



CHAPTER xcvi.

An Act to empower the Corporation of Hythe to construct additional waterworks to make further provision for the improvement of the borough and for other purposes. A.D. 1905.

[11th July 1905.]

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

And whereas the Corporation are supplying water within the borough and the neighbourhood thereof and powers are conferred upon them in regard to such supply by the Hythe Improvement and Waterworks Act 1874 the Hythe Order 1884 (confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1884) and the Hythe Corporation Act 1889:

And whereas the supply of water from the existing works of the Corporation is insufficient to satisfy the present and growing demands of the inhabitants within the limits of supply and it is expedient to empower the Corporation to construct the waterworks described or referred to in this Act and to make further provision as in this Act contained with regard to the water undertaking of the Corporation:

And whereas it is expedient to make such other provision as is in this Act mentioned:

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



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And whereas it is expedient to make such other provision as is in this Act mentioned :

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

A.D. 1905.

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

	£
For and in connection with the purchase of lands for and the construction of the water-works authorised by this Act - -	10,505
For and in connection with the laying of the electric mains authorised by this Act -	1,000

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

And whereas an absolute majority of the whole number of the council at a meeting held on the first day of December one thousand nine hundred and four after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Hythe Reporter* a local newspaper published and circulating in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the district fund and general district rate :

And whereas such resolution was published twice in the said newspaper and has received the approval of the Local Government Board :

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

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

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the

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powers of this Act were duly deposited with the clerk of the peace for the county of Kent and are in this Act respectively referred to as the deposited plans sections and book of reference: A.D. 1905.

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):—

PRELIMINARY.

1. This Act may be cited as the Hythe Corporation Act 1905 and the Hythe Improvement and Waterworks Act 1874 the Hythe Order 1884 (confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1884) the Hythe Corporation Act 1889 and this Act may be jointly cited as the Hythe Corporation Acts 1874 to 1905. Short and collective titles.

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

(1) The Waterworks Clauses Acts 1847 and 1863 except—

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

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

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

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

"The Corporation" means the mayor aldermen and burgesses of the borough of Hythe;

"The borough" means the borough of Hythe;

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"The Corporation" means the mayor aldermen and burgesses of the borough of Hythe;

"The borough" means the borough of Hythe;

A.D. 1905.

- “The council” means the council of the borough;
- “The town clerk” and “the surveyor” mean respectively the town clerk and the surveyor of the borough;
- “The district fund” and “the general district rate” mean respectively the district fund and the general district rate of the borough;
- “Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rent-charges and securities transferable by delivery or any securities of the Corporation;
- “The Act of 1874” means the Hythe Improvement and Waterworks Act 1874 and “the Acts of 1874 and 1889” means the Act of 1874 and the Hythe Corporation Act 1889.

WATER.

Power to
make works.

4. Subject to the provisions of this Act the Corporation may in the county of Kent and in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make and maintain the following works shown on the deposited plans and sections (that is to say):--

Work No. 1 A well and pumping-station to be situate in the field numbered 21 on the $\frac{1}{2500}$ Ordnance map of the parish of Saltwood published in 1898 about 80 yards north of the dwelling-house known as Blue House:

Work No. 2 A conduit or line of pipes to be situate in the said parish of Saltwood commencing at Work No. 1 and terminating in Work No. 3 hereinafter described:

Work No. 3 A service tank to be situate in the said parish of Saltwood in the land known as Tolsford Hill Downs numbered 2 on the said $\frac{1}{2500}$ Ordnance map of the said parish about 243 yards north of the said Blue House:

A.D. 1905.

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A.D. 1905.

Work No. 4 A conduit or line of pipes to be situate in the said parish of Saltwood commencing in Work No. 3 and terminating in the existing Saltwood Reservoir belonging to the Corporation:

Work No. 5 A conduit or line of pipes commencing in the said parish of Saltwood by a junction with Work No. 4 at a point 13 feet or thereabouts south of the junction of the public path known as Croft's Walks with Sandy Lane and terminating in the parish of Saint Leonard Hythe in the borough by a junction with the existing water main belonging to the Corporation at or near Kiln Corner:

Work No. 6 A conduit or line of pipes commencing in the said parish of Saltwood by a junction with Work No. 5 at or near Kiln Corner and terminating in the parish of Saint Leonard Hythe in the borough by a junction with the existing water main of the Corporation at or near the junction of Tanner's Hill and North Road.

5. The Corporation in addition to the foregoing works may upon any lands for the time being belonging to them or over or in respect of which they may have or acquire rights or easements make and maintain all such cuts channels catchwaters tunnels adits pipes conduits culverts drains sluices by-washes shafts wells bores water-towers overflows waste-water channels gauges filter beds tanks banks hydrants meters dams embankments piers walls bridges approaches engines pumps machinery buildings appliances apparatus and conveniences in connection with or subsidiary to the before-mentioned works or any or either of them but nothing in this section shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Power to
make sub-
sidiary
works.

6. In the construction of the works authorised by this Act the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding four feet upwards and to any extent downwards.

Limits of
deviation.

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Limits of
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A.D. 1905.

Power to
take lands
and waters.

7. Subject to the provisions and for the purposes of this Act the Corporation may enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference and they may collect impound take use divert and appropriate for the purposes of their water undertaking all such springs and waters as will or may be intercepted by the works authorised by this Act.

Power to
acquire
easements
only.

8.—(1) The Corporation may in lieu of acquiring any land for the purpose of the works authorised by this Act (other than Work No. 1 and Work No. 3) acquire such easements and rights in such lands as they may require for the purpose of making maintaining using cleansing repairing renewing and enlarging the said works or of obtaining access thereto and may give notice to treat in respect of such easements and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts (inclusive of those with regard to limited owners and to arbitration and the summoning of a jury) shall apply to such easements and rights as fully as if the same were lands within the meaning of those Acts.

(2) Provided that as regards any lands taken or used by the Corporation for the purpose of such works where they are respectively laid underground the Corporation shall not (unless they give notice to treat for such lands and not merely for easements or rights therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Corporation.

(3) Provided also that nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision.

Period for
compulsory
purchase of
lands.

9. The powers of the Corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

A.D. 1905.

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7. Subject to the provisions and for the purposes of this Act the Corporation may enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference and they may collect impound take use divert and appropriate for the purposes of their water undertaking all such springs and waters as will or may be intercepted by the works authorised by this Act.

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9. The powers of the Corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

10. If the works authorised by this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed. Provided that the Corporation may extend enlarge alter reconstruct renew or remove any of their works and plant and in the case of the conduits authorised by this Act lay down additional lines of pipes as and when occasion may require.

A.D. 1905.

 Period for
 completion
 of works.

11. The Corporation in addition to any other lands acquired by them in pursuance of this Act may by agreement purchase take on lease acquire and hold further lands for the purposes of this Act or of their water undertaking but the quantity of lands held by the Corporation in pursuance of this section shall not at any time exceed twenty acres. Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands nor erect any buildings thereon except offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their undertaking.

Power to
 purchase
 additional
 lands by
 agreement.

12. The Corporation may purchase or take on lease dwelling-houses for persons employed by them for the purposes of their water undertaking and may erect and maintain dwelling-houses for such persons upon any lands for the time being belonging to the Corporation for the purposes of the said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for the purposes of the said undertaking.

Dwelling-
 houses for
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 Corpora-
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 ploy.

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

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A.D. 1905.

Power to
sell &c. lands.

14. Subject to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands so far as such provisions are in each case applicable the Corporation may sell lease and dispose of any lands acquired by them under this Act and not for the time being required for the purposes thereof.

Reservation
of water
rights &c.
on sale.

15. The Corporation on selling any lands acquired by them in connection with their water undertaking and not required for the purposes of that undertaking may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Power to
purchase and
hold lands
and exercise
powers for
protection
of waters
and water-
works.

16.—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Corporation may by agreement purchase take on lease and acquire any lands within the borough or within two hundred yards of the works authorised by this Act or by the Acts of 1874 and 1889 and may hold such lands and any other lands which the Corporation may have acquired within those limits so long as they shall deem it necessary or expedient for the purposes aforesaid Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon except offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their water undertaking.

(2) The Corporation may in and upon the lands acquired within the said limits construct and lay down drains sewers watercourses and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Corporation are empowered to take from being polluted and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road in the said limits subject and according to the provisions of the Waterworks

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Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes. A.D. 1905.

17. The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any lands within the limits referred to in the last preceding section of this Act with reference to the execution by the Corporation or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters which the Corporation are for the time being authorised to take. Power to agree as to drainage of lands &c.

18.—(1) The Corporation may make byelaws for preventing the pollution fouling or contamination of the water which they are authorised to take for the purposes of any of their water-works and may by such byelaws prescribe the construction maintenance and use of proper drains sewers and works and make provision for the prevention of any act or thing tending to pollution of the water. Byelaws for preventing pollution of water.

(2) The byelaws made under this section shall be in force within the lands situate within a distance not exceeding two hundred yards from Work No. 1 by this Act authorised.

(3) All byelaws made under this section shall be subject to the approval of the council of every district comprising any part of the area within which it is proposed that they shall be in force Provided that such approval shall not be necessary where in the opinion of the Local Government Board it has been unreasonably withheld.

(4) The Corporation shall pay compensation to the owners of and other persons interested in any lands in respect of which byelaws shall be made under the provisions of this section whose legal rights shall be injuriously affected by the restrictions imposed by such byelaws and such compensation shall be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

19.—(1) For the purpose of sinking any well or constructing enlarging extending repairing cleansing or examining any aqueduct conduit or reservoir authorised by this Act the Corporation may cause the water in such aqueduct conduit or reservoir to be temporarily discharged into any available stream or watercourse. Temporary discharge of water into streams.

Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes. A.D. 1905.

17. The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any lands within the limits referred to in the last preceding section of this Act with reference to the execution by the Corporation or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters which the Corporation are for the time being authorised to take. Power to agree as to drainage of lands &c.

18.—(1) The Corporation may make byelaws for preventing the pollution fouling or contamination of the water which they are authorised to take for the purposes of any of their water-works and may by such byelaws prescribe the construction maintenance and use of proper drains sewers and works and make provision for the prevention of any act or thing tending to pollution of the water. Byelaws for preventing pollution of water.

(2) The byelaws made under this section shall be in force within the lands situate within a distance not exceeding two hundred yards from Work No. 1 by this Act authorised.

(3) All byelaws made under this section shall be subject to the approval of the council of every district comprising any part of the area within which it is proposed that they shall be in force Provided that such approval shall not be necessary where in the opinion of the Local Government Board it has been unreasonably withheld.

(4) The Corporation shall pay compensation to the owners of and other persons interested in any lands in respect of which byelaws shall be made under the provisions of this section whose legal rights shall be injuriously affected by the restrictions imposed by such byelaws and such compensation shall be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

19.—(1) For the purpose of sinking any well or constructing enlarging extending repairing cleansing or examining any aqueduct conduit or reservoir authorised by this Act the Corporation may cause the water in such aqueduct conduit or reservoir to be temporarily discharged into any available stream or watercourse. Temporary discharge of water into streams.

A.D. 1905.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

Application
of Water-
works
Clauses Act
1847 to
conduits dis-
charge pipes
and tele-
phones.

20. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads (whether within or without the limits within which the Corporation are empowered to supply water) of the conduits authorised by this Act and of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Corporation may and which they are hereby authorised to erect or lay down for the purposes of their water undertaking :

Provided that no telephonic or telegraphic apparatus made and maintained under the authority of this Act shall be used for the purpose of transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

Power to
lay mains
within and
without
borough.

21. In addition to any other powers for the time being vested in them the Corporation shall have the powers of a local authority under section 54 of the Public Health Act 1875 with respect to the carrying of water mains within and without their district Provided that in the exercise of such powers the Corporation shall be subject to the provisions of the Public Health Acts so far as they are applicable (other than the provisions relating to the borrowing of money and to the repayment thereof) in the same manner and to the same extent as if such powers were conferred by those Acts.

Works to
form part of
undertaking
and Acts of
1874 and
1889 to
apply.

22. The works by this Act authorised shall for all purposes be deemed part of the water undertaking of the Corporation and the unrepealed provisions of the Acts of 1874 and 1889 so far as the same are applicable and subject to the provisions of this Act shall extend and apply to the said works.

Supply by
measure for
other than
domestic
purposes.

23. The Corporation may supply water for other than domestic purposes on such terms and conditions as the Corporation think fit and may supply water by measure either for domestic or other purposes and the moneys payable for the

A.D. 1905.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

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supply of water under this section shall be recoverable in the same manner as water rates Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes. A.D. 1905.

24. The Corporation shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required or as an inn or hotel. Supply to houses partly used for trade &c.

25. The price to be charged for a supply of water by measure shall not exceed one shilling and sixpence per thousand gallons. Price of supply by measure.

26. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Corporation so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate. Rates payable by owners of small houses.

27. The Corporation shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water. Corporation not bound to supply several houses by one pipe.

28. A notice to the Corporation from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Corporation. Notice of discontinuance.

29.—(1) The Corporation may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soil-pans water-closets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used and forbid any Byelaws for preventing waste &c. of water.

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A.D. 1905. — arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

(2) Such byelaws shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Corporation may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Corporation as the water rates in respect of the premises are recoverable.

(4) Section 50 (Regulations for preventing waste of water) of the Act of 1874 is hereby repealed except that any regulations made thereunder and in force at the time of the passing of this Act shall continue in force until byelaws under this section shall have been made and confirmed or until the expiration of one year from the passing of this Act whichever event shall first occur.

Power to
sell or let
meters.

30. The Corporation may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

The provisions of section 14 of the Waterworks Clauses Act 1863 shall extend to authorise the Corporation to let for hire any water fittings to any person supplied by them with water.

Notice to
Corporation
of connecting
or discon-
necting
meters.

31. Before any person connects or disconnects any meter by means of which any of the water of the Corporation is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Corporation of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Corporation and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Injuring
meters &c.

32. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any water fittings (as defined in the section of this Act the marginal note whereof is

A.D. 1905. — arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

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“Byelaws for preventing waste &c. of water”) belonging to the Corporation or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Corporation shall (without prejudice to any other right or remedy for the protection of the Corporation) be liable to a fine not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage by them sustained : A.D. 1905.

And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or water fittings belonging to the Corporation or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Corporation the Corporation may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Corporation by the person so offending and may be recovered by them as water rates are recoverable The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Corporation when such pipe meter instrument or water fittings is or are under the custody or control of the consumer shall be *prima facie* evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or water fittings.

33. The Corporation may on the application of the owner or occupier of any premises within the borough abutting on or being erected in any street laid out but not dedicated to public use supply such premises with water and may lay down take up alter relay or renew in across or along such street such pipes and apparatus as may be requisite or proper for furnishing such supply. Power to lay pipes in streets not dedicated to public use.

34. The Corporation shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house Rates for supply of water for

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34. The Corporation shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house Rates for supply of water for

A.D. 1905.
 domestic
 purposes.

entitled under the provisions of this Act to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the rates per annum hereinafter specified (that is to say) :—

Where the rateable value of the premises so supplied with water does not exceed five pounds the sum of eight shillings and eightpence :

Where such rateable value exceeds five pounds but does not exceed ten pounds the sum of thirteen shillings :

Where such rateable value exceeds ten pounds at a rate not exceeding ten pounds per centum on such rateable value.

The rateable value of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor Provided that where the water rate is chargeable on the rateable value of a part only of any hereditament entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction.

In addition to the foregoing charges the Corporation may charge on any premises within the limits of this Act for every fixed bath capable of containing not more than fifty gallons a sum not exceeding seven shillings and sixpence per annum and for every fixed bath capable of containing more than fifty gallons such sum as the Corporation may think fit such additional sum to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

Repeal of
 sections of
 Act of 1874.

35. The following sections of the Act of 1874 are hereby repealed :—

Section 43 Rates at which water is to be supplied for domestic purposes ;

Section 46 Supply of water by measure ;

Section 47 Supply to houses partly used for trade &c. ;

Section 50 Regulations for preventing waste of water ;

Section 52 Provision for waste or undue consumption of water ;

Section 54 For preventing frauds and waste of water.

A.D. 1905.
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Section 54 For preventing frauds and waste of water.

36. The Corporation may for the purpose of transmitting electrical energy to any of the waterworks authorised by this Act for pumping or for working other machinery in connection with their waterworks place lay down maintain use remove alter and renew electric mains cables wires tubes and lines with all necessary and proper works and apparatus under the roads and highways shown on the deposited plans and hereinafter mentioned (that is to say) :—

A.D. 1905.

Power to
lay electric
mains.

In the parish of Saltwood from Work No. 1 in a southerly direction along the bridle path leading from Eachend Hill otherwise known as Etching Hill to Stone Road thence in an easterly direction along Stone Road to its junction with Sandy Lane thence in a southerly direction along that lane and Castle Road to a point at or near Kiln Corner in the parish of Saint Leonard Hythe in the borough.

37. The provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets and with respect to injury to pipes and other works which are set forth in the appendix to the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of sections 13 14 15 16 17 18 19 and 20 of the said schedule shall with the necessary modifications apply to the electric mains cables wires tubes lines and apparatus authorised by this Act and the provisions of the Gasworks Clauses Act 1847 shall be construed as if "pipe" meant "electric line or wire."

As to plac-
ing of elec-
tric mains
under or
over roads.

38. Notwithstanding anything contained in the Hythe Electric Lighting Order 1900 the Corporation and the Folkestone Electricity Supply Company Limited may enter into and fulfil contracts for the supply by the said company to the Corporation of electrical energy for pumping or other purposes in connection with the water undertaking of the Corporation and the company may supply such energy whether the same is to be used within or without the borough.

As to supply
of electricity
outside
borough.

39. All provisions for the protection of the Postmaster-General which are contained in the Hythe Electric Lighting Order 1900 shall apply to the electric mains cables tubes posts works and apparatus authorised by this Act and to the Corporation in the exercise of the powers conferred on them in relation to such electric mains and works and shall also apply to any supply of electrical energy furnished by the Folkestone Electricity Supply Company Limited to the Corporation and to that company in respect of any such supply.

For pro-
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36. The Corporation may for the purpose of transmitting electrical energy to any of the waterworks authorised by this Act for pumping or for working other machinery in connection with their waterworks place lay down maintain use remove alter and renew electric mains cables wires tubes and lines with all necessary and proper works and apparatus under the roads and highways shown on the deposited plans and hereinafter mentioned (that is to say) :—

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For pro-
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Postmaster-
General.

A.D. 1905.

For protection of South Eastern Railway Company and South Eastern and Chatham Railway Companies' Managing Committee.

40. For the protection of the South Eastern Railway Company and the South Eastern and Chatham Railway Companies' Managing Committee (hereinafter respectively referred to as "the railway company") the following provisions shall (unless otherwise agreed) apply and have effect (that is to say):—

(A) In laying down altering improving enlarging extending maintaining or renewing or in executing or effecting the repairs or renewals of any mains pipes culverts or other works in the exercise of the powers contained in this Act upon across over under or adjoining or in any way affecting the railways lands and property belonging to or used or occupied by the railway company or the bridges approaches or other works over the railways of the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by such engineer in writing Provided always that if such principal engineer shall not approve or disapprove any plans or proposals so submitted to him within fourteen days after the same are delivered or shall refuse or neglect to superintend the work the Corporation may proceed with the same without the approval of the plans as aforesaid or without the superintendence of the said engineer :

(B) All such works shall be done by and at the expense of the Corporation (except as in this section otherwise provided) who shall also restore and make good to the reasonable satisfaction of the said engineer the roads over any bridge of the railway company or over the approaches to any such bridge so far as the same may be disturbed or interfered with by or owing to any operations of the Corporation :

(c) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railways bridges approaches works lands or property and so as to cause no interruption to the passage or conduct of traffic over such railways or at to or from any station thereon :

A.D. 1905.

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(B) All such works shall be done by and at the expense of the Corporation (except as in this section otherwise provided) who shall also restore and make good to the reasonable satisfaction of the said engineer the roads over any bridge of the railway company or over the approaches to any such bridge so far as the same may be disturbed or interfered with by or owing to any operations of the Corporation :

(c) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railways bridges approaches works lands or property and so as to cause no interruption to the passage or conduct of traffic over such railways or at to or from any station thereon :

- (D) If the Corporation lay down any mains or pipes in or under any embankment or over any bridge or tunnel of the railway company they shall provide and maintain such stop-cocks on either side of such embankment bridge or tunnel as shall be reasonably necessary :
- (E) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works operations and matters aforesaid or the bursting leakage or failure of any such mains culverts pipes or works in under or near to any railway bridge embankment cutting approach lands works or property of the railway company the Corporation shall make compensation to the railway company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration in the manner hereinafter provided :
- (F) The Corporation (except where they cross by means of an existing bridge) shall acquire only such an easement across over or under any of the railways works or property of the railway company as may be necessary for constructing or maintaining any of the works of the Corporation and shall pay to the railway company for any such easement to be acquired by them such sum either annual or otherwise as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Acts with respect to the acquisition of lands otherwise than by agreement and the easement so to be taken shall be deemed to be lands so far as respects the proceedings for the acquisition thereof and also for the purposes of such arbitration :
- (G) If the railway company at any time or times hereafter of which they shall be the sole judges require to construct any additional or other works upon their lands or railways or to alter or repair their railways bridges or works upon across over or under which any of the works of the Corporation may have been constructed or laid the railway company may on giving to the Corporation fourteen days' notice in writing under the hand of their secretary or general manager for the time being except in case of

- (D) If the Corporation lay down any mains or pipes in or under any embankment or over any bridge or tunnel of the railway company they shall provide and maintain such stop-cocks on either side of such embankment bridge or tunnel as shall be reasonably necessary :
- (E) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works operations and matters aforesaid or the bursting leakage or failure of any such mains culverts pipes or works in under or near to any railway bridge embankment cutting approach lands works or property of the railway company the Corporation shall make compensation to the railway company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration in the manner hereinafter provided :
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A.D. 1905.

emergency when they shall give notice to the Corporation as soon as possible divert support or carry the said works of the Corporation across over or under their lands railways bridges or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be without being liable to pay compensation in respect of such diversions supporting carrying or dealing with such works:

- (H) Except as in this section otherwise provided any dispute or difference which may arise between the railway company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the railway company and the Corporation or either of them.

Confirmation
of agreement
with H. W.
Deedes and
R. K. Deedes.

41. Notwithstanding anything in this Act contained the agreement as set forth in the schedule to this Act is hereby confirmed and made binding on the parties thereto respectively.

For pro-
tection of
Elham Rural
District
Council.

42. If in the course of the construction of the works by this Act authorised the Corporation shall use or interfere with any road under the control or management of the Elham Rural District Council the Corporation shall from time to time make good all damage done by them to such road and if any question shall arise between the Corporation and the Elham Rural District Council as to the damage done to such road by the Corporation or as to the repair thereof by them such question shall be referred to the determination of two justices and such justices may direct such repairs to be made in the state of such road in respect of the damage done by the Corporation and within such period as such justices think reasonable and may impose on the Corporation for not carrying into effect such repairs any penalty not exceeding five pounds per day as to such justices shall seem just and such penalty shall be paid to the Elham Rural District Council and be applied for the purposes of such road The provisions of this section shall be in addition to and not in substitution for the provisions of

A.D. 1905.

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- (H) Except as in this section otherwise provided any dispute or difference which may arise between the railway company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the railway company and the Corporation or either of them.

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the Waterworks Clauses Act 1847 with reference to the breaking up of streets or roads. A.D. 1905.

ADVERTISEMENTS.

43.—(1) Every hoarding or similar structure in or abutting on or adjoining any street or so near to any street that it might if not supported fall thereon shall be securely erected and maintained.

As to hoardings and other structures used for advertising purposes.

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

(3) The owner or other person using any hoarding wall or other structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition and in the event of any paper affixed for advertising purposes to such hoarding wall or other structure falling off or becoming detached shall forthwith remove and clear away such paper.

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

(5) Any consent or condition given or made under this section may be under the hand of the town clerk or surveyor.

44.—(1) It shall not be lawful in any street in the borough to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing and may be for such time and contain such terms and conditions as the Corporation think fit.

Restriction on advertising vehicles.

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

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(3) The owner or other person using any hoarding wall or other structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition and in the event of any paper affixed for advertising purposes to such hoarding wall or other structure falling off or becoming detached shall forthwith remove and clear away such paper.

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Restriction on advertising vehicles.

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

A.D. 1905.

As to
appeal.

45. Any person aggrieved by the refusal of the Corporation to grant their consent under either of the two last preceding sections or by the conditions attached to such consent may appeal to a court of summary jurisdiction after the expiration of two clear days after the decision of the Corporation is notified to him in writing under the hand of the town clerk provided he give twenty-four hours' notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as to them may seem fit and to award costs such costs to be recoverable as a civil debt.

Sky signs.

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

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

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

Provided also that if any sky sign be erected or retained contrary to the provisions of this Act or after the licence for erection maintenance or retention thereof for any period shall

A.D. 1905.

As to
appeal.

45. Any person aggrieved by the refusal of the Corporation to grant their consent under either of the two last preceding sections or by the conditions attached to such consent may appeal to a court of summary jurisdiction after the expiration of two clear days after the decision of the Corporation is notified to him in writing under the hand of the town clerk provided he give twenty-four hours' notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as to them may seem fit and to award costs such costs to be recoverable as a civil debt.

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

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

Provided also that if any sky sign be erected or retained contrary to the provisions of this Act or after the licence for erection maintenance or retention thereof for any period shall

have expired or become void it shall be lawful for the Corporation to take proceedings for the taking down and removal of the sky sign in the same manner and with the same consequence as to recovery of expenses and otherwise in all respects as if it were an obstruction within the meaning of section 69 of the Towns Improvement Clauses Act 1847.

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

For the purposes of this section—

“Sky sign” means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part upon over or above any house building or structure which or any part of which sky sign shall be visible against the sky from some point in any street or public way and includes all and every part of any such post pole standard framework or other support. The expression “sky sign” shall also include any balloon parachute or other similar device employed wholly or in part for the purposes of any advertisement or announcement on over or above any house building structure or erection of any kind or on or over any street or public way but shall not include—

(1) Any flagstaff pole vane or weathercock unless adapted or used wholly or in part for the purpose of any advertisement or announcement;

(2) Any sign or any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building or on the cornice or blocking course of any wall or to the ridge of a roof. Provided that such board frame or other contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported;

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A.D. 1905.

(3) Any word letter model sign device or representation as aforesaid relating exclusively to the business of a railway company and placed wholly upon or over any railway railway station yard platform or station approach belonging to a railway company and so placed that it cannot fall into any street or public place.

FINANCIAL.

Power to borrow.

47.—(1) The Corporation may independently of any other borrowing power borrow at interest money for the following purposes (that is to say):—

- (a) For and in connection with the purchase of lands for and the construction of the waterworks authorised by this Act the sum of eleven thousand pounds;
- (b) For and in connection with the laying of electric mains the sum of one thousand pounds;
- (c) For paying the costs and expenses of this Act as hereinafter provided the sum requisite for that purpose;

and with the consent of the Local Government Board such further money as may be necessary for any of the purposes of this Act.

(2) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge the revenue of the water undertaking of the Corporation and the district fund and general district rate or either of such securities.

Periods for repayment of money borrowed.

48. The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as "the prescribed periods") following (that is to say):—

As to money borrowed for the purposes (a) mentioned in the section of this Act the marginal note whereof is "Power to borrow" within forty-five years from the date or dates of the borrowing of the same:

As to money borrowed for the purpose (b) in the said section mentioned within twenty years from the date or dates of the borrowing of the same:

As to money borrowed for the purpose (c) in the said section mentioned within five years from the passing of this Act:

A.D. 1905.

(3) Any word letter model sign device or representation as aforesaid relating exclusively to the business of a railway company and placed wholly upon or over any railway railway station yard platform or station approach belonging to a railway company and so placed that it cannot fall into any street or public place.

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As to money borrowed for the purpose (b) in the said section mentioned within twenty years from the date or dates of the borrowing of the same:

As to money borrowed for the purpose (c) in the said section mentioned within five years from the passing of this Act:

As to money borrowed with the consent of the Local Government Board within such period as that Board may sanction. A.D. 1905.

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

50. The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others Provided that the provisions of this Act relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 of that Act. Mode of raising money.

51. The following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):— Provisions of Public Health Act 1875 as to mortgages to apply.

Section 236 (Form of mortgage);

Section 237 (Register of mortgages);

Section 238 (Transfer of mortgages).

52. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year from the date of borrowing the sum in respect of which the payment is made. Mode of payment off of money borrowed.

53.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such sinking fund shall be formed and maintained either— Sinking fund.

(a) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which

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(a) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which

A.D. 1905.
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the sinking fund is formed. A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

(b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an "accumulating sinking fund."

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

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

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

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

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

A.D. 1905.
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(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

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

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

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

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the money for the repayment of which the sinking fund is formed.

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

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which

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

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

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(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which

A.D. 1905. — it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

Protection of lender from inquiry.

54. A person lending money to the Corporation under this Act shall not be bound to inquire as to the observance by the Corporation of any of the provisions of this Act or be bound to see to the application or be answerable for any loss mis-application or non-application of the money lent or of any part thereof.

Corporation not to regard trusts.

55. The Corporation shall not be bound to see to the execution of any trust whether express implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages of the Corporation shall be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or encumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register.

Appointment of receiver.

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

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

Power to reborrow.

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

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58.—(1) The town clerk shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of the town clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall

A.D. 1905.
 —
 Return to
 Local
 Government
 Board as to
 repayment
 of debt.

58.—(1) The town clerk shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of the town clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

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A.D. 1905. be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

Application
of money
borrowed.

59. All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and to which capital is properly applicable.

Application
of water
revenue.

60. The Corporation shall apply all money received by them on account of water revenue in manner and in the order following (that is to say):—

Firstly In payment of the working and establishment expenses and cost of maintenance of the undertaking:

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

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

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

Fifthly In providing a reserve fund (if the Corporation think fit) by setting aside such money as they think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to five thousand pounds which fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing any part of the works forming part thereof and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens Provided that resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum:

And the Corporation shall carry to the district fund so much of any balance remaining in any year of the water revenue (including the interest on the reserve fund when such fund

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And the Corporation shall carry to the district fund so much of any balance remaining in any year of the water revenue (including the interest on the reserve fund when such fund

amounts to the prescribed maximum) as may in the opinion of the Corporation not be required for carrying on the undertaking and paying the current expenses connected therewith.

A.D. 1905.

61. If in any year the amount of the water revenue actual or estimated shall be insufficient for the payment of the charges thereon the deficiency shall be made good by an increase of the general district rate made within one year after each such deficiency has been ascertained or estimated and the Corporation in preparing the estimates of the amount required in their judgment to be raised by means of a general district rate for the purposes of the district shall include therein such sum (if any) as in their judgment is necessary to be provided in aid of any deficiency from time to time arising or expected to arise as aforesaid in the water revenue.

Provision
in case of
deficiency
of water
revenue.

62. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made may be defrayed by the Corporation out of the district fund and general district rate.

Expenses of
execution of
Act.

63. So long as any lands remain to be acquired by the Corporation under the authority of this Act they may so far as they consider necessary apply any capital moneys received by them on resale or by leasing in pursuance of the powers of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment by this Act provided except to such extent and upon such terms as may be approved by the Local Government Board Provided that—

Proceeds of
sale of sur-
plus lands.

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

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A.D. 1905.

Audit of
accounts.

64. The provisions of the Municipal Corporations Acts relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under those Acts shall extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

MISCELLANEOUS.

Inquiries
by Local
Government
Board.

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

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

Authentica-
tion and
service of
notices &c.

66.—(1) Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served. Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

Confirma-
tion of bye-
laws.

67. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act.

A.D. 1905.

Audit of
accounts.

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

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

A.D. 1905.

—
Recovery of penalties.

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

Costs of Act.

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Costs of Act.

A.D. 1905.

The SCHEDULE referred to in the foregoing Act.

AN AGREEMENT made this seventeenth day of April one thousand nine hundred and five between HERBERT WILLIAM DEEDES of Saltwood Castle in the county of Kent Esquire (hereinafter called "the vendor" which expression shall include his successors in title and assigns) of the first part ROSE ELEANOR DEEDES of the same place widow of the second part and the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF HYTHE (hereinafter called "the Corporation") of the third part.

WHEREAS the Corporation have promoted a Bill in this present session of Parliament intituled "A Bill to empower the Corporation of Hythe to construct additional waterworks to make further provision for the improvement of the borough and for other purposes" the short title of which is the Hythe Corporation Act 1905 :

And whereas by the will dated the twenty-fifth day of August one thousand eight hundred and ninety and proved by the executrix therein named on the eighth day of June one thousand eight hundred and ninety-one in the Principal Registry of the High Court of Justice of Herbert George Deedes the hereditaments hereby contracted to be sold (together with other hereditaments) were devised to the use of the vendor during his life without impeachment of waste with remainders over and the said Rose Eleanor Deedes was thereby appointed a trustee thereof for the purposes of the Settled Land Acts :

And whereas the vendor is tenant for life in possession of the lands referred to in the book of reference on which power is sought by the said Bill to construct the works numbered 1 2 3 and part of the works numbered 4 and 5 in clause 4 of the said Bill :

And whereas the vendor has presented a petition against the said Bill :

And whereas the vendor has agreed to withdraw the said petition on the terms hereinafter appearing :

Now these presents witness that if the said Bill passes into law the parties hereto mutually agree as follows :—

In consideration of five hundred and fifty pounds paid to the said Rose Eleanor Deedes as such trustee as aforesaid and of the agreements and

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And whereas the vendor has presented a petition against the said Bill :

And whereas the vendor has agreed to withdraw the said petition on the terms hereinafter appearing :

Now these presents witness that if the said Bill passes into law the parties hereto mutually agree as follows :—

In consideration of five hundred and fifty pounds paid to the said Rose Eleanor Deedes as such trustee as aforesaid and of the agreements and

conditions herein contained the vendor agrees to sell and the Corporation agree to purchase subject to the tenants' interest therein All that field immediately to the north of Blue House Cottage containing four acres or thereabouts reserving to the vendor and all persons authorised by him a right of way of the width of fifteen feet at all times and for all purposes through the said field in the direction shown on the plan No. 1 signed by the said Rose Eleanor Deedes on behalf of herself and the vendor and by Christopher Jones on behalf of the Corporation by the line thereon coloured brown And also sufficient land on Tolsford Hill Downs not exceeding in area one acre as the Corporation may require for the purposes of the above-mentioned work No. 3 All which said premises are situate in the parish of Saltwood in the county of Kent and are shown on the said plan No. 1 and thereon coloured pink together with the right to lay down construct and maintain a water main or pipe under the lands or grounds of the vendor in the said parish of Saltwood for the purpose of their said works Nos. 2 4 and 5 as shown by the line coloured blue on the said plan No. 1 and on the plan No. 2 signed by the said Rose Eleanor Deedes on behalf of herself and the vendor and by Christopher Jones on behalf of the Corporation.

And the Corporation hereby agree with the vendor as follows:—

1. To pay to the said Rose Eleanor Deedes the said sum of five hundred and fifty pounds before entering on the said premises as hereinafter mentioned.

2. Not to erect any chimney shaft without the consent of the vendor in writing first had and obtained.

3. In the event of the pumping being by oil or gas engine to fit and use at all times an efficient silencer to the exhaust pipe of such engine.

4. To build in addition to their proposed well and pumping station not more than two cottages of one storey only together with the usual and necessary outbuildings thereto such cottages to be used and inhabited by the employees of the Corporation and by no other persons whatsoever.

5. To submit all plans of cottages buildings and other works to the vendor his agent or surveyor one month at least before commencing to build or erect such cottage building or other work.

6. In the event of the water in any existing well stream spring or pond used for any purpose whatsoever in connection with any farm belonging to the vendor within a radius of one mile from the pumping station (Work No. 1) being diminished owing to the proposed works to supply free of charge such farm with a constant supply of water to the extent of such diminution A memorandum of the present condition of such wells streams springs and ponds to be jointly prepared and signed by the borough surveyor and the vendor or his surveyor or agent one copy of such memorandum to be retained by either party A similar memorandum to be similarly prepared and signed by the same persons of the condition of the same wells streams springs and ponds at the (say) first day of September

conditions herein contained the vendor agrees to sell and the Corporation agree to purchase subject to the tenants' interest therein All that field immediately to the north of Blue House Cottage containing four acres or thereabouts reserving to the vendor and all persons authorised by him a right of way of the width of fifteen feet at all times and for all purposes through the said field in the direction shown on the plan No. 1 signed by the said Rose Eleanor Deedes on behalf of herself and the vendor and by Christopher Jones on behalf of the Corporation by the line thereon coloured brown And also sufficient land on Tolsford Hill Downs not exceeding in area one acre as the Corporation may require for the purposes of the above-mentioned work No. 3 All which said premises are situate in the parish of Saltwood in the county of Kent and are shown on the said plan No. 1 and thereon coloured pink together with the right to lay down construct and maintain a water main or pipe under the lands or grounds of the vendor in the said parish of Saltwood for the purpose of their said works Nos. 2 4 and 5 as shown by the line coloured blue on the said plan No. 1 and on the plan No. 2 signed by the said Rose Eleanor Deedes on behalf of herself and the vendor and by Christopher Jones on behalf of the Corporation.

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A.D. 1905. one thousand nine hundred and five or such other date as may be agreed upon between the parties prior to any pumping from the proposed well or bore-hole and a copy to be similarly retained. The copies so signed of each memorandum to be accepted as evidence of those conditions at the times named by any person appointed to decide any disputes under article 20 hereof.

7. As soon as the works proposed to be authorised under the said Bill are completed to at once provide and connect at their own expense a stand pipe in the field belonging to Douglas Farm at the point marked (S.P.) on the said plan No. 1 and to supply water thereto free of charge for watering horses and stock on the said farm not exceeding two hundred gallons per diem.

8. Within one month from the sealing of this agreement to lay on water from the Corporation's present main at the Castle Cottages to the field gate by Castle Gate Cottages and to supply water free of cost to Saltwood Castle stables gardens and outbuildings the Castle Gate Cottages and the Grange Farm such supply not to exceed one thousand two hundred gallons per diem and to be maintained in all respects as if the said properties were situate within the borough and further at the expense of the vendor to do all necessary works to connect to his requirements the above-mentioned premises with the Corporation water main at the said field gate such expense to be limited to the prime cost of labour and materials.

9. To at once provide and maintain meters at their own expense at points to be agreed on between the vendor and the Corporation—

- (1) At the said field gate by Castle Gate Cottages:
- (2) At Grange Farm whenever requested by the vendor:
- (3) At the Castle Gardens on the like request.

10. So soon as the proposed works are completed to lay on water to Blue House Cottage and to Stone Cottage and at their own expense to provide and maintain meters at points to be agreed on between the vendor and the Corporation—

- (4) At Blue House Cottage:
- (5) At Stone Cottage:

And to supply water not exceeding fifty gallons per diem to Blue House Cottage only free of charge such supply to be included in the one thousand two hundred gallons per diem hereinbefore mentioned.

11. To fence in and reasonably plant and maintain with shrubs and conifers and otherwise so far as possible make ornamental the cottages and buildings and the site of the Work No. 1 in clause 4 of the said Bill such fencing and planting to be carried out immediately after the completion of any such cottage building or other work.

12. To forthwith pay to the vendor the sum of one hundred and fifty pounds towards his costs incurred in connection herewith.

13. To lay all works authorised by the clause of the said Bill the marginal note whereof is "Power to lay electric mains" underground and the

A.D. 1905. one thousand nine hundred and five or such other date as may be agreed upon between the parties prior to any pumping from the proposed well or bore-hole and a copy to be similarly retained The copies so signed of each memorandum to be accepted as evidence of those conditions at the times named by any person appointed to decide any disputes under article 20 hereof.

7. As soon as the works proposed to be authorised under the said Bill are completed to at once provide and connect at their own expense a stand pipe in the field belonging to Douglas Farm at the point marked (S.P.) on the said plan No. 1 and to supply water thereto free of charge for watering horses and stock on the said farm not exceeding two hundred gallons per diem.

8. Within one month from the sealing of this agreement to lay on water from the Corporation's present main at the Castle Cottages to the field gate by Castle Gate Cottages and to supply water free of cost to Saltwood Castle stables gardens and outbuildings the Castle Gate Cottages and the Grange Farm such supply not to exceed one thousand two hundred gallons per diem and to be maintained in all respects as if the said properties were situate within the borough and further at the expense of the vendor to do all necessary works to connect to his requirements the above-mentioned premises with the Corporation water main at the said field gate such expense to be limited to the prime cost of labour and materials.

9. To at once provide and maintain meters at their own expense at points to be agreed on between the vendor and the Corporation—

- (1) At the said field gate by Castle Gate Cottages:
- (2) At Grange Farm whenever requested by the vendor:
- (3) At the Castle Gardens on the like request.

10. So soon as the proposed works are completed to lay on water to Blue House Cottage and to Stone Cottage and at their own expense to provide and maintain meters at points to be agreed on between the vendor and the Corporation—

- (4) At Blue House Cottage:
- (5) At Stone Cottage:

And to supply water not exceeding fifty gallons per diem to Blue House Cottage only free of charge such supply to be included in the one thousand two hundred gallons per diem hereinbefore mentioned.

11. To fence in and reasonably plant and maintain with shrubs and conifers and otherwise so far as possible make ornamental the cottages and buildings and the site of the Work No. 1 in clause 4 of the said Bill such fencing and planting to be carried out immediately after the completion of any such cottage building or other work.

12. To forthwith pay to the vendor the sum of one hundred and fifty pounds towards his costs incurred in connection herewith.

13. To lay all works authorised by the clause of the said Bill the marginal note whereof is "Power to lay electric mains" underground and the

said water main or pipe at a depth of not less than two feet below the surface of the ground save and except Work No. 5 where it crosses or is adjacent to the Hythe and Sandgate Branch of the South Eastern and Chatham and Dover Railway at the bridge carrying Sandy Lane over the said railway as shown on the said plan No. 2.

14. To pay compensation in accordance with the Lands Clauses Acts to the tenants of the vendor whose lands may be taken or utilised either permanently or temporarily or in any way damaged by the Corporation or their contractor in carrying out the proposed works.

15. In exercising the powers conferred by the said Bill to use all reasonable care to avoid damage to the lands of the vendor not acquired by the Corporation and to make good all damage done and in case the Corporation shall fail to make good any damage for seven days after the receipt of notice in writing requiring them so to do the vendor shall be at liberty to execute the work necessary to make good such damage and the expense thereof shall be a debt due from the Corporation to the vendor and recoverable on demand.

16. To supply so far as they may lawfully do all houses which now are or at any time hereafter may be built on the estate of the vendor situate in the parish of Saltwood save and except those to be supplied free as hereinbefore mentioned with water at a rate not exceeding that current in the borough of Hythe for the time being for houses of a similar character.

17. To fix and maintain at their own expense a hydrant in the water main or pipe at the point marked H opposite the Castle Gate Cottages to be used only in case of fire.

18. The title shall commence with the said will of Herbert George Deedes and the Corporation shall assume that the said testator was at the time of his death seized in fee simple of the land hereby agreed to be sold and shall accept the joint indemnity of the vendor and the said Rose Eleanor Deedes in respect of prior family jointures and charges on the estate.

And the vendor hereby agrees with the Corporation as follows:—

19. Immediately after the execution of this agreement and upon payment of the said sums of five hundred and fifty pounds and one hundred and fifty pounds as aforesaid to allow the Corporation to commence boring on the land hereby agreed to be sold to them and to make the necessary arrangements with the tenants of the said land.

20. And it is hereby agreed that any and every dispute difference or question which shall at any time arise between the said parties hereto shall be determined by a single engineer to be agreed upon in writing by the parties or failing agreement to be nominated at the request of either party by the President of the Institution of Civil Engineers.

21. This agreement is subject to such alterations as Parliament may think fit to make therein but if any material alteration be made by Parliament in the agreement it shall be competent for either party hereto to withdraw from the same.

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17. To fix and maintain at their own expense a hydrant in the water main or pipe at the point marked H opposite the Castle Gate Cottages to be used only in case of fire.

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21. This agreement is subject to such alterations as Parliament may think fit to make therein but if any material alteration be made by Parliament in the agreement it shall be competent for either party hereto to withdraw from the same.

A.D. 1905.

In witness whereof the said Herbert William Deedes hath hereunto set his hand and the Corporation hath hereunto caused its seal to be affixed the day and year first above written.

H. WILLIAM DEEDES

by his Attorney

ROSE E. DEEDES.

Witness—

D. W. BONGARD

28 Lincoln's Inn Fields

London.

The common seal of the mayor aldermen and burgesses }
of the borough of Hythe was hereunto affixed by order }
of the town council in the presence of

Seal.

GEO. S. WILKS

Town Clerk.

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