



CHAPTER lxxxviii.

An Act to extend the boundaries of the city and county of Kingston upon Hull and for purposes incidental thereto. A.D. 1929.
[10th May 1929.]

WHEREAS the city and county of Kingston upon Hull is a county borough under the government of the lord mayor aldermen and citizens of the city (hereinafter called "the Corporation") :

And whereas the unrepealed provisions of the local Acts specified in Part I of the First Schedule to this Act and of the Orders specified in Part II of that schedule are in force in the city :

And whereas—

- (a) the urban district of Cottingham ;
- (b) the urban district of Hessle ;
- (c) the parishes of Anlaby and Sutton which are contributory places in the rural district of Sculcoates ; and
- (d) the parish of Bilton which is a contributory place in the rural district of Skirlaugh ;

are situate in the administrative county of the east riding of Yorkshire and immediately adjoin the city :

And whereas it is expedient to alter and extend the boundaries of the city so as to include therein parts of the said urban districts and parishes :

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

[Price 2s. Net.]

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 as amended by the Local Government (County Boroughs and Adjustments) Act 1926 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 and collective titles.

1.—(1) This Act may be cited as the Kingston upon Hull Extension Act 1929.

(2) The local Acts as hereinafter defined and this Act may be cited jointly as the Kingston upon Hull Corporation Acts 1854 to 1929.

Interpretation.

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

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

- (i) "The city" means the existing city and county of Kingston upon Hull as extended by this Act;
- (ii) "The existing city" means the city and county of Kingston upon Hull as it exists immediately before the appointed day;
- (iii) "The Corporation" means as the context requires the lord mayor aldermen and citizens of the existing city or of the city;
- (iv) "The council" means the council of the city;

- (v) "The lord mayor" and "the town clerk" mean respectively the lord mayor and the town clerk of the existing city or of the city (as the context requires) and "the town clerk" includes any person duly authorised to discharge temporarily the duties of that office;
- (vi) "The general rate fund" and "the general rate" mean respectively the general rate fund and the general rate of the existing city or of the city (as the context requires);
- (vii) "The county" and "the county council" mean respectively the administrative county of the east riding of Yorkshire and the county council of that county;
- (viii) "The Cottingham district" and "the Cottingham Council" mean respectively the urban district of Cottingham and the urban district council of that district;
- (ix) "The added part of Cottingham" means the part of the urban district and parish of Cottingham which is coloured blue on the city map and "the excluded part of Cottingham" means the remaining part of that urban district and parish;
- (x) "The Hessle district" and "the Hessle Council" mean respectively the urban district of Hessle and the urban district council of that district;
- (xi) "The added part of Hessle" means the part of the urban district and parish of Hessle which is coloured purple on the city map and "the excluded part of Hessle" means the remaining part of that urban district and parish;
- (xii) "The added part of Anlaby" means that part of the existing parish of Anlaby which is coloured green on the city map and "the excluded part of Anlaby" means the remaining part of that parish;
- (xiii) "The added part of Sutton" means that part of the existing parish of Sutton which is coloured yellow on the city map and "the excluded part of Sutton" means the remaining part of that parish;

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- (xiv) "The added part of Bilton" means that part of the existing parish of Bilton which is coloured brown on the city map and "the excluded part of Bilton" means the remaining part of that parish;
- (xv) "The Sculcoates district" "the Skirlaugh district" "the Sculcoates Council" and "the Skirlaugh Council" mean respectively the rural districts of Sculcoates and Skirlaugh and the district councils of those districts;
- (xvi) "The rural councils" means the Sculcoates Council and the Skirlaugh Council;
- (xvii) "The district councils" means the Cottingham Council the Hessle Council and the rural councils;
- (xviii) "The added areas" means—
- (a) the added part of Cottingham;
 - (b) the added part of Hessle;
 - (c) so much of the Sculcoates district as comprises the added part of Anlaby and the added part of Sutton; and
 - (d) so much of the Skirlaugh district as comprises the added part of Bilton;
- (xix) "The local Acts" means the local Acts specified in Part I of the First Schedule the Orders specified in Part II of that schedule and so much of the confirmation Acts specified in that Part as relates to those Orders;
- (xx) "The appointed day" means the first day of April nineteen hundred and thirty;
- (xxi) "The city map" means the map marked "Kingston upon Hull Extension City Plan" and signed in triplicate by the Right Honourable the Viscount Hutchinson (Earl of Donoughmore) the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk at his office;

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- (xxii) "Existing" in relation to any area altered by this Act means existing immediately before the appointed day; A.D. 1929. —
- (xxiii) "The Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- (xxiv) "The Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same;
- (xxv) "The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the Borough Councillors (Alteration of Number) Act 1925;
- (xxvi) "Provisional Order" includes a Special Order;
- (xxvii) "The Minister" means the Minister of Health.

3. Save as otherwise expressly provided this Act shall come into operation on the appointed day: Commence-
ment of
Act.

Provided that for the purposes of—

- (a) the compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts;
- (b) all proceedings preliminary or relating to any election to be held in the year nineteen hundred and thirty for any area affected by this Act; and
- (c) the preparation of any precept or contribution order to be issued or made on or after the appointed day;

this Act shall operate from the date of its passing.

4.—(1) For the purposes of Parts I II III VI VII and VIII of the Local Government Act 1929 the alterations of area made by this Act shall be deemed to come into operation immediately before the date fixed by that Act as the appointed day for those purposes. Application
of Local
Government
Act 1929.

(2) Nothing in this Act shall affect the area of any poor law union.

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PART II.

ALTERATION OF BOUNDARY.

Extension
of city.

5.—(1) The boundary of the existing city the area whereof is coloured pink on the city map shall be altered so as to include in addition to that area—

- (a) the added part of Cottingham;
- (b) the added part of Hessle;
- (c) so much of the Sculcoates district as comprises the added part of Anlaby and the added part of Sutton; and
- (d) so much of the Skirlaugh district as comprises the added part of Bilton.

(2) The boundary of the city shall be that shown by the inner edge of the dark red line on the city 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 city and shall be the county borough and also the county of the city of Kingston upon Hull for the purposes of the Act of 1888 and for all other purposes.

Alterations
of parishes.

6. The added areas shall be separated from the existing parishes of which they form part and shall be amalgamated with the existing parish of Sculcoates.

City map.

7.—(1) Copies of the city map deposited with the town clerk certified by him to be true shall be sent by him as soon as may be to the clerk to the county council to the respective clerks to the Cottingham Council the Hessle Council the Sculcoates Council and the Skirlaugh Council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Minister of Health to the Minister of Transport to the Minister of Agriculture and Fisheries to the Postmaster-General and to the Electricity Commissioners.

(2) Copies of or extracts from the city 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 map so far as it relates to the boundary of any area altered by this Act.

(3) The city map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the city 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. A.D. 1929.

(4) All fees so received shall be carried to the general rate fund.

PART III.

PROVISIONS CONSEQUENT ON EXTENSION OF CITY.

8. The persons who hold office immediately before the appointed day as lord mayor aldermen and councillors of the existing city shall on the appointed day become the lord mayor aldermen and councillors of the city but shall respectively retire from office on the day on which they would have retired from office if this Act had not been passed. Existing lord mayor aldermen and councillors.

9.—(1) This section shall come into operation on the date of the passing of this Act but any scheme or Order in Council made in pursuance of the provisions hereinafter mentioned as applied by this section shall not take effect until the appointed day except for the purposes of an election of councillors in pursuance of this section. Alterations of wards and of numbers of aldermen and councillors.

(2) On the date of the passing of this Act the provisions of section 30 of the Municipal Corporations Act 1882 as amended by the Municipal Corporations Act 1893 and the Borough Councillors (Alteration of Number) Act 1925 shall have effect as if—

(a) a petition had been presented by the council praying for an alteration of the number of councillors of the city and an alteration of the number and boundaries of the wards thereof; and

(b) the provisions of this Act altering the boundaries of the city had come into operation.

(3) In the event of the number of wards of the city being increased in pursuance of a scheme or order made under the said provisions as applied by this section it shall not be necessary for the number of councillors

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A.D. 1929. — assigned to each of the wards into which the city is for the time being divided to be a number divisible by three and if in any one or more of the wards the number of councillors is not so divisible the number of aldermen of the city shall be as near as may be but not less than one-third of the number of councillors.

(4) Any scheme or order made under the said provisions as applied by this section may provide that the term of office of any additional councillors elected at the first elections shall expire on the ordinary day of retirement of councillors in the year nineteen hundred and thirty-three.

(5) Before any Order in Council is made in pursuance of the said provisions as applied by this section for the alteration of the number of councillors the Secretary of State on the request of the Lord President of the Council may appoint a commissioner to hold a local inquiry and the provisions of subsections (14) and (15) of the said section 30 of the Municipal Corporations Act 1882 shall apply in respect of any such inquiry.

(6) Any Order in Council made in pursuance of the said provisions as applied by this section may be altered or varied by a subsequent Order in Council made on the application of the Corporation by petition under the provisions of the said section 30 of the Municipal Corporations Act 1882 as amended by the Municipal Corporations Act 1893 and the Borough Councillors (Alteration of Number) Act 1925 and the provisions of subsections (3) and (5) of this section shall apply to any such application.

County and
Borough
Councils
(Qualifica-
tion) Act
1914.

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

County
electoral
divisions.

11. The added areas shall be separated from the county electoral divisions of which they respectively form part and any person who immediately before the appointed day is a county councillor representing any such division shall be deemed to have been elected to represent that division as altered by this Act and shall retire on the date on which he would have retired if this Act had not been passed.

12.—(1) The powers and duties of the quarter sessions recorder sheriff and clerk of the peace of the existing city and of the stipendiary magistrate and justices of the peace appointed for the existing city and of the clerk to those justices and of the police constables and other peace officers of the existing city shall extend to and apply throughout the city :

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—
Jurisdiction powers and duties of quarter sessions &c. extended.

Provided that—

- (a) every person committing an offence in any of the added areas prior to the appointed day shall be tried and dealt with as if this Act had not been passed;
- (b) every proceeding which prior to the appointed day has been begun by or is pending before any justice in relation to any matter arising in or concerning any of the added areas 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 areas shall cease to form part of any petty sessional division of the county.

13.—(1) The jurisdiction rights powers duties and authority of the coroner of the existing city shall extend and apply throughout the city.

Coroners.

(2) The proviso to section 12 of the Hull Extension and Improvement Act 1882 (which relates to the jurisdiction rights powers and authority of any coroner for the wapentake liberty or hundred of Holderness) and so much of section 8 of the Kingston upon Hull Corporation Act 1897 as applies that proviso to the extension of the city effected by that Act are hereby repealed.

14. The auditors of the existing city who are in office on the appointed day shall continue in office and shall be the city auditors until the next ordinary day of election of city auditors.

City auditors.

15. Subject to the provisions of this Act all property immediately before the appointed day vested in the Corporation for the benefit of the existing city (not being property held on any charitable trust)

Corporation property liabilities &c.

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A.D. 1929. — shall by virtue of this Act be held by the Corporation for the benefit of the city and the Corporation shall hold enjoy and exercise for the benefit of the city all the powers which immediately before that day are exerciseable by or vested in the Corporation for the benefit of the existing city and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing city shall on that day attach to them in respect of the city.

Mortgage
debts of
Corpora-
tion.

16.—(1) So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing city or the revenues of the existing city shall be charged upon the corresponding fund or rate of the city or the revenues of the city.

(2) All borrowed moneys to which this section applies with the interest thereon shall 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.

Transfer of
public
elementary
schools.

17.—(1) For the purposes and subject to the provisions of the Education Act 1921—

(a) Any public elementary school provided by the county council as local education authority and situate within the added areas and the furniture fittings books and apparatus belonging to the county council of any public elementary school within those areas shall by virtue of this Act be transferred to and vest in the Corporation as the local education authority for all the estate and interest therein of the county council as the local education authority;

(b) All contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the county council in respect exclusively of any public elementary school within the added areas or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school within those areas shall by virtue of this Act enure

to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority; A.D. 1929.
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(c) Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this section;

(d) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school or of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of this Act as will be owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this Act be transferred and attach to the Corporation as the local education authority and so much of any such loan as will then be owing shall be charged on the general rate fund and general rate and shall be repaid by the Corporation within the period if any for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

(2) In this section "public elementary school" includes the site and schoolhouse and also any land acquired and held by the county council as the local education authority for purposes of elementary education.

18. Any manager of any public elementary school within the added areas who was appointed by the county council or by a district council or by a parish council shall vacate office on the appointed day. School managers.

19.—(1) On the appointed day such members (if any) of the police force of the county as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the watch committee of the Corporation or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the city: County police.

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Provided that no member of the police force of the county shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the city upon the same tenure and subject to the same terms and conditions as the other serving members of the city police force of the same rank as that member and any period of service which the transferred member was entitled to reckon before the transfer for purposes of pay promotion or pension in the police force of the county shall be reckoned for the same purpose in the police force of the city :

Provided that where the scale of ordinary pensions applicable to a member of the police force of the county who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this section as if that member had removed with the written sanction of the chief constable of the county and notwithstanding that at the date of the transfer that member may not have completed one year's approved service in the police force of the county.

County
police
stations &c.

20. Any county police station situate within the added areas and any residence for a constable or cell so situate and the fittings and furniture of any such police station residence or cell shall by virtue of this Act be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the county council and section 68 (Adjustment of property and liabilities) of the Act of 1894 shall apply with respect to any adjustment for the purposes of this section :

Provided that if at any time before the appointed day the county council give to the Corporation notice in writing of their desire to retain all or any of the residences for constables and cells of the county council situate in the added part of Sutton the residence or

residences for constables and the cell or cells referred to in such notice shall remain the property of the county council and shall not be transferred to or vest in the Corporation. A.D. 1929.

21. The Cottingham Council and the Hessle Council shall continue and shall be deemed to have been elected for and shall be the urban district councils for the Cottingham district and the Hessle district respectively as diminished by this Act. Continuing Cottingham and Hessle Councils.

22. The county council the district councils and the parish councils and parish meetings of the existing parishes which include parts of the added areas shall cease to exercise any powers or discharge any duties within any part of the added areas. Powers of county district and parish councils &c.

23. Subject to the provisions of this Act and to any necessary adjustments— Property &c. of district councils.

(1) Any property or liabilities which immediately before the appointed day are vested in or attach to the district councils in relation exclusively to one of the added areas or any portion of one of the added areas shall by virtue of this Act be transferred to and vest in or attach to the Corporation as the urban authority for the execution of the Public Health Acts;

(2) Any property or liabilities which immediately before the appointed day are vested in or attach to the district councils in relation to one of the added areas or any portion of one of the added areas conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

24.—(1) Subject to the provisions of this Act any powers or duties vested in or imposed on the parish councils of the existing parishes of Anlaby and Sutton shall so far as regards the added parts of those parishes be vested in or imposed on the Corporation. Powers property &c. of parish councils.

(2) Any property or liabilities held or incurred by either of the said parish councils in relation exclusively to the added parts of Anlaby and Sutton or any portion of one of those added parts shall by virtue of this Act be transferred to and vest in or attach to the Corporation.

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(3) Any property or liabilities held or incurred by either of the said parish councils in relation to the added parts of Anlaby and Sutton or any portion of one of those added parts conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

Local Acts.

25.—(1) Subject to the provisions of this Act the unrepealed provisions of—

(a) the local Acts;

(b) any other local Act or Provisional Order duly confirmed and affecting the existing city or the Corporation (including any such local Act or Provisional Order passed or confirmed during the present session of Parliament); and

(c) any order affecting the existing city or the Corporation which has effect as if enacted by Parliament;

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

(2) The following provisions are repealed as from the appointed day :—

Kingston-upon-Hull Improvement Act 1854—

Section 31 (Power for the local board to cause the streets to be lighted);

Section 87 (Inspection of drains privies cess-pools and ashpits);

Section 88 (All sewers &c. to be provided with traps &c.);

Section 98 (Size of areas of courts alleys &c.);

Section 99 (Back yards and areas to houses to be provided);

Section 105 (Local board may order nuisance to be abated);

Section 106 (Penalties for disobedience of orders of justices);

Section 109 (Dogs suspected to be mad may be destroyed);

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Section 111 (Penalty on obstructing streets with carts &c.); A.D. 1929.

Section 114 (Local board may contract for water carts and fire engines &c.);

Section 126 (Highway rates &c. for highways);

Section 135 (Assessments to general and special district rates).

Order relating to the city confirmed by the Local Government Supplemental Act 1871 (No. 2)—
Article 5.

Order relating to the city confirmed by the Local Government Board's Provisional Orders Confirmation (Belper Union &c.) Act 1877—
Article 3.

26.—(1) Notwithstanding anything contained in the local Acts the terms for a supply by the Corporation of water within the added areas shall be the same as the terms for a corresponding supply afforded by the Corporation in similar circumstances within the existing city. Water charges.

(2) Nothing in this section shall prejudice or affect the rights of any person under section 30 (Provision where existing wells affected) of the Kingston-upon-Hull Corporation Act 1911.

27. The terms for a supply by the Corporation of electricity within the added areas shall be the same as the terms for a corresponding supply afforded by the Corporation in similar circumstances within the existing city. Electricity charges.

28.—(1) The provisions of—
(a) The Baths and Washhouses Acts 1846 to 1925;
(b) The Sale of Gas Act 1859;
(c) The Infectious Disease (Prevention) Act 1890;
(d) Parts II III IV and V of the Public Health Acts Amendment Act 1890;
(e) The Museums and Gymnasiums Act 1891;
(f) The Public Libraries Acts 1892 to 1919;
(g) The Small Dwellings Acquisition Acts 1899 to 1923; Adoptive Acts.

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- (h) The Notification of Births Act 1907 ;
(i) The Local Government and other Officers' Superannuation Act 1922 ;
(j) Sections 13 to 16 20 to 32 and 35 and Parts III IV and V of the Public Health Act 1925 ;

shall be in force within and apply to the city.

(2) The provisions of any adoptive Acts shall subject to the provisions of this section cease to be in force within and apply to any part of the added areas :

Provided that all powers duties capacities liabilities and obligations under the Private Street Works Act 1892 with which the district councils may have been invested immediately before the appointed day shall be deemed to vest in and attach to the Corporation so far as regards any works in the added areas executed by those councils under that Act before the appointed day or in respect of which those councils before that day shall have passed resolutions or shall have served notices.

(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 immediately before the appointed day throughout the existing city shall extend and apply to the added areas and any order under the Infectious Disease (Notification) Act 1889 in force immediately before that day within the added areas shall cease to be in force within those areas.

Orders
under Shops
Acts 1912
to 1928.

29. Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders
under Wild
Birds Pro-
tection
Acts.

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

Orders un-
der Public
Health Acts

31. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards

orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925— A.D. 1929.

- Amend-
ment Act
1907 or
Public
Health Act
1925.
- (1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing city any parts or sections of either of those Acts shall have effect as if any reference in that order to the existing city extended and applied to the city and as if such parts or sections were accordingly declared to be in force within the city;
 - (2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing city shall extend and apply to the added areas;
 - (3) The provisions of any order made before the appointed day and declaring to be in force within the added areas any parts or sections of either of those Acts shall cease to apply to the added areas and the parts or sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within the added areas but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

32. All the powers duties and liabilities of an urban authority and all the powers in relation to the chargeability of expenses with which either of the rural councils is invested in pursuance of any order made by the Local Government Board or the Minister under the Public Health Acts in respect of any existing parish which is altered by this Act shall be deemed to vest in and attach to the rural council in respect of that parish as so altered. Urban powers &c. in excluded parts of parishes.

33.—(1) The powers duties and liabilities of a parish council under section 14 (Public property and charities) of the Act of 1894 conferred upon the Corporation by order of the Local Government Board dated the seventh day of July nineteen hundred and nine shall be deemed to have been conferred upon the Corporation in respect of the parishes comprised in the city. Powers under sections 14 and 33 of Act of 1894.

(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

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Byelaws
regulations
and scales
of charges.

34.—(1) All byelaws made under the Public Health Acts and in force within the existing city or within the added areas immediately before the appointed day shall—

- (a) if made before the first day of January nineteen hundred and nineteen continue to apply to the existing city or to the added areas as the case may be for one year after the appointed day (unless previously repealed or altered by the Corporation) but shall on the expiry of one year cease to be in force within the city;
- (b) if made on or after the first day of January nineteen hundred and nineteen continue to apply to the existing city or to the added areas as the case may be until repealed or altered by the Corporation.

(2) Notwithstanding the foregoing provisions of this section any such byelaws in force in the existing city may by a byelaw made in accordance with sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority be continued and be extended with or without modification to the added areas.

(3) All other byelaws made by the Corporation or by the watch committee of the existing city and in force immediately before the appointed day shall apply to the city until repealed or altered and all byelaws made by the county council or the standing joint committee of the county shall on that day cease to apply within the added areas.

(4) In their application to the added areas any byelaws continued in force by this section shall have effect as if they had been made by the Corporation and as if the added areas were referred to therein instead of the area to which they now apply.

(5) Any proceedings which if this Act had not been passed might have been taken for any offence against any byelaw committed before the appointed day within the added areas may be taken by the Corporation.

(6) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and the phrase "byelaws made under the Public Health Acts" means byelaws which under the Ministry of Health Act 1919 are subject to confirmation by the Minister whether made before or after the passing of that Act. A.D. 1929.
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35.—(1) The clerk of the county council shall before the appointed day send the town clerk a copy of every entry in the register of the county council under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within the added areas and the town clerk shall include in the register of the Corporation under that Act the particulars furnished by the clerk of the county council. Register
of nursing
homes.

(2) Any exemption in force immediately before the appointed day from the operation of Part II of the Midwives and Maternity Homes Act 1926 or the Nursing Homes Registration Act 1927 which may have been granted by the county council in respect of premises within the city shall continue in force until the exemption shall expire or if the exemption is not limited as to time until the exemption shall be withdrawn by the Corporation.

36.—(1) The Minister may by order at any time after the passing of this Act make such provisions as appear to him to be necessary for transferring to the insurance committee for the city such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added areas. 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 areas until such date not being later than the thirtieth day of June nineteen hundred and thirty as may be specified in the order and may for that purpose postpone the operation of this Act so far as it relates to the rights and duties of the respective insurance committees for the county and city until the date so specified and may provide for such financial adjustments and may contain such other consequentia and supplementary provisions as may appear to the Minister necessary or expedient.

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Extension Act, 1929.

A.D. 1929. (3) An order under this section shall have effect as if enacted in the National Health Insurance Act 1924 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 city 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 city.

Burial Acts. **37.**—(1) The Corporation shall be the burial board for the city and shall have within the city to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906:

Provided that no approval sanction or authorisation of the vestry of a parish shall be required in respect of any act of the Corporation as the burial board.

(2) Nothing in this Act shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day or prejudicially affect any right privilege or authority which immediately prior thereto is exerciseable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906.

PART IV.

DISTRICT COUNCILLORS.

District
councillors
for areas
altered by
this Act.

38. Any person immediately before the appointed day in office as a councillor for the Cottingham district or the Hessle district or any ward thereof or a rural district councillor for any existing parish which is altered by this Act shall on the appointed day become a councillor for such district ward or parish as altered by this Act but shall retire from office on the day on which he would have retired from office if this Act had not been passed.

PART V.

A.D. 1929.

OFFICERS.

39. In this Part of this Act unless the context otherwise requires—

Meaning in this Part of "local authority" and "officer."

"Local authority" means a local authority as defined in section 3 of the Local Government and other Officers' Superannuation Act 1922 and includes the standing joint committee of a county;

"Officer" includes a servant and any person whose salary or wages is paid by a local authority.

40. The town clerk and all other officers of the Corporation of the existing city who hold office immediately before the appointed day shall continue to be the town clerk and officers of the Corporation of the city and shall hold their offices by the same tenure as before that day.

Officers of Corporation continued.

41.—(1) Every officer in office on the date of the passing of this Act who by virtue of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office by determination of his appointment or by diminution or loss of fees salary or emoluments (and for whose compensation for that loss no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

Compensation to existing officers.

(2) Any officer whose services are dispensed with or whose fees salary or emoluments are reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this Act and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Act.

42.—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Act regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed the limit therein mentioned.

Determination of compensation.

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Extension Act, 1929.

A.D. 1929.

(2) Any compensation payable under this Act to any officer shall be paid out of the general rate fund and the provisions of section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications:—

(a) Any reference in that section to the county council shall be construed as a reference to the Corporation and in subsection (7) of that section for the words “the same or any other county council” there shall be substituted the words “any local authority as defined in “the Local Government and other Officers’ Superannuation Act 1922”;

(b) References in that section to “the passing of this Act” shall be construed as references to the date on which the abolition of office or determination of appointment takes effect or the direct pecuniary loss commences as the case may be;

(c) The expression in subsection (1) of that section “the Acts and rules relating to Her Majesty’s Civil Service” shall mean the Acts and rules relating to Her Majesty’s Civil Service which were in operation at the date of the passing of the Act of 1888; and

(d) The references in subsections (4) and (6) of that section to the Treasury shall be deemed to be references to the Minister.

(3) In computing the time of service in any capacity of any officer for the purpose of the award of compensation the Corporation shall take into account all the service of that officer (after the attainment of the age of eighteen years) in any capacity under any local authority whether such officer has been appointed annually or otherwise.

(4) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors’ book or the register of electors under the Representation of the People Acts shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purpose of compensation.

(5) The compensation payable under this Act to an officer who immediately before the appointed day shall

hold two or more offices under any local authority or local authorities and who shall have devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices and for the purpose of this subsection a superintendent registrar registrar of births and deaths or registrar of marriages shall be deemed to hold an office under a local authority. A.D. 1929.

(6) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's forces or the forces of the allied or associated powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the armistice voluntarily extended his term of service with the forces no period of absence during such extension shall be so reckoned.

(7) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this Act.

43. No officer shall be entitled to receive compensation under this Act for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss. Compensation and superannuation.

44. The provisions of this Part of this Act shall apply to a teacher employed in a public elementary school maintained by the local education authority at the passing of this Act as if he were an officer employed by the authority: As to teachers in public elementary schools.

Provided that—

(a) in the case of a teacher employed in a public elementary school maintained but not

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provided by the authority the provisions with respect to an officer whose services are dispensed with shall only apply if such teacher be discharged by the authority or by the direction or with the consent of the authority (otherwise than for misconduct) within five years after the appointed day;

- (b) in the application of subsection (7) of section 120 of the Act of 1888 in the case of a teacher to whom a compensation allowance has been granted in pursuance of this section service in a public elementary school maintained but not provided by a local authority shall be deemed to be service in an office under that authority.

PART VI.

SUPPLEMENTARY.

Differential rating.

45.—(1) The Minister may if he thinks fit on the application of a local authority or of any railway company owning property in the added areas and after considering any representations that may be made to him by the Corporation order that for the period or periods stated in the order the total amount in the pound of the general rate to be made and levied upon rateable hereditaments situate in any of the added areas shall be less than the total amount in the pound of the general rate to be made and levied upon hereditaments within the area of the existing city by such sum or sums as may seem equitable to him.

(2) Any application under this section shall be made in writing before the expiration of two months from the passing of this Act.

(3) For the purposes of this section "a local authority" means any of the district councils and the parish council or where there is no parish council the parish meeting of any parish part of which is included in the added areas.

Deduction in ascertaining rateable value of tithes railways &c.

46. For the purposes of all valuation lists of the city under the Rating and Valuation Act 1925 the amount of the deduction to be made under paragraph (c) of subsection (1) of section 22 of that Act from net

annual value in the ascertainment of the rateable value of such rateable hereditaments within the added areas as are included in Class (3) of the hereditaments specified in column (1) of Part II of the Second Schedule to that Act shall be twenty-six per cent. and such adjustments of the value of those hereditaments shall be made by the Corporation as may be necessary to give effect to the provisions of this section. A.D. 1929.

47.—(1) The valuation list of the existing city and the portions of the valuation lists of the Cottingham district the Hessle district the Sculcoates district and the Skirlaugh district which relate to hereditaments within the added areas shall together form the valuation list of the city as from the appointed day. Valuation lists.

(2) The remaining portions of the valuation lists of the said districts shall be the valuation lists of those districts as from the appointed day.

48.—(1) In any case where the extension of the existing city by this Act affects the distribution of any moneys between the county and the city or between the county and the city on the one hand and any other county borough on the other hand 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 and in regard to the adjustment of which provision is not made in any other Act 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 affected or by an arbitrator appointed by those councils and if such adjustment shall not have been made or an arbitrator has not been appointed before the thirty-first day of December nineteen hundred and thirty or such later date as may be allowed by the Minister 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 shall not have been made or so far as any such agreement shall not extend the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply

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A.D. 1929. — 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 arbitrator within the meaning of section 62 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 of the Act of 1888 subsections (1) and (5) of section 87 of that Act 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 of the Act of 1888 shall apply to any agreement or award made under this section.

Adjustment
as to
properties.

49. In any adjustment between the Corporation and any council or other authority which may be made in consequence of this Act regard shall be had to the interest or share (if any) of the added areas or any part thereof in any property—

- (a) which is retained by or transferred to such council or other authority after or as from the appointed day who will thereby be relieved from providing accommodation; or
- (b) which was prior to the appointed day subject to beneficial user by the inhabitants of the added areas or any part thereof; or
- (c) which or some part of which is realisable;

and due credit shall be given in such adjustment to the Corporation in respect of such interest or share (if any) except to the extent to which the property will remain or become a burden on the council or other authority by whom it is retained or to whom it is transferred.

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

A.D. 1929.

—
Adjustment
for purposes
of licensing.

(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 city 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 of the Act of 1888 and the provisions of that Act shall apply accordingly.

51.—(1) The registration officer of the parliamentary county of the east riding of Yorkshire shall supply the registration officer of the parliamentary borough of Kingston upon Hull on publication with a sufficient number of copies of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants for each registration unit comprising any part of the added areas and shall forthwith notify the registration officer of the parliamentary borough of Kingston upon Hull of his decisions on any objections or claims in respect of any such registration unit.

Duplicate
entries in
electors
lists.

(2) It shall be the duty of the registration officer of the parliamentary borough of Kingston upon Hull to issue such notices and otherwise to take such steps as are required by rule 23 in the First Schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the city for the purpose of city council elections.

(3) Where the registration officer of the said parliamentary borough considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors' lists of any registration unit comprising any part of the added

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A.D. 1929. — areas he shall forthwith notify the registration officer of the said parliamentary county and that officer shall make such correction accordingly.

(4) This section shall apply to the preparation of the register in the year nineteen hundred and thirty and of later registers.

Provisions
as to
register of
electors.

52.—(1) For the purposes of the register of local government electors of the city prepared in the year nineteen hundred and thirty and of all matters connected with incidental to or consequent upon those purposes the added areas shall be deemed to have formed part of the city as from the twenty-eighth day of February nineteen hundred and thirty.

(2) If the register of local government electors for any local government electoral area affected by this Act is not so framed as to show the persons entitled to vote at an election to be held for a district parish or ward or other voting area—

(a) the town clerk in the case of an election for any voting area within the city; and

(b) the registration officer of the parliamentary county of the east riding of Yorkshire in the case of an election for any voting area outside the city;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election.

(3) The additional expenses (if any) solely occasioned by any alteration or re-arrangement of the register authorised by subsection (2) of this section shall be borne by the Corporation.

(4) It shall be the duty of the town clerk and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by any of the district councils for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by any registration officer for the purpose of any alteration or re-arrangement authorised by subsection (2) of this section.

(5) 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. A.D. 1929.
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53. The parish council of each of the existing parishes of Anlaby and Sutton shall be deemed to have been elected as and shall be the parish council of that parish as altered by this Act. Parish councils.

54. Subject to the provisions of this Act—

Parish
meeting.

(1) Any powers and duties transferred by or under the Act of 1894 to the parish meeting of the existing parish of Bilton so far as they relate to the added part of that parish shall be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the added part of Bilton had been included in the existing city on the appointed day within the meaning of the Act of 1894 :

(2) Any property or liabilities held or incurred by the parish meeting of the said existing parish or by the representative body constituted by article 7 of the Overseers Order 1927 for that parish in relation exclusively to the added part of the said parish for the purposes or by virtue of the powers and duties above-mentioned in respect of the added area shall by virtue of this Act be transferred to and vest in the persons and authorities aforesaid :

(3) Any property or liabilities held or incurred by the parish meeting of the said parish or by the representative body constituted by article 7 of the Overseers Order 1927 for that parish in relation to the added part of that parish or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

55. For the purpose of summoning jurors and of jury service any parish affected by this Act shall be deemed to continue unaltered until a new jurors' book comes into force. Jury service.

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Local land
charges
registers.

56.—(1) The local registrars for the county for the Cottingham district for the Hessle district for the Sculcoates district and for the Skirlaugh district under the Land Charges Act 1925 and the rules made thereunder shall within fourteen days after the appointed day supply to the local registrar for the city an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the city shall within fourteen days after the receipt of the office copy mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate part of the local land charges register of the city.

(3) Until the entries are made as aforesaid or until the expiration of one month from the appointed day whichever be the earlier day the following provisions shall have effect in respect of all land within the added areas :—

- (a) The local registrar for the city shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the district affected and in the register for the county ;
- (b) Where application is made for an official search the local registrar for the city shall issue free of charge a certificate of official search in the register of the city and shall forward to the local registrar for the district affected the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of the application ;
- (c) The local registrar for the district affected and the local registrar for the county shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed ;

- (d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation; A.D. 1929. —
- (e) Where a local land charge duly registered in the local land charges register of the county or of the district affected is in pursuance of this Act transferred from the register of the county or the district to the register of the city such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the city.

57.—(1) Any proceeding taken by any of the district councils under the Town Planning Act 1925 or any enactment thereby repealed (including any agreement order approval consent or notice under that Act or repealed enactment) shall in so far as it relates to land within any of the added areas have effect as if it had been taken by the Corporation in respect of that land. Town planning.

(2) For the purposes of the Kingston upon Hull (South East Hull and District (Town Planning Scheme) Interim Development) Order 1923 the Corporation shall as respects such portions of the added areas as are included within the area defined in that order exercise the powers conferred and be subject to the duties imposed on the rural councils by that order.

58.—(1) Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring a settlement in any existing parish affected by this Act or a status of irremovability from the poor law union in which such parish is comprised by reason of residence birth or other qualification in any area specified in column 1 of the Second Schedule to this Act shall be deemed to have acquired or to be in the course of acquiring thereby a settlement in the parish denoted by the corresponding number in column 2 of that schedule or a status of irremovability from the poor law union in which such parish is comprised and as if in each case the area specified Settlement of poor.

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A.D. 1929. — in column 1 had always been the parish denoted by the corresponding number in column 2 of the schedule or a part of that parish.

(2) For the purposes of this section consecutive periods of residence in any portions of an existing parish divided by this Act shall be aggregated and reckoned as continuous residence in that part of the existing parish in which the person was residing immediately before the appointed day.

Adaptation
of provisions
as to adjust-
ments.

59.—(1) Agreements may be made by any councils or other authorities affected by the alteration of any areas or authorities made by this Act for the adjustment of any property income debts liabilities and expenses so far as they are affected by the alteration and section 62 of the Act of 1888 shall apply to any such adjustment with the following modifications:—

- (a) As if in subsections (5) (6) and (7) of that section the expression “council” included any authority affected by this Act or by anything done in pursuance of this Act;
- (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 subsection (6) of the section 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;
- (c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the section; and
- (d) As if the following subsection were added to the section—

“ (8) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be

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“ levied in part only of the parish the agree- A.D. 1929.
“ ment or award may authorise such sum to —
“ be levied in that part as an additional item
“ of the general rate.”

(2) This section shall not extend to any matter for the adjustment of which provision is made in any other Act or in the section of this Act whereof the marginal note is “Adjustment of financial relations between county and county boroughs.”

60. Any balance standing on the appointed day in the books of either of the rural councils to the credit or debit of any existing parish which is altered by this Act shall be a matter for adjustment under section 62 of the Act of 1888. Balances in accounts of rural councils.

61.—(1) Notwithstanding the alterations of area effected by this Act all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Act had not been passed. Contribution orders precepts and arrears of rates.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within any of the added areas shall be collected and recovered by the Corporation.

(3) Any rates so collected and recovered shall be a matter for adjustment under section 62 of the Act of 1888.

62. Any ratepayer of any existing parish which is altered by this Act shall at all times have the same right of inspection and of making extracts from the books and documents of that existing parish which he would have had if this Act had not been passed. Parish books and documents.

63. Any references in this Act to the provisions of the Education Act 1921 shall as respects any provision of that Act which may not be in operation at the appointed day be construed as a reference to the corresponding provision of the Education Acts 1870 to 1919 until such corresponding provision is repealed by the Education Act 1921. References to Education Act 1921.

64. Any alderman or councillor who is to continue in office after the appointed day shall not during his Saving for qualification of aldermen

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A.D. 1929. present term of office be deemed to lose his qualification
— for being an alderman or councillor by reason of the
and alterations of area made by this Act.
councillors.

For pro-
tection of
Cottingham
Urban
District
Council.

65. Notwithstanding anything in this Act the following provisions for the protection of the Cottingham Council (in this section referred to as "the council") shall unless otherwise agreed in writing between the Corporation and the council have effect (that is to say) :—

- (1) The provisions of section 39 (As to use and maintenance of outfall and other sewers) of the Hull Extension and Improvement Act 1882 (in this section referred to as "the Act of 1882") shall apply mutatis mutandis in the case of all sewers and drains of the council existing immediately before the appointed day in the added part of Cottingham :
- (2) The council shall be entitled to cause their sewers to communicate with and the sewage or drainage of any part of their district to be discharged into any sewers which have been or shall be laid down by the Corporation in any road or street in the added part of Cottingham or in those areas which formerly formed part of the district of the council or their predecessors and were added to the city by the Act of 1882 and the Kingston-upon-Hull Corporation Act 1897 subject to the following conditions :—

(a) The communications and all works in connection therewith within the city shall be made by the Corporation and in such manner as may be agreed between the Corporation and the council or determined by arbitration in manner hereinafter provided but the whole or such proportion (if any) as shall be just and reasonable having regard to all the relevant circumstances of the expense of the said communications and works as agreed between the Corporation and the council or determined by arbitration in manner hereinafter provided shall be repaid by the council to the Corporation ;

(b) The council shall so far as practicable prevent storm water from flowing into any of their sewers which communicate with a sewer of the Corporation;

(c) The council shall pay to the Corporation in respect of the use for the purpose of the discharge into the same of sewage or drainage of any part of the district of the council pursuant to the foregoing provisions of this subsection of any sewer which shall have been constructed after the first day of April nineteen hundred and twenty-nine such sum or sums of money (if any) annually or otherwise as shall having regard to all the relevant circumstances be just and reasonable as agreed between the Corporation and the council or determined by arbitration in manner hereinafter provided:

Provided always that the rights by the foregoing provisions of this subsection conferred on the council shall be additional to and shall not be deemed to take away diminish or prejudicially affect any existing rights or powers of the council to cause the sewage or drainage of their district or any part thereof to be discharged into or to use any sewer or drain of the Corporation:

- (3) Nothing in this Act contained shall take away diminish prejudice or affect the rights of the council under section 29 (Supply to watering places injuriously affected) of the Kingston-upon-Hull Corporation Act 1911 or any rights or benefits conferred under or by virtue of the said section upon any owner lessee or occupier of property within the limits mentioned in the said section:
- (4) Any difference which may arise under this section between the council and the Corporation shall be referred to and settled by an arbitrator to be agreed upon between the parties or failing agreement to be appointed on the application of either party on notice to the other by the Minister and subject as aforesaid the provisions of the Arbitration Act 1889 or any statutory modification thereof shall apply to such reference.

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A.D. 1929.
—
Provisions
in regard to
certain
sewers in
added areas.

66. Notwithstanding anything in this Act contained the following provisions shall apply and have effect unless otherwise agreed in writing between the Corporation the Hessle Council and the Sculcoates Council or (as regards the provisions of subsection (3) (c) of this section) between the Hessle Council and the Sculcoates Council (that is to say):—

(1) In this section—

The expression “joint sewers” means—

(a) The main outfall sewer which was constructed under the provisions of an agreement made the twenty-sixth day of November eighteen hundred and ninety-five between the Sculcoates Council of the one part and the Corporation of the other part commencing in Hessle Road in the added part of Hessle at a point 780 yards or thereabouts westward of the existing boundary of the city and terminating at a point in the river Humber in or adjoining the added part of Hessle which by an agreement made the tenth day of November nineteen hundred and three between the Sculcoates Council and the Hessle Council was declared to be the joint property of the Sculcoates Council and the Hessle Council; and

(b) All existing sewers in the added part of Hessle or the added part of Sculcoates which are used for the reception of sewage from the city jointly with the excluded part of Hessle or the excluded part of Sculcoates and all such sewers in the added part of Hessle and the added part of Sculcoates as are used for the reception of sewage either from the excluded part of Hessle or from the excluded part of Sculcoates;

and all works apparatus and appliances in connection therewith;

The expression “capital charges” means interest upon loans and charges for the repayment of loans by sinking fund or otherwise;

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(2) Notwithstanding anything contained in section 62 of the Act of 1888 or in the section of this Act of which the marginal note is "Property &c. of district councils" the joint sewers shall be transferred to and vest in the Corporation:

(3) (a) Upon any adjustment under section 62 of the Act of 1888 provision shall be made for the payment by the Corporation to the Hessle Council and the Sculcoates Council of a sum representing the value of the joint sewers on the appointed day after deducting therefrom the amount of any outstanding loans in connection therewith the liability for the repayment of which may be assumed by the Corporation;

(b) Such value shall be the then value of the joint sewers due regard being had to the nature and the then condition of the joint sewers and to the state of repair thereof and to the circumstance that they are in such a position as to be ready for immediate working or use and to the suitability of the same for the purposes of sewage discharge and disposal;

(c) Any sum which may be payable under this subsection to the Hessle Council and the Sculcoates Council jointly shall be divided between those Councils in such proportions as may be agreed or failing agreement determined by arbitration under the provisions of this section:

(4) Notwithstanding the transfer to and vesting in the Corporation of the joint sewers the Hessle Council and the Sculcoates Council shall be entitled at all times hereafter to use the same for the discharge of sewage from the excluded part of Hessle and the excluded part of Sculcoates and from any areas beyond their respective districts the sewage from which may be received into their sewers and by means of the joint sewers to discharge sewage into the river Humber:

(5) The Corporation at their own expense shall maintain repair and cleanse and when necessary renew the joint sewers to the reasonable satisfaction of the Hessle Council and the Sculcoates

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Council and the Corporation shall be responsible to the said councils for preserving at all times the free and uninterrupted flow of sewage through and from the joint sewers to the river Humber in such manner and under such conditions as to avoid the creation of any nuisance :

- (6) The Corporation shall as far as practicable prevent the discharge into the joint sewers or into any sewers or drains connected therewith of any storm surface or land water or liquids other than sewage except with the consent of the Hessle Council and the Sculcoates Council and except such water as may be necessary for cleansing or flushing the joint sewers The Corporation shall require the construction of a separate system of drains for all premises in the city which may be connected (whether directly or indirectly) with the joint sewers after the appointed day so as to prevent the access of storm surface or land water or liquids other than sewage to the joint sewers :
- (7) (a) The Corporation shall from time to time construct such new sewers or pumping stations or carry out such enlargements of the existing sewers as may be necessary for properly conveying and disposing of the sewage to be discharged into the joint sewers but no expenditure in respect of which contributions are to be made by the Hessle Council or the Sculcoates Council or by both of such Councils under the provisions of paragraph (b) of this subsection shall be incurred except with the consent of the Hessle Council and the Sculcoates Council :

Provided that in the event of such consent being unreasonably withheld the question as to the necessity for such new sewers or pumping stations or for the enlargement of the existing sewers and any question as to the cost of the same shall be settled by arbitration under the provision hereinafter contained ;

(b) On or immediately after the thirty-first day of March in every year after the appointed day a calculation shall be made of the capital

charges paid or set apart by the Corporation in connection with any expenditure incurred by them on the works referred to in paragraph (a) of this subsection and within one month after demand the Hessle Council and the Sculcoates Council shall pay to the Corporation such proportion of the amount of such capital charges as the increase after the appointed day in the rateable value of the excluded part of Hessle and the excluded part of Sculcoates respectively due to the erection of new buildings which on the said thirty-first day of March may be drained whether directly or indirectly into the joint sewers bears to the total increase after the appointed day in the rateable value of the city the excluded part of Hessle and the excluded part of Sculcoates due to the erection of new buildings which on the said thirty-first day of March may be drained into the joint sewers :

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Provided that the Corporation shall not apportion to and shall not be entitled to recover from the Hessle Council or the Sculcoates Council (as the case may be) any capital charges in respect of expenditure incurred on any particular sewer or section of sewer unless such particular sewer or section of sewer is receiving sewage from the excluded part of Hessle or the excluded part of Sculcoates (as the case may be);

(c) For the purposes of paragraph (b) of this subsection regard shall also be had to any increase after the appointed day in the rateable value of areas beyond the excluded parts of Hessle and Sculcoates due to the erection of new buildings which on the said thirty-first day of March may be drained into the joint sewers through the sewers of the Hessle Council and the Sculcoates Council and for those purposes such increase shall be deemed to be an increase in the rateable value of the excluded part of Hessle or the excluded part of Sculcoates (as the case may be);

(d) The Corporation shall maintain repair and cleanse and when necessary renew any works

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constructed by them under paragraph (a) of this subsection and the cost of such maintenance repair cleansing and renewal shall be borne by the Hessle Council the Sculcoates Council and the Corporation in the same proportion as the said capital charges;

(e) For one month after any demand made under paragraph (b) of this subsection the Hessle Council and the Sculcoates Council shall be entitled to inspect such books and accounts of the Corporation as may be necessary for the purpose of ascertaining the sums payable by such councils respectively in pursuance of this subsection :

- (8) There shall be kept at the offices of the engineer of the Corporation an Ordnance map or maps on the scale of $\frac{1}{2500}$ on which shall be shown—

(a) the area within the existing city now draining or entitled to drain into the joint sewers; and

(b) the joint sewers and all sewers and buildings connected thereto at the appointed day;

The said map or maps shall be corrected so as to show all additional sewers and buildings which may be connected to such joint sewers since the date when such map or maps were last corrected on or within fourteen days after the thirty-first day of March in every year after the appointed day and the said map or maps shall at all reasonable times be open to the inspection of the Hessle Council and the Sculcoates Council or any officer or agent appointed by them :

- (9) All existing rights in respect of the storm water overflow at the junction of Anlaby Park Road with the Hull and Anlaby main road used for the relief of the Sculcoates Council's west district drainage sewers shall be reserved to the Sculcoates Council subject to the sill of such storm water overflow being raised so as to be level with the top of the Anlaby Park Road sewer in the manhole where such storm water overflow has been fixed :

- (10) The powers of the Hessle Council and the Sculcoates Council under sections 16 and 32 of the Public Health Act 1875 shall extend to enable them to effect direct communication between any sewers within the excluded areas and any of the joint sewers : A.D. 1929.
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Provided that in its application to any sewer to be laid by the Hessle Council or the Sculcoates Council under such powers through across or under any highway street or place for the time being vested in or repairable by or under the control of the Corporation the said section 32 shall be read and have effect as if "one month" were substituted therein for "three months" :

And provided further that the Corporation shall not object to the construction of any such sewers except—

(a) As respects the proposed route thereof so far as it affects any property of the Corporation or any such highway street or place as aforesaid ; or

(b) For the purpose of securing such amendment of the plan referred to in the said section 32 as may be necessary for their protection :

- (11) Any difference between the Corporation and the Hessle Council or the Sculcoates Council or either of them under this section shall be referred to an arbitrator to be agreed upon between the parties to the difference or failing agreement to be appointed on the application of either party (after notice in writing to the other or others of them) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to the reference.

67. Nothing in this Act shall enlarge diminish prejudice or affect the rights powers privileges duties and liabilities of the East Hull Gas Company. For protection of East Hull Gas Company.

68. Nothing in this Act shall enlarge diminish prejudice or affect the rights powers privileges duties and liabilities of the Hessle Gas Company or be deemed For protection of Hessle Gas Company.

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A.D. 1929. — to authorise the Corporation or any other company to supply gas within the limits of the Hessle Gas Company for the supply of gas.

Saving for lord of seigniority of Holderness.

69. Nothing in this Act contained shall in any way diminish take away alter prejudice or affect any right title estate or interest jurisdiction power franchise or royalty which Walter George Raleigh Chichester Constable or his successors in title or any person or persons claiming through or under Sir Thomas Aston Clifford Constable deceased may have or be entitled to at the time of the passing of this Act as lord or lords of the seigniority of Holderness but all such rights titles estates interests jurisdictions powers franchises and royalties shall continue to be held used and enjoyed by the said Walter George Raleigh Chichester Constable and his successors in title and by all persons claiming under the will of the said Sir Thomas Aston Clifford Constable deceased as fully and freely as if this Act had not been passed.

Crown rights.

70. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Savings for actions contracts &c.

71.—(1) No alteration effected by this Act shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against any of the district councils or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by any of those councils or their predecessors :

Provided that—

(a) Any action cause of action or proceeding which immediately before the appointed day

is pending or existing by or against any of the district councils in relation exclusively to any of the added areas or any part thereof may be continued prosecuted and enforced by or against the Corporation; and

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—

- (b) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by any of the district councils (or their predecessors) in relation exclusively to any of the added areas or any part thereof may be continued and enforced as fully and effectually as if instead of that council (or their predecessors) the Corporation had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act.

72. Nothing in this Act shall—

Other
savings.

- (1) restrict the power of the Secretary of State the Minister or the county council under the Act of 1888 the Act of 1894 or the Poor Law Act 1927;
- (2) affect the limits of the parliamentary borough of Kingston upon Hull or the parliamentary county of the east riding of Yorkshire or the powers of the county council for the division of the parliamentary county into polling districts for parliamentary elections or for the division of the county into polling districts for the election of county councillors or any existing order or scheme for either of those purposes or for naming the polling places at any election;
- (3) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or
- (4) affect land tax and for the purposes of imperial taxes or duties other than land tax the provisions of the section of this Act whereof the marginal note is "Alterations of parishes"

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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 for the annual value of that property for the same purpose for that year.

PART VII.

FINANCIAL AND MISCELLANEOUS.

Power to borrow.

73.—(1) The Corporation may (in addition to the other sums which they are authorised to raise) borrow or raise at interest for and in connection with the purposes mentioned in the first column of the following table the sums mentioned in the second column thereof and shall repay all moneys so borrowed within the respective periods mentioned in the third column thereof (namely) :—

1	2	3
Purpose.	Amount.	Period for Repayment.
(a) The purpose of making any payment to any authority under this Act or under any enactment the provisions of which are applied thereby (including the payment or purchase in the name of the Corporation of any annuity payable by them under any provision contained in or applicable to the provisions of this Act which annuity the Corporation are hereby empowered to purchase).	The sum requisite.	Forty-five years from the date or dates of borrowing.
(b) The purpose of making any payment under the provisions of the section of this Act of which the marginal note is "Compensation to existing officers."	The sum requisite.	Twenty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

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

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Any money borrowed under this subsection shall be re-paid within such period as may be prescribed by the Minister. A.D. 1929.
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74.—(1) The Corporation may raise all or any of the moneys which they are authorised to borrow by the creation and issue of Hull Corporation redeemable stock in accordance with the provisions of the Hull Corporation Loans Act 1881 as amended by any subsequent Act or Order confirmed by Parliament or by any of the methods provided by the Local Loans Act 1875 or by mortgage : Mode of borrowing.

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

(2) The contributions to the sums directed by the said Act of 1881 to be carried to the Hull Corporation loans fund in respect of interest on and of redemption of stock shall be payable out of the general rate fund and the general rate.

(3) In the case of any moneys raised under this Act by any of the methods provided by the Local Loans Act 1875 the local rate shall be the general rate and in the case of moneys borrowed on mortgage the Corporation may mortgage or charge that rate :

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

75.—(1) The Kingston upon Hull Court of Record is hereby abolished. Abolition of Court of Record.

(2) This section shall come into operation on the date of the passing of this Act.

76.—(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 Ministry of Health shall for the Inquiries by Minister of Health.

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A.D. 1929. — purposes of any such inquiry have all such powers as they may have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

(2) The Corporation shall pay to the Minister any expenses incurred by him 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.

Powers of
Act cumu-
lative.

77. All powers rights and remedies given to the Corporation by this Act shall 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.

Costs of
Act.

78. 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 general rate fund or out of the moneys to be borrowed under this Act for that purpose.

The SCHEDULES referred to in the
 foregoing Act.

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THE FIRST SCHEDULE.

PART I.—LOCAL ACTS.

Session and chapter.	Short title.
17 & 18 Vict. c. ci. -	The Kingston-upon-Hull Improvement Act 1854.
44 & 45 Vict. c. xciv. -	The Hull Corporation Loans Act 1881.
45 & 46 Vict. c. cxv. -	The Hull Extension and Improvement Act 1882.
47 & 48 Vict. c. lx. -	The Kingston-upon-Hull Corporation Water Act 1884.
48 & 49 Vict. c. clxxi. -	The Hull (Drypool) Bridge and Improvements Act 1885.
60 & 61 Vict. c. ccxlix. -	The Kingston-upon-Hull Corporation Act 1897.
1 Edw. 7. c. cxxiv. -	The Kingston-upon-Hull Corporation Act 1901.
3 Edw. 7. c. ccxlvii. -	The Kingston-upon-Hull Corporation Act 1903.
6 Edw. 7. c. clxxxix. -	The Kingston-upon-Hull Corporation Act 1906.
7 Edw. 7. c. cvi. -	The Kingston-upon-Hull Corporation Act 1907.
1 & 2 Geo. 5. c. lxxxvi. -	The Kingston-upon-Hull Corporation Act 1911.
12 & 13 Geo. 5. c. lxxxvi. -	The Kingston upon Hull Corporation Act 1922.
14 & 15 Geo. 5. c. lvi. -	The Kingston upon Hull Corporation Act 1924.
15 & 16 Geo. 5. c. xxx. -	The Kingston upon Hull Corporation Act 1925.
16 & 17 Geo. 5. c. lxxiv. -	The Kingston upon Hull Corporation Act 1926.

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PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order thereby confirmed.
26 & 27 Vict. c. xxxii.	The Local Government Supplemental Act 1863.	Order relating to Kingston-upon-Hull dated 3rd July 1862.
34 & 35 Vict. c. lix.	The Local Government Supplemental Act 1871 (No. 2).	Order relating to Kingston-upon-Hull dated 30th March 1871.
35 & 36 Vict. c. xlv.	The Local Government Supplemental Act 1872.	Order relating to Kingston-upon-Hull dated 19th May 1871.
40 & 41 Vict. c. cxxxii.	The Local Government Board's Provisional Orders Confirmation (Belper Union &c.) Act 1877.	Order relating to Kingston-upon-Hull dated 29th May 1877.
43 & 44 Vict. c. lxxxiv.	The Local Government Board's Provisional Orders Confirmation (Kingston-upon-Hull &c.) Act 1880.	Order relating to Kingston-upon-Hull dated 27th May 1880.
46 & 47 Vict. c. xcix.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1883.	Order relating to Kingston-upon-Hull dated 25th May 1883.
50 Vict. c. xvi.	The Local Government Board's Provisional Orders Confirmation (No. 10) Act 1886.	Order relating to Kingston-upon-Hull dated 8th June 1886.
51 & 52 Vict. c. cxxxi.	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1888.	Order relating to Kingston-upon-Hull dated 29th May 1888.
52 & 53 Vict. c. cvii.	The Local Government Board's Provisional Order Confirmation (No. 7) Act 1889.	Order relating to Kingston-upon-Hull dated 21st January 1889.
53 & 54 Vict. c. cxci.	The Electric Lighting Orders Confirmation (No. 6) Act 1890.	The Kingston-upon-Hull Electric Lighting Order 1890.
53 & 54 Vict. c. cciii.	The Local Government Board's Provisional Order Confirmation (No. 14) Act 1890.	Order relating to Kingston-upon-Hull dated 9th June 1890.
56 & 57 Vict. c. clxxxix.	The Local Government Board's Provisional Orders Confirmation (No. 15) Act 1893.	Order relating to Kingston-upon-Hull dated 18th May 1893.
58 & 59 Vict. c. lxxxvii.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1895.	The Kingston-upon-Hull Order 1895.

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Session and Chapter.	Short Title.	Order thereby confirmed.	A.D. 1929.
59 & 60 Vict. c. cxx.	The Tramways Orders Confirmation (No. 1) Act 1896.	The Hull Corporation Tramways Order 1896.	
60 & 61 Vict. c. lxxviii.	The Local Government Board's Provisional Orders Confirmation (No. 2) Act 1897.	The Kingston-upon-Hull Order 1897.	
62 & 63 Vict. c. cxlviii.	The Local Government Board's Provisional Orders Confirmation (No. 10) Act 1899.	The Kingston upon Hull Order 1899.	
63 & 64 Vict. c. cc.	The Tramways Orders Confirmation (No. 3) Act 1900.	The Hull Corporation Tramways Order 1900.	
2 & 3 Geo. 5 c. cli.	The Kingston-upon-Hull Corporation Act Provisional Order Confirmation Act 1912.	Order relating to Kingston-upon-Hull dated 14th May 1912.	
4 & 5 Geo. 5 c. cxvii.	The Electric Lighting Orders Confirmation (No. 2) Act 1914.	The Kingston-upon-Hull Electric Lighting (Extension) Order 1914.	
5 & 6 Geo. 5 c. lxxxii.	The Electric Lighting Orders Confirmation (No. 2) Act 1915.	The Kingston-upon-Hull Electric Lighting (Extension) Order 1915.	
5 & 6 Geo. 5 c. xli.	The Tramways Orders Confirmation Act 1915.	The Kingston-upon-Hull Corporation Tramways Order 1915.	
11 & 12 Geo. 5 c. xcvii.	The Ministry of Health Provisional Orders Confirmation (No. 8) Act 1921.	The Kingston-upon-Hull Order 1921.	
—	—	The Kingston-upon-Hull Electricity (Extension) Special Order 1922.	
17 & 18 Geo. 5 c. lii.	The Bolton and Kingston upon Hull Provisional Orders Confirmation Act 1927.	The Kingston upon Hull Order 1927.	

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THE SECOND SCHEDULE.

Column 1.	Column 2.
Area.	Parish in which a settlement is to be acquired or in course of acquisition.
1. The existing parish of Sculcoates and the added areas.	1. The parish of Sculcoates.
2. The excluded part of Cottingham	2. The parish of Cottingham.
3. The excluded part of Hessle -	3. The parish of Hessle.
4. The excluded part of Anlaby -	4. The parish of Anlaby.
5. The excluded part of Sutton -	5. The parish of Sutton.
6. The excluded part of Bilton -	6. The parish of Bilton.

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