except securities to which regulations made under section 52 of the Public Health Acts Amendment Act 1890 apply) except upon the production to and temporary deposit with the town clerk of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited.

(2) The Corporation may require compliance with the provisions of this section in addition to those of sections 34 (Evidence on transfer) and 38 (Transmission on marriage &c.) of the Act of 1885 in cases to which those sections apply.

Scheme for
equated
periods.

110.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more uniform periods within which all or any loans contracted by them under statutory borrowing powers shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may apply to any such loans all or any of the provisions of this Act with regard to the borrowing

and repayment of money with or without modification and may make provision with regard to all matters incidental to the objects aforesaid. A.D. 1926.

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Minister who may by order confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act.

(3) Nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock existing at that time except with the consent of such mortgagee or holder.

(4) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister may be consolidated and dealt with in the accounts of the Corporation as if the aggregate amount of the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister separate consolidations may be made of all or any of the loans included under such general headings.

(5) The Corporation may with the sanction of the Minister and on the security of the revenues funds or rates respectively on the security of which the moneys included in the scheme were respectively authorised to be borrowed borrow such sums as may be necessary for the purpose of giving effect to such scheme and for compensating the holders of securities of the Corporation for their consent thereto and any moneys so borrowed shall be repaid within such period as the Minister may sanction.

(6) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

111.—(1) The Corporation shall notwithstanding Accounts.
the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue

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and as to revenue so as to show under a separate heading or division in respect of each of the following undertakings (that is to say) the omnibus undertaking the entertainments and bathing undertaking and the electricity undertaking (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say) :—

- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) The amount (if any) paid to any reserve fund formed for the purpose of the undertaking under the provisions of the section of this Act of which the marginal note is "Reserve funds" or under the provisions of section 52 (Application of revenue) of the Order of 1899.

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

Reserve
funds.

112.—(1) The Corporation may (if they think fit) provide a reserve fund in respect of each of the following undertakings (namely) :—

- (a) the omnibus undertaking;
- (b) the entertainments and bathing undertaking;

by setting aside and investing such an amount as they may from time to time think reasonable and investing the same subject to the provisions of the section of this Act of which the marginal note is "Use of moneys forming part of sinking and other funds" in statutory securities

and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation in respect of the undertaking.

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(2) Any reserve fund which has been formed for the purposes of either of the said undertakings and which is in existence at the passing of this Act shall be deemed to have been formed under this section.

(3) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking in respect of which it is formed or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or for payment of the cost of renewing improving or extending any part of the works forming part thereof or otherwise for the benefit of that 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.

(4) Resort may be had to a 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.

113. Notwithstanding anything contained in any previous enactment—

(a) All money received by the Corporation on account of the revenue of any undertaking for the time being of the Corporation from which revenue is derived shall be carried to and shall form part of the borough fund and all payments and expenses made and incurred in respect of those undertakings shall be paid out of that fund;

(b) Any moneys which the Corporation are required or authorised to pay or apply or may in the future be required or authorised to pay or apply under the following enactments (namely)—

Section 52 (Application of revenue) of the Order of 1899;

Paragraph (c) of this section;

shall for the purposes of paragraph (a) of this section be deemed to be payments and expenses

Applica-
tion of
revenue
and pay-
ment of
expenses
of under-
takings.

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made and incurred in respect of the undertaking to which the said enactments respectively relate;

- (c) Any income arising from any renewals fund depreciation fund contingent fund reserve fund or insurance or other similar fund shall be from time to time paid into the borough fund and any contributions due to any such fund as aforesaid shall be paid out of the borough fund;
- (d) The Corporation may (if they think fit) apply money received by them on account of the revenue of any of the undertakings referred to in paragraph (a) of this section in the provision of funds for working capital.

Appor-
tionment
of items.

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

Accounts
to be
furnished
to Minister
of Trans-
port.

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

Power to
create
accident
fund.

116. The Corporation may if they think fit form a fund to be called "the accident fund" to provide for meeting claims upon them under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1906 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of any accident whether to persons employed by or paid by or through the Corporation or to third parties occurring in the execution of any of their powers including accidents to children attending schools provided or maintained by the Corporation as the local education authority and such fund shall be formed by annually appropriating thereto such sums out of any of their revenues as they from time to time deem expedient and such sums shall subject to the provisions of the section of this Act of which the marginal note is "Use of moneys forming part of sinking and other funds" be invested at compound interest in

or upon any statutory security but when the fund shall amount to the sum of twenty thousand pounds the Corporation may if they think fit discontinue such yearly payments but so that if the fund is at any time reduced the Corporation shall recommence and continue the yearly payments until the fund be restored to the sum of twenty thousand pounds. Provided that the Corporation may from time to time or at any time resort to that fund for any purpose mentioned in this section notwithstanding that the sum shall not then have reached or shall have been reduced below the said sum of twenty thousand pounds.

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117.—(1) The Corporation may pay out of the borough fund as expenses incurred by them under the Municipal Corporations Act 1882—

Subscrip-
tions to
local
govern-
ment
associa-
tions and
other
expenses.

(a) Reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings;

(b) The reasonable expenses of the Corporation in providing public entertainments on the occasion of or otherwise in connection with public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the borough.

(2) The Corporation may also subscribe to any charity philanthropic association or society or other associations institutions or societies rendering national or public service such sum or sums as they may from time to time think fit and may charge the amount of any such subscription to or apportion the same among all or any of their funds and revenues.

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(3) Provided that the total amount subscribed by the Corporation under the provisions of subsection (2) of this section shall not in any one year exceed the amount which would be produced by the levying of a borough rate of one half-penny in the pound.

Power to grant gratuities in certain cases.

118.—(1) The Corporation may if they think fit in cases not within the Workmen's Compensation Act 1906 or the Teachers (Superannuation) Acts 1918 to 1925 or any other Act for the time being in force relating to the superannuation of teachers grant a gratuity of any sum (not exceeding two years' pay) or a weekly or other periodical gratuity to any of their officers or servants (including in that expression teachers employed by or paid by or through the council as the local education authority) who may be disabled or injured in their service or may become incapacitated through age sickness or other infirmity or to the widow or family of any such officer or servant who may die in their service.

(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.

Further provisions with regard to transfer of stock by deed.

119.—(1) The following provisions shall apply to a transfer of Corporation stock under section 33 (Transfer by deed) of the Act of 1885 instead of the provisions of subsection (5) of that section namely:—

The Corporation or the registrar shall after reasonable notice and on delivery up of the old certificate or on such proof that it cannot be produced as the Corporation or the registrar may require deliver to the purchaser a new stock certificate under the seal of the Corporation.

(2) Subsection (5) of section 33 of the Act of 1885 is hereby repealed.

As to joint owners of stock.

120. Where two or more persons are registered as owners of any Corporation stock such persons shall be deemed to be joint owners with right of survivorship between them.

121. Where Corporation stock has been issued at a price lower than one hundred pounds stock for one hundred pounds sterling so much of the stock as represents the difference between the price of the stock as issued and its nominal value shall for the purposes of section 15 (Contributions to loans fund for extinction of stock) of the Act of 1885 be treated as a loan authorised by a statutory borrowing power and payable on or before the date at which the stock is first redeemable at par at the option of the Corporation and that section shall be read and have effect accordingly.

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As to stock issued at price lower than nominal value.

122. If the Corporation create and issue Corporation stock for the purpose of defraying the expenses of the creation and issue of any Corporation stock the amount of stock created and issued for that purpose shall be redeemable and extinguished after and within the same periods after and within which the Corporation stock is to be redeemed and extinguished for the purpose of defraying the expenses of which it was so created and issued and for the purpose of determining the amount of the contributions aforesaid the amount of the said expenses shall be deemed to be the amount of a loan authorised by a statutory borrowing power and required to be paid off on or before the date at which the stock is first redeemable at par at the option of the Corporation.

As to expenses of issue of stock.

123.—(1) The Minister 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 shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

Inquiries by Minister.

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

124. Save as herein expressly provided all informations and complaints under or for the breach of any

Informations by whom to be laid.

A.D. 1926. of the provisions of this Act or of any byelaw made thereunder may be laid and made by any officer of the Corporation duly authorised in that behalf or by the town clerk or by any police officer acting for or within the borough.

Recovery
of penalties
&c.

125. Save as otherwise by this Act expressly provided all offences against this Act or any other local Act relating to the Corporation and all penalties forfeitures costs and expenses imposed or recoverable under this or any such 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.

Penalties
to be paid
over to
treasurer.

126. All penalties recovered on the prosecution of the Corporation or any officer of the Corporation on their behalf under this Act or any other local Act relating to the Corporation or any byelaw thereunder shall be paid to the treasurer and be by him carried to the credit of the borough fund or to such other fund as the Corporation shall direct.

Powers of
Act cumula-
tive.

127. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Applica-
tion of
section 265
of Public
Health Act
1875.

128. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of any local enactment as if the same were re-enacted therein.

129. 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 liable to any rate.

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Judges not
disqualified.

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

Crown
rights.

131. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund and borough rate or out of moneys to be borrowed under this Act for that purpose.

Costs of
Act.

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The SCHEDULES referred to in the
foregoing Act.

THE FIRST SCHEDULE.

AGREEMENT made the Twelfth day of May one thousand nine hundred and twenty-six between the most Honourable EDWARD WILLIAM SPENCER CAVENDISH M.P. (commonly called Marquess of Hartington and hereinafter called "the Marquess" which expression shall where the context so admits include his successors in title) of the one part and THE MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF EASTBOURNE (hereinafter called "the Corporation" which expression shall where the context so admits include its successors in title) of the other part.

PRELIMINARY.

(1) The Corporation is promoting in the present session of Parliament a Bill for an Act the short title of which is intended to be the Eastbourne Corporation Act 1926 (hereinafter referred to as "the said Act") whereby it seeks (among other things) powers for the acquisition of any land forming part of the downs and downland in and near the borough of Eastbourne.

(2) The Marquess is the owner or reputed owner in fee simple of certain of the said downs and downland and has presented a petition to the House of Lords praying to be heard in opposition to the said application of the Corporation.

(3) In order to prevent opposition by the Marquess to the passing of the said Act the parties hereto have agreed to enter into this agreement.

Now it is hereby agreed as follows :—

1. The Marquess will sell and the Corporation will purchase for an estate in fee simple in possession subject as hereinafter mentioned but otherwise free from incumbrances the land shown on the plan annexed hereto (hereinafter called "the said plan") and thereon coloured green and purple the land so coloured being hereinafter called "the said land" the land

coloured green being hereinafter called "the green land" and the land coloured purple being hereinafter called "the purple land."

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2. The purchase of the green land shall be completed at the expiration of five years from the passing of the said Act or on such earlier date for completion as shall be fixed by the Corporation by notice in writing to the Marquess not being earlier than four weeks from the date of the notice and the purchase of the purple land shall be completed on the twenty-fourth day of June nineteen hundred and seventy-three or if the present lease made the twenty-second day of January nineteen hundred and fourteen between the Most Noble Victor Christian William Duke of Devonshire and the Eastbourne Links Company Limited shall be determined before that date then at the expiration of four weeks from the date of such determination notice of which determination shall forthwith be given by the Marquess to the Corporation Completion shall take place at the office No. 21 Buckingham Gate London S.W.1 of Messrs. Currey & Co. the Marquess's solicitors or at such other place in London or Eastbourne as the Marquess shall appoint.

3. The price to be paid in the case of both the green land and the purple land unless the same is previously agreed between the parties shall be such sum as shall be ascertained to be the fair value thereof according to a valuation to be made by two persons one to be named by each party who shall give notice in writing of the nomination to the other party or by an umpire to be named by the valuers before proceeding to the valuation or if the valuers cannot agree on an umpire by an umpire to be named by the President of the Institute of Surveyors and if either party refuse or neglect to name a valuer or to notify in writing his nomination to the other party within twenty-one days after being required by that party so to do or if either of the valuers refuse or neglect to act for twenty-one days after notice in writing from the other valuer calling upon him so to do then the valuation shall be made by the valuer (if his nomination shall have been duly notified as aforesaid) of the other party. The whole of the said price shall be ascertained and fixed at one and the same time and the same shall then forthwith be apportioned between the green land and the purple land.

4. The rents and profits and outgoings of the green land and the purple land respectively shall respectively belong to and be discharged by the Marquess down to the respective dates of the actual completion thereof respectively and as from those respective dates shall belong to and be discharged by the Corporation.

5. As from the expiration of five years from the passing of the said Act or from the date of the notice in writing by

A.D. 1926.

the Corporation fixing an earlier date for the completion of the sale thereof whichever shall first happen the green land shall be at the sole risk of the Corporation and no claim shall be made against the Marquess for any deterioration or damage of or to the same from whatever cause and as from the twenty-fourth day of June nineteen hundred and seventy-three or the earlier determination of the said lease of the twenty-second day of January nineteen hundred and fourteen whichever first happens the purple land shall be at the sole risk of the Corporation.

6. After the price to be paid for the green land and the purple land shall have been fixed and determined the Corporation shall indemnify the Marquess against the expenditure of any money in complying with any requirement enforceable against him and made after that time by any local authority for the execution of any works on or in respect of the property.

6A. In the event of the said lease dated the twenty-second day of January nineteen hundred and fourteen being extended or renewed for the purpose of a golf course the Corporation will concur and join in such extension or renewal so far as it may affect the purple land on terms to be then arranged.

7. An abstract of title shall be supplied to the Corporation forthwith after the date for completion of the purchase of the green land shall have been fixed and shall commence with the will of the Most Noble Spencer Compton Duke of Devonshire who died in nineteen hundred and eight and on the footing that the property passed under a general devise of freehold estates of inheritance contained in that will and it shall be assumed as the fact was that the said Duke was at his death seised of the property in fee simple in possession free from incumbrances.

8. The Corporation shall within fourteen days after the delivery of the abstract send in writing to the Marquess's solicitors its requisitions on the title and shall within fourteen days after receiving the Marquess's replies to any requisitions (original or subsequent) in like manner send its requisitions arising on the replies and any requisition not so sent shall be deemed waived and subject to any requisitions so sent the title shall be deemed accepted and in these respects time shall be considered of the essence of the contract.

9. If the Corporation shall insist on any requisition which the Marquess shall be unable or on the ground of expense or any other reasonable ground unwilling to remove or comply with the Marquess may (notwithstanding any negotiation or litigation in respect thereof) give to the Corporation or its solicitor notice in writing to rescind the sale unless the requisition or objection is withdrawn and if it is not withdrawn within

ten days after the notice is given the sale shall without further notice be rescinded and the Marquess shall not be liable to pay any compensation to the Corporation.

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10. The Marquess shall not be required to identify the property with that or any part of that to which a title is shown and no requisition shall be made in reference to the inadequacy or absence of evidence of identity but the Corporation will if it requires it be supplied at its own expense with a statutory declaration that the property has been held consistently with the abstracted title since the death of the said Duke.

11. The property is sold subject to all chief quit and other rents and outgoings and to all manorial rights and incidents of tenure and to all rights of pasturage common and like rights and to all rights of way water light drainage and other easements or like rights (public or private) affecting the same and to all rights of adjacent or neighbouring owners and to any liability to repair or contribute to the repair of roads ways sewers drains walls fences hedges ditches and the like and the Marquess shall not be required to give any information not in his possession as to any of the matters referred to in this clause. In particular and without prejudice to the generality of the foregoing the property is sold subject to all easements and rights of the Eastbourne Waterworks Company now affecting the same under any grants by the Marquess or his predecessors in title or otherwise.

12. The green land is also sold subject to the tenancies which shall be subsisting at the date fixed for completion of the sale of the green land and to all allowances to and claims for compensation for improvements disturbance or any other matter and other rights of the tenants under any lease or tenancy current at completion whether arising under the Agricultural Holdings Acts the custom of the country or otherwise and whether arising during the continuation or on the determination of the tenancies. The counterparts or copies of the leases or written agreements (if any) to or with the tenants having been produced to the Corporation's solicitor the Corporation shall be deemed to have full notice of the contents thereof. If the tenancy of any part of the green land shall determine before completion the Marquess may relet the same on terms similar to the determined tenancy or with the consent in writing of the Corporation upon other terms.

13. There is excepted and reserved from the sale as a site for a reservoir for the Eastbourne Waterworks Company either (a) the part of the green land comprising three acres or thereabouts marked "Proposed Reservoir Site" and edged yellow on the plan or (b) such other part of the green land not exceeding three acres as the Marquess shall before the date when the price to be paid by the Corporation for the green

A.D. 1926. land shall be fixed and determined select together with all such rights of laying constructing repairing maintaining and renewing pipes and other ancillary works in connection with such reservoir as may be reasonably required the site of such reservoir if selected by the Marquess under (b) to be in such a situation as to interfere as little as reasonably possible with the amenities of the downs and if the Corporation shall object to the site selected on the ground of its causing such interference or if any dispute shall arise in defining the rights to be reserved as aforesaid the same shall be submitted to arbitration as hereinafter provided. The land so excepted shall be subject to the like restriction as to building thereon as is contained with respect to the land coloured blue on the said plan in clause 22 hereof but this restriction shall not prevent the making of a reservoir which may be covered or uncovered.

14. The eastern boundary of the green land where it adjoins Holywell pumping station and which boundary is lettered A B on the plan is forty feet to the west of the western boundary of the track leading from King Edward's Parade to Whitebread Hole and there is reserved to the Marquess the right to construct and at all times thereafter maintain on the green land adjoining the said boundary all such batters and like works as may be reasonably necessary in connection with the construction of any road or path along the said boundary or other widening of the said track with all such rights of access and other ancillary rights as may be reasonably necessary.

15. There is also reserved to the Marquess the right for the Marquess and all persons authorised by him for all purposes connected with the Marquess's Eastbourne Estates and either on foot or mounted and either with or without vehicles and animals of all descriptions at all times hereafter to pass and repass to and from any of the following places namely the Paradise Reservoir Lloyds Beachy Head Coast Guard Station and the Beachy Head Hotel and to exercise such right of way along any roads paths or tracks whether now existing or hereafter to be made on the said land or in such other directions as may from time to time be convenient for the purpose of obtaining access to the said places.

16. There is also reserved to the Marquess the right to tunnel through the downs for the purpose of carrying sewage from Whitebread Hole and France Bottom to the existing or any future Corporation sewers serving the Marquess's Eastbourne Estates and for that purpose to lay construct repair maintain and renew under the downs such tunnel pipes and other ancillary works as may be reasonably required the Marquess on every occasion making good and restoring the surface of any land disturbed forthwith after every disturbance thereof and paying

to the Corporation compensation for any damage or injury occasioned to the said downs in exercise of the rights and liberties aforesaid. A.D. 1926.

17. The said land shall not be used for any purpose other than as an open space for the benefit and recreation of the public or in the case of such part of the land as is now so employed for agricultural purposes which expression shall not include small holdings allotments market gardens and the like and no building or erection shall be erected or placed thereon except agricultural buildings and erections in connection with the existing farmsteads and no such building as last mentioned shall be erected without the previous consent in writing or otherwise than on a site previously approved of in writing by the Marquess but so that such consent or approval shall not be unreasonably refused and the conveyance to the Corporation shall contain a covenant making this provision binding on the Corporation and its successors in title in perpetuity with such provisions as to annexing the benefit of the covenant to land of the Marquess or providing otherwise for the devolution of the benefit as the Marquess may require Provided that the said restrictions shall not be binding on the Marquess as regards any land re-purchased by him under the right of pre-emption hereinafter conferred.

18. The Corporation shall at all times after the completion of the sale of the green land free of expense to the Marquess maintain the roads belonging to the Marquess included in the said land and shall also at all times thereafter maintain the whole of the Duke's Drive subject to the Marquess paying half the cost of making up that portion of it adjoining the frontage already developed at the Wellcombe and which portion is coloured red on the plan but otherwise free of expense to the Marquess and shall also at all times hereafter maintain Paradise Drive from Link Road to its junction with Summerdown Road and the portion of Pashley and Uplands Roads lettered C. D and coloured blue on the plan subject to the Marquess contributing a proportionate part of the cost of making up the portion of the said drive from Summerdown Road to the northern extremity of Paradise Plantation and which portion is coloured blue on the plan and the said portion of Pashley and Uplands Roads according to the extent to which the said portions of the said drive and roads have from time to time been or shall from time to time be developed by building on both or either of their sides.

19. Upon payment of the purchase money the Marquess will convey the property in question to the Corporation and the respective conveyances shall be made subject to and shall be so framed as to give full effect to every exception reservation restriction right or liability subject to which the property

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comprised therein is sold and to the restrictions hereinafter contained as to building on the green land and the purple land and the land coloured blue on the said plan and for that purpose shall be in such form as the Marquess may subject as aforesaid reasonably require and the Corporation shall execute a duplicate to be prepared by the Marquess of each conveyance and shall at the request of the Marquess do what is necessary to get the said duplicate duly stamped as such.

20. The Corporation shall not at any time hereafter let any part of the said land or of any other land acquired by it from the Marquess under the powers of the said Act for any term longer than twenty-one years and the Corporation shall not at any time hereafter (save by such letting as aforesaid) alienate any part of the said land or of any other land acquired by it from the Marquess under the powers of the said Act until it has offered in writing to sell the same to the Marquess free from all restrictions and the Marquess has in writing refused that offer or failed within six weeks of receiving the same to accept the same in writing and in the event of the offer being accepted the price shall in default of agreement be ascertained by valuation as provided in the case of the price to be paid by the Corporation for the said land.

21. So long as this agreement remains in force the Marquess will not hereafter erect any building nor permit any building except farm buildings to be erected upon the green land or the purple land or any part thereof respectively without the previous consent in writing of the Corporation such consent not to be unreasonably withheld.

22. The Marquess will not at any time hereafter erect any building nor permit any building to be erected upon the land coloured blue on the said plan or any part thereof without the previous consent in writing of the Corporation such consent not to be unreasonably withheld.

23. This agreement shall be scheduled to the Bill for the said Act with a view to its being thereby confirmed and declared to be valid and binding upon the parties and is made subject to such alterations as Parliament may think fit to make therein but if the Committee on the Bill make any material alteration in such agreement without the consent of both parties either party may by notice in writing to the other party rescind this agreement.

24. This agreement is subject to the Corporation obtaining in the present session of Parliament the powers which they seek in connection with the acquisition of the said downs and downland in Part II. of the Bill for the said Act and to the provisions of the said Act and if the said powers be not obtained during the present session of Parliament either party may by notice in writing to the other party rescind this agreement.

25. The Corporation shall unless this agreement is rescinded by the Marquess under clause 9 hereof pay all costs charges and expenses incurred by the Marquess of and incidental to the negotiations for and the preparation and carrying into effect by conveyance of this agreement including duplicates and stamps and any valuation or arbitration incidental thereto and also all costs charges and expenses incurred by the Marquess in respect of the said application to Parliament and his opposition to and petition against the said application and in the event of this agreement being rescinded under clause 23 or 24 hereof shall pay such of the said costs charges and expenses as have then already been incurred. This provision shall not apply to any costs charges or expenses incurred by the Marquess in relation to any re-purchase by him under the rights of pre-emption hereby conferred.

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26. If any difference shall arise between the parties hereto as to the meaning or effect of or as to their respective rights or liabilities under or otherwise in connection with these presents that difference shall (unless herein otherwise provided) be submitted to arbitration the reference being to two arbitrators one to be appointed by each party and unless otherwise herein provided in other respects regulated by the Arbitration Act 1889 or any statutory modification or re-enactment thereof for the time being in force.

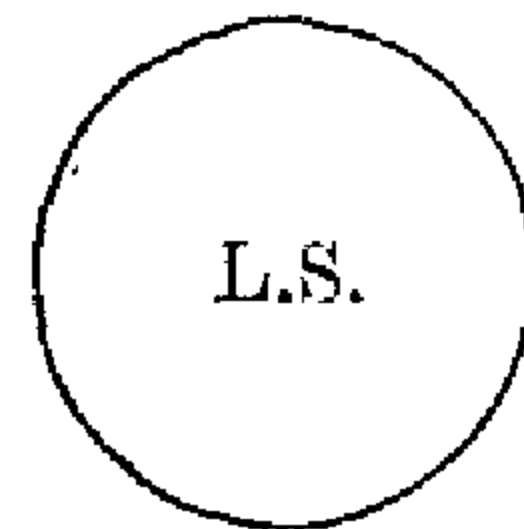
27. In consideration of the Corporation in all respects duly performing and observing this present agreement the Marquess will cease to oppose the passing of the said Act and will withdraw his said petition and the Marquess shall not oppose or be privy to any opposition being offered to the passing of the said Act.

In witness whereof the Marquess has hereunto set his hand and the Corporation has caused its common seal to be hereunto affixed the day and year first before written.

Signed by the said Edward William Spencer
Cavendish Marquess of Hartington in the
presence of } HARTINGTON.

EDITH H. DURRANT
1 Thomas Street W.1
Secretary.

The common seal of the mayor aldermen and
burgesses of the county borough of East-
bourne was hereunto affixed (by order of
the council dated the 3rd day of May 1926)
in the presence of }



CHARLES J. KNIGHT
Mayor.

H. W. FOVARGUE
Town Clerk.

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THE SECOND SCHEDULE.

ACTS AND ORDERS IN FORCE IN THE BOROUGH.

Session and Chapter of Act or Confirming Act.	Title.
42 & 43 Vict. c. xcvii	- Eastbourne Improvement Act 1879.
43 & 44 Vict. c. cxxxii	- Local Government Board's Provisional Orders Confirmation (Eastbourne &c.) Act 1880.
48 & 49 Vict. c. clxv	- Eastbourne Improvement Act 1885.
55 & 56 Vict. c. exciii	- Eastbourne Improvement Act 1885 (Amendment) Act 1892.
59 Vict. c. xii	- Local Government Board's Provisional Orders Confirmation (No. 18) Act 1895 Session 2.
61 & 62 Vict. c. xxxii	- Local Government Board's Provisional Orders Confirmation (No. 2) Act 1898.
62 & 63 Vict. c. cxxvi	- Eastbourne Electric Supply Order 1899.
2 Edw. 7. c. ccxlv	- Eastbourne Corporation Act 1902.
5 Edw. 7. c. excii	- Eastbourne Corporation Electric Light- ing (Willingdon Extension) Order 1905.
10 Edw. 7. & 1 Geo. 5. c. cxxiii.	- Eastbourne Corporation Act 1910.
7 & 8 Geo. 5. c. xxxv	- Local Government Board's Provisional Orders Confirmation (No. 1) Act 1917.
15 & 16 Geo. 5. c. xxxvii	- Ministry of Health Provisional Orders Confirmation (No. 2) Act 1925.

THE THIRD SCHEDULE.

REFERRED TO IN THE SECTION OF THE FOREGOING ACT OF WHICH
THE MARGINAL NOTE IS "POWER TO USE ONE FORM OF
MORTGAGE FOR ALL PURPOSES."

FORM OF MORTGAGE.

BOROUGH OF EASTBOURNE.

By virtue of the Eastbourne Corporation Act 1926 and of
other their powers in that behalf them enabling the mayor aldermen
and burgesses of the borough of Eastbourne (hereinafter referred

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to as "the Corporation") in consideration of the sum of _____ pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by _____ (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the funds rates and revenues of the Corporation as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said funds rates and revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of _____ per centum per annum from the _____ day of _____ nineteen hundred and _____ until payment of the principal sum such interest to be paid half-yearly on the _____ day of _____ and the _____ day of _____ in each year And it is hereby agreed that the principal sum shall be repaid at the Town Hall in the said borough [(subject as hereinafter provided) on the _____ day of _____ nineteen hundred and _____ or (if not repaid on that date) at any time thereafter on the expiration of six calendar months' notice in writing by the Corporation to the mortgagee or by the mortgagee to the Corporation] [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 agreed upon between the Corporation and the mortgagee and mentioned in an endorsement to be made hereon under the hand of the town clerk of the borough for the time being 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 _____ nineteen hundred and _____

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named _____ consenting the within-mentioned time for repayment of the within-mentioned principal sum of _____

[Ch. xciv.]

Eastbourne
Corporation Act, 1926.

[16 & 17 GEO. 5.]

A.D. 1926.

is hereby extended to the
nineteen hundred and
thereon on and from the
nineteen hundred and
at the rate of

day of
[and the interest to be paid
day of
is hereby declared to be
per centum per annum].

Dated this
hundred and

day of

nineteen

FORM OF TRANSFER OF MORTGAGE.

I [the within-named]
of

in consideration of the sum of
pounds paid to me by
of

(hereinafter referred to as "the transferee") do hereby transfer
to the transferee [his] executors administrators and assigns
[the within-written security] [the mortgage number
of the funds rates and revenues of the mayor aldermen and
burgesses of the borough of Eastbourne 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
nineteen hundred and

day of

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FOR

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