

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

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CAP. CIII.

An Act to make temporary Provision for the Boundaries of certain Boroughs.

[20th *August* 1836.]

WHEREAS by the Provisions of an Act passed in the last Session of Parliament, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, the Boundaries of certain Boroughs named in the Schedules (A.) and (B.) to the said Act annexed were made to include all the Liberties of such Boroughs and large Tracts of Land beyond the Limits of the Towns, and which ought not to be included therein: Be it therefore 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, That so much of the said Act for regulating Corporations as provides that the Metes and Bounds of every Borough and County named in the said Act shall include the whole of the Liberties of such Borough and County by Land and by Water is hereby repealed; and that, notwithstanding any thing in the said Act contained, no Part of any County, or of the Liberties of any Borough, Town, or City, named in the First Sections of the Schedules (A.) and (B.) annexed to the said Act for regulating Corporations, which before the passing of the said Act was not Part of such Borough, Town, or City, or within the Parliamentary Boundary of such Borough, Town, or City, shall be taken to be within the Metes

5 & 6 W. 4. c. 76.

Part of the recited Act repealed.

New Provision as to Boundaries of Boroughs, &c.

and Bounds of any such Borough, Town, or City, or within the County of such Borough, Town, or City, or to be within the Jurisdiction of the Justices of such Borough, Town, or City, or County of a Borough, Town, or City; and that no Part of any County, or of the Liberties of any Borough, Town, or City, named in the Second Section of the said Schedules (A.) and (B.), which was not Part of such Borough, Town, or City before the passing of an Act passed in the Second and Third Year of His Majesty, intituled *An Act to settle and describe the Divisions of Counties, and the Limits of Cities and Boroughs, in* England *and* Wales, *in so far as respects the Election of Members to serve in Parliament*, shall, for the Purposes of the said Act passed in the last Session of Parliament, be taken to be within the Metes and Bounds of any such Borough, Town, or City, or within the County of such Borough, Town, or City, or to be within the Jurisdiction of the Justices of such Borough, Town, or City, or County of a Borough, Town, or City, but every such Part, until Parliament shall otherwise direct, shall be taken to be within and to be subject to the same Jurisdiction as the County, Riding, Parts, or Divisions of a County, other than a County of a Borough, Town, or City, wherein such Part is situated or with which it has the longest common Boundary: Provided also, that all the Provisions of the said Act for regulating Corporations concerning the Liability of the Ratepayers of any Place or Precinct which under the Provisions of this Act shall not be included within any such Borough, Town, or City, or County of a Borough, Town, or City, to any Debt to which the Ratepayers of such Borough, Town, or City, or County of a Borough, Town, or City, were liable to contribute before the passing of the said Act for regulating Corporations, shall be applicable to such Place or Precinct as if the same had not been included within the Metes and Bounds of such Borough, Town, or City under the Provisions of the said Act for regulating Corporations: Provided also, that no Election of any Mayor, Alderman, Councillor, Auditor, or Assessor heretofore made, or any other Proceeding whatsoever, in any such Borough, Town, or City, since the Twenty-fifth Day of *December* last, shall be liable to be questioned after the passing of this Act by reason that any such Part of any County, or Liberties of any Borough, Town, or City, may or may not have been taken to be Part of such Borough, Town, or City under the Provisions of the said Act.

2 & 3 W. 4. c. 64.

Proviso as to the Liability of Ratepayers.

Proviso as to the Election of Mayor, &c.

Boundaries of the Borough of Sunderland.

II. Provided always, and be it enacted, That, notwithstanding any thing in this Act contained, the Borough of *Sunderland*, for the Purposes of the said Act passed in the last Session of Parliament, and until Parliament shall otherwise direct, shall consist of the Parish of *Sunderland*, the Townships of *Monkwearmouth* and *Monkwearmouth Shore*, and so much of the Townships of *Bishop Wearmouth* and *Bishop Wearmouth Panns* as is included within a Circle of One Mile from the Centre of *Wearmouth Bridge*.

The Division of Boroughs into Wards by the Barristers not to be affected by the Exclusion

III. And be it enacted, That the Division of every Borough, Town, and City into Wards by the Barrister or Barristers appointed in pursuance of the Provisions of the said Act for regulating Corporations shall not be annulled or vitiated by the Exclusion of any Ward or Wards, or any Part of any of the said Wards which shall be

 excluded

excluded from such Borough, Town, or City by this Act, but the said Division shall remain in all other respects in force until Parliament shall otherwise direct, as if the Ward or Wards, or Part of a Ward or Wards, so excluded from the Borough, Town, or City, had not been at any Time included therein: Provided nevertheless, that if any Borough, Town, or City shall have been so divided into Wards that the whole of any One or more Wards shall consist wholly of a District excluded from such Borough, Town, or City by this Act, the Barrister or Barristers who originally divided the Borough, Town, or City into Wards shall, as soon as conveniently may be after the passing of this Act, assign the Councillors who were chosen in such Ward or Wards to the remaining Wards of the Borough, Town, or City, or such of them as he or they shall select, upon the same Principles, or as nearly as may be, in his or their Judgment, as were provided by the said Act for the Guidance of the Barristers in their Assignment of Councillors to each Ward, and thenceforth, and until Parliament shall otherwise direct, the Number of Councillors in each of the remaining Wards shall be the Number originally assigned to such Ward by the Barrister or Barristers, with the Addition of the Number so assigned to it by the Barrister or Barristers under this Act, and the Councillors so assigned under this Act to each Ward shall thenceforth be deemed to have been elected in the Ward to which they shall have been respectively so assigned, and shall go out of Office, and Vacancies among them shall be filled at the same Time and in the same Manner, as if the Burgesses of the Ward by whom they were originally elected had been Burgesses of the Ward to which they shall have been so assigned.

of any Ward or Part of a Ward.

If a Borough has been so divided that the whole of a Ward shall consist of a District excluded by this Act a new Assignment of Councillors to be made by the Barrister until Parliament shall otherwise direct.

IV. And be it enacted, That nothing contained in the said Act for regulating Corporations shall be construed to affect any Local Act heretofore passed for the Relief and Management of the Poor, or to alter the District comprised within the Provisions of any such Local Act.

Local Acts for the Relief of the Poor not to be affected.

V. And be it enacted, That nothing contained in the said Act for regulating Corporations shall be construed to affect or alter the Assessments of the Land Tax or Assessed Taxes, or to extend or diminish the Jurisdiction of any Commissioners of Land and Assessed Taxes; but that all Manors, Lands, Tenements, and Hereditaments, and all Parishes and Parts of Parishes, and Places, shall continue to be charged as heretofore towards the Land Tax charged upon the County or other District of which they were a Part before the passing of the said recited Act, and to be subject in that Behalf to the Jurisdiction of the Commissioners of the same County or other District as they would have been if the said recited Act had not been passed.

Nothing herein to affect the Assessments of the Land or Assessed Taxes, or the Jurisdiction of the Commissioners.

VI. And be it declared and enacted, That the Borough and Town of *Berwick-upon-Tweed*, within the Limits assigned to it by the said Act, or hereafter to be assigned to it by Authority of Parliament, shall be a County of itself to all Intents and Purposes, except only so far as relates to the Return of a Member or Members to serve in Parliament; and that the Provisions of the Act passed in the

Berwick-upon-Tweed declared a County to all Intents but for Parliamentary Elections.

3 & 4 W. 4. c. 74.

the Third and Fourth Years of His Majesty, intituled *An Act for the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance*, and the Modes of Assurance therein provided, shall extend and apply to Lands locally situated in the said Borough, Town, and County, any Law, Statute, Custom, or Usage to the contrary notwithstanding.

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