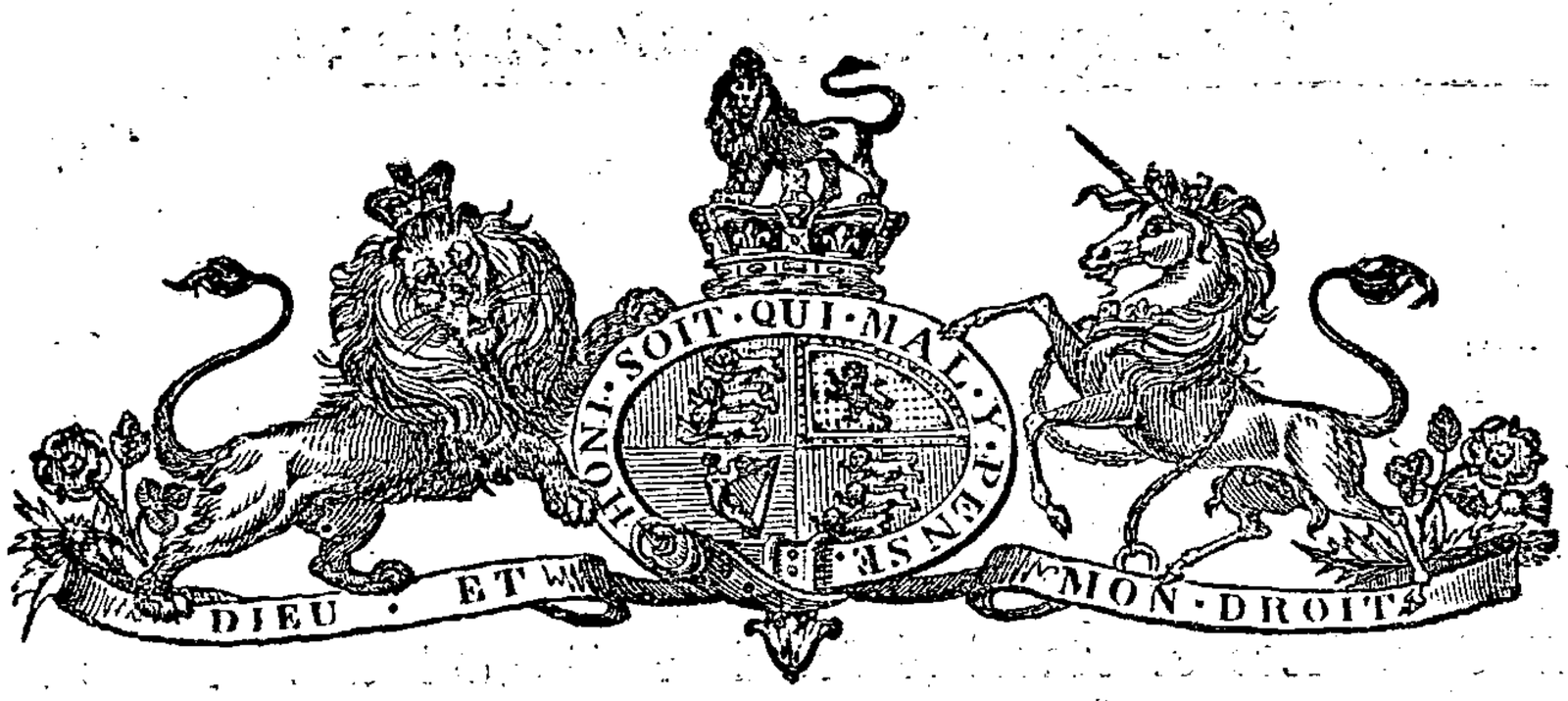


ANNO TRICESIMO

VICTORIÆ REGINÆ.

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of Transfer dated the Twenty-fourth Day of *March* One thousand eight hundred and thirty-six, the Powers of the Commissioners under the first-recited Act have been transferred to and vested in the Mayor, Aldermen, and Burgesses of the Borough: And whereas by a Provisional Order of the General Board of Health dated the First Day of *February* One thousand eight hundred and fifty-one, and "The Public Health Supplemental Act, 1851, No. 2," confirming that Provisional Order, the Mayor, Aldermen, and Burgesses of the Borough, by the Council of the Borough, have been constituted the Local Board of Health for the Corporate District of the Borough (in this Act called "the District") of *Gateshead:* And whereas in this Act the Mayor, Aldermen, and Burgesses of the Borough in their Capacity of a Municipal Corporation are called "the Corporation," and in their Capacity of a Local Board of Health are called "the Local Board:" And whereas by the Provisional Order so confirmed Parts of the first-recited Act have been repealed: And whereas under the Provisional Order so confirmed the Local Board are authorized from Time to Time to fix the Part of the District within which the Streets, Public Places, and Public Buildings are to be lighted, the Part so from Time to Time fixed to be called "the Lighted District," and to contract for lighting the Lighted District, and to erect or purchase Gasworks, and make and supply Gas, and provide and set up Lamps, Lamp Posts, and other Materials and Apparatus, and for defraying the Expenses of lighting the Lighted District to make and levy in the Nature of a General District Rate a "Lighting Rate" upon the Occupiers of Property within the Lighted District exclusively, and the Local Board are also authorized from Time to Time to fix the Part of the District within which Footways of Streets and other Public Places and Markets are to be paved, the Part so from Time to Time fixed being called "the Paved Footway District," and for defraying the Expenses of making and maintaining Pavements of Footways within the Paved Footway District to make and levy in the Nature of a General District Rate a "Footway Paving Rate" upon the Occupiers of Property within the Paved Footway District exclusively: And whereas a Question has been raised whether the recited Provisions of the Provisional Order were within the Purview of "The Public Health Act, 1848," and it is expedient that all Question on the Matter be obviated: And whereas under "The *Gateshead* Quay Act, 1855," (in this Act called "the First Quay Act,") the Corporation, acting by the Council of the Borough, are the Commissioners for executing that Act, and by that Act they are authorized to make and maintain a Quay (in this Act called "the *Gateshead* Quay") on or near to the Right Bank of the River *Tyne*, with Approaches, Wharves, Buildings, Works, and Conveniences connected therewith, and to make new Streets within the Borough, and to execute other Works, and to purchase, take, and

18 & 19 Vict. c. cxliii.

use

use Lands for the Purpose, and to borrow on Mortgage of the several Rates, Rents, and Charges by that Act authorized in respect of the *Gateshead* Quay, or any of them, Thirty-five thousand Pounds, and to borrow on the Security of the Borough Fund of the Borough and the Borough Rate of the Borough, or either of them, Twenty thousand Pounds, and to levy a Rate within the Borough, to be deemed a Borough Rate, and to be applicable to the Payment of any Sums borrowed on the Security of the Borough Fund of the Borough and the Borough Rate of the Borough, or either of them, and the Interest thereof: And whereas under "The *Gateshead* Quay Second Act, 1859," (in this Act called "the Second Quay Act,") the Corporation are authorized to borrow Twenty thousand Pounds, Part of the Thirty-five thousand Pounds, on the Security of the Borough Fund of the Borough and the Borough Rate of the Borough, or either of them: And whereas, for the Purposes of "The *Gateshead* Quay Acts," the Corporation have borrowed on the Credit of the Borough Fund and Borough Rates Forty thousand Pounds, of which on the First Day of *September* One thousand eight hundred and sixty-six Thirty-six thousand five hundred and fifty Pounds only remained due, and have borrowed on the Credit of the Rates, Rents, and Charges by "the Quay Acts" authorized Four thousand Pounds, the whole of which on that Day remained due: And whereas the Corporation have adopted "The Baths and Wash-houses Acts, 1846 and 1847," and for the Purposes of those Acts have borrowed on the Credit of the Borough Fund and Borough Rates Three thousand five hundred Pounds, of which on the First Day of *September* One thousand eight hundred and sixty-six One thousand two hundred and twenty-five Pounds only remained due: And whereas the Local Board have borrowed on the Security of their General District Rate and the Footway Paving Rate respectively divers Sums of Money, of which on the said First Day of *September* One thousand eight hundred and sixty-six Thirteen thousand five hundred and seventy-two Pounds remained due on the Security of their General District Rate, and Two thousand eight hundred Pounds remained due on the Security of the Footway Paving Rate: And whereas, in addition to the last-mentioned Sums, the Local Board are authorized to borrow, under the Authority of One of Her Majesty's Principal Secretaries of State, given in accordance with the Public Health Acts, on the Security of their General District Rate, Sums amounting to Six thousand three hundred Pounds: And whereas in the Year One thousand eight hundred and sixty the Corporation were constituted the Burial Board for all those Parts of the Parish of *Gateshead* which are not included in the Ecclesiastical District of *Gateshead Fell*, and as the Burial Board, and for the Purposes of the Burial Acts, they have borrowed on the Security of a separate Rate, in the Nature of a Borough Rate, to be levied within their Burial District,

22 & 23 Vict. c. xii.

District, Eleven thousand Pounds, of which on the First Day of *September* One thousand eight hundred and sixty-six Nine thousand five hundred and thirty-three Pounds Six Shillings and Eightpence only remained due: And whereas under the Act of the Session of the Second and Third Years of Her present Majesty, Cap. Twenty-eight, intituled *An Act for more equally assessing and levying Watch Rates in certain Boroughs*, and subsequent Acts in that Behalf, the Corporation are authorized to levy a Watch Rate, not exceeding in any One Year Sixpence in the Pound on the rateable Value of the Premises liable thereto, on the Occupiers of all Messuages, Lands, Tenements, and Hereditaments within those Parts of the Borough which should be watched by Day and by Night, and which from Time to Time, by any Order of the Council of the Borough, are declared liable to the Watch Rate: And whereas it is expedient that the Corporation be authorized to pay out of the Borough Fund, to which all Parts of the Borough, whether or not regularly watched, are liable, so much as they from Time to Time think fit of the Expenses of the Police of the Borough and the other Expenses to which the Watch Rate is liable: And whereas it is expedient that the Watch Rate and the Lighting Rate and the Footway Paving Rate cease to be levied, and the Local Board be authorized to levy a Rate in the Nature of a General District Rate, and to be called "The Town Improvement Rate," on the Premises rateable to the General District Rate in those Parts of their District which the Local Board from Time to Time think fit, and by Order declare to be liable to the Town Improvement Rate: And whereas it is expedient that the One thousand two hundred and twenty-five Pounds remaining due on account of the Baths and Wash-houses, and the Thirty-six thousand five hundred and fifty Pounds and Four thousand Pounds respectively remaining due under the *Gateshead* Quay Acts respectively, be charged as One Consolidated Debt on the Borough Fund and Borough Rates of the Borough: And whereas it is expedient that the Corporation be authorized for Purposes of this Act to borrow at Interest on the Security of the Borough Fund and Borough Rates of the Borough Twenty thousand Pounds, in addition to that Consolidated Debt, and to be consolidated therewith, and Provision for paying off the Debt by yearly Instalments or a Sinking Fund be made: And whereas it is expedient that the Two thousand eight hundred Pounds remaining due on the Security of the Footway Paving Rate be charged with the Thirteen thousand five hundred and seventy-two Pounds Nine Shillings and Sixpence remaining due on the Security of the General District Rate, and the Six thousand three hundred Pounds which the Local Board are authorized to borrow as One Consolidated Debt on the General District Rate: And whereas it is expedient that the Local Board be authorized for Purposes of the recited Provisional Order and Purposes of this Act respectively to borrow at Interest on the

the Security of the General District Rate Ten thousand Pounds, in addition to that Consolidated Debt, and to be consolidated therewith, and Provision for paying off the Debts by yearly Instalments or a Sinking Fund be made: And whereas, in order to the making of any Borough Rate, or any Rate in the Nature of a Borough Rate, the Mayor, by Order of the Council, issues his Precept in that Behalf to the High Constable of the Borough, who thereupon issues his Precept in that Behalf to the Churchwardens and Overseers of the Parishes in whole or in part within the Borough, and thereupon the Churchwardens and Overseers make the required Rate, and it is expedient that instead of that circuitous Mode of Procedure the Borough Rate and Rates in the Nature of a Borough Rate be made directly by the Corporation: And whereas it is expedient that the Corporation be authorized to erect and maintain in *Gateshead* Buildings proper and convenient for a Town Hall, a Police Court, a County Court, and other Corporate and Public Purposes, and to acquire by Agreement, and appropriate and use, Lands for the Purpose: And whereas it is expedient that better Provision be made with respect to Street Improvements and the Expenses thereof, and the better Regulation of the Police Force and the Enforcement of Police Regulations, and the other Matters for the Improvement and good Order and Government of the Borough, for which by this Act Provision is made: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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:

Short Title.

1. This Act may for all Purposes be cited as "*Gateshead* Improvement Act, 1867."

8 & 9 Vict. c. 18., 10 & 11 Vict. cc. 16, 34, & 89., and 23 & 24 Vict. c. 106. incorporated.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Towns Improvement Clauses Act, 1847," and "The Towns Police Clauses Act, 1847," and the Provisions "with respect to the Mortgages to be executed by the Commissioners" of "The Commissioners Clauses Act, 1847," are (except where expressly excepted or varied by this Act) incorporated with and form Part of this Act: Provided that this Act shall not authorize the Corporation or the Local Board to take, use, or enter upon any Land otherwise than by Agreement.

Interpretation of Terms.

3. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context; and the Expression "Superior Courts" or "Court

"Court of competent Jurisdiction," or any other like Expression in this Act, or in any of the Acts in whole or in part incorporated with this Act, shall for the Purposes of this Act be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute; and for the Purposes of this Act the Expression "the Commissioners" in the Provisions incorporated with this Act of "The Commissioners Clauses Act, 1847," means only the Corporation; and the Expression "the Clerk to the Commissioners" in those Provisions means the Town Clerk; and the Words and Expressions following have the Meanings following; (that is to say,)

(*a.*) "The Borough" means the Municipal Borough of *Gateshead*:

(*b.*) "The District" means the District of the Local Board of Health for the Corporate District of the Borough of *Gateshead*:

(*c.*) "The Corporation" means the Mayor, Aldermen, and Burgesses of the Borough in their Capacity of a Municipal Corporation, and also in their Capacity of Commissioners for carrying into execution "The *Gateshead* Quay Acts:"

(*d.*) "The Local Board" means the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, in their Capacity of the Local Board of Health for the District:

(*e.*) "The Municipal Corporations Acts" means and includes the Act for the Regulation of Municipal Corporations in *England* and *Wales*, and all other Statutes and Laws, whether General or Local, from Time to Time in force in the Borough, and affecting the Corporation:

(*f.*) "The *Gateshead* Quay Acts" means and includes "The *Gateshead* Quay Act, 1855," and "The *Gateshead* Quay Second Act, 1859;"

(*g.*) "The Public Health Acts" means and includes "The Public Health Act, 1848," and "The Local Government Act, 1858," and the several Acts supplemental to and amending those Acts respectively, and from Time to Time in force in the District, and affecting the Local Board:

(*h.*) "Premises" means and includes Messuages, Buildings, Lands, and Hereditaments of any Tenure:

(*i.*) "Improvements of Streets" means and includes the sewering, levelling, paving, flagging, channelling, metalling, and otherwise making good of any Streets:

(*j.*) "Street Improvement Expenses" means and includes the Expenses of and incident to Improvements of Streets:

(*k.*) "Cattle" means and includes Horse, Mare, Gelding, Colt, Filly, Foal, Mule, Ass, Bull, Cow, Ox, Heifer, Calf, and every Kind of Sheep and Swine.

4. The

Limits of Act.

4. The Limits of this Act are the Limits of the Municipal Borough of *Gateshead*.

Municipal Corporations Acts and this Act to have effect together.

5. So far as this Act is to be carried into execution by the Corporation, and so far as any of the Provisions of the Municipal Corporations Acts are applicable for any of the Purposes of this Act with respect to the Corporation, (but except so far as any of the Provisions of the Municipal Corporations Acts are excepted, varied, or otherwise provided for by this Act,) the Municipal Corporations Acts and this Act shall be read and have Effect together as if the Provisions and Purposes of this Act were Provisions and Purposes of the Municipal Corporations Acts.

Public Health Acts and this Act to have effect together.

6. So far as this Act is to be carried into execution by the Local Board, and so far as any of the Provisions of the Public Health Acts are applicable for any of the Purposes of this Act, with respect to the Local Board, (but except so far as any of the Provisions of the Public Health Acts are excepted, varied, or otherwise provided for by this Act,) the Public Health Acts and this Act shall be read and have Effect together as if the Provisions and Purposes of this Act were Provisions and Purposes of the Public Health Acts.

Act to be executed by Corporation in accordance with Municipal Corporations Acts.

7. This Act, so far as it is to be executed by the Corporation, shall be carried into execution by the Corporation acting in accordance with the Powers and Provisions from Time to Time in force and applicable in that Behalf of "The Municipal Corporations Acts."

Act to be executed by Local Board in accordance with Public Health Acts.

8. This Act, so far as it is to be executed by the Local Board, shall be carried into execution by the Local Board acting in accordance with the Powers and Provisions from Time to Time in force and applicable in that Behalf of "The Public Health Acts."

Power to Corporation and Local Board to appoint Committees of Council.

9. The Corporation and the Local Board respectively from Time to Time may appoint any Members of the Council of the Borough to be a Committee for any of the Purposes of this Act to be executed by the Corporation, or, as the Case happens, the Local Board, and may delegate to the respective Committees such of the Powers (except Powers of borrowing Money) and Duties of the Corporation, or, as the Case happens, of the Local Board, as the Corporation and the Local Board respectively think fit for the carrying into effect of any specific Order of the Corporation and the Local Board respectively; and the Acts and Proceedings of every such Committee within the Limits of and in accordance with their Delegation shall be deemed the Acts and Proceedings of the Corporation, or, as the Case happens, the Local Board; and the Corporation and the Local

Board

Board respectively shall determine the Quorum, Duties, and Procedure of the respective Committee, and remove any Members thereof, and appoint other Members of the Council in their Stead, and, if and when they respectively think fit, may require that any of the Proceedings of the respective Committees shall be subject to Confirmation by the Corporation, or, as the Case requires, the Local Board.

Procedure of Committees.

10. Every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they think proper, for the Purposes of their Appointment, but no Business shall be transacted at any Meeting of the Committee unless the Quorum, if any fixed, and if no Quorum be fixed Three Members, be present; and at the First Meeting of the Committee One of the Members shall be appointed Chairman of the Committee, and in case of his Absence from any Meeting of the Committee the Members present shall appoint One of themselves to be Chairman of that Meeting; and all Questions shall be determined by the Majority of the Votes of the Members present, every Member having One Vote, and in case of an Equality of Votes the Chairman having a Second or Casting Vote.

Minutes of Proceedings of Committees to be Evidence.

11. Any Minute made of Proceedings at any Meeting of any such Committee, and signed by the Person purporting to be the Chairman of the Committee, either at the Meeting of the Committee at which the Proceedings took place or at the next Meeting of the Committee, shall be receivable in Evidence, without further Proof; and, until the contrary be proved, every Meeting of the Committee in respect of the Proceedings of which Minutes have been so made shall be deemed to have been duly convened and held, and all the Members thereof to have been duly qualified; and the Minutes shall at all reasonable Times be open to the Inspection of every Member of the Council of the Borough, and of every Mortgagee under this Act.

Power to Corporation to acquire and appropriate Lands for Town Hall, &c.

12. The Corporation may from Time to Time, by Agreement, for the Purposes of the Town Hall and other Public Buildings by this Act authorized, purchase such Lands in the Borough, and appropriate such of their own Lands in the Borough, as they think fit; and all the Lands so purchased and appropriated shall be vested in the Corporation in their Capacity of a Municipal Corporation, and as Part of their Corporate Estates and Borough Fund.

Power to Corporation to erect Town Hall, &c.

13. The Corporation may from Time to Time, when and as they think fit, on the Lands in the Borough acquired and appropriated by them for the Purpose, erect and maintain, and from Time to Time enlarge, add to, and improve, any Buildings and Offices for the Purposes of a Town Hall and a Police Court and a County Court, and

and any other Corporate and Public Purposes, with Approaches, Entrances, Yards, Areas, Sewers, Drains, and other Works and Conveniences connected therewith, and may fit up and furnish the same.

Power to Corporation to regulate User of Town Hall, &c.

14. The Corporation may from Time to Time, when and as they think fit, make, alter, and repeal Regulations with respect to the User of the Town Hall and other Buildings, and any Parts thereof, and permit the same to be used, either *gratis* or on such Terms as they think fit, for any Public Purposes, or any Purposes which although not absolutely Public Purposes are Purposes which the Corporation approve.

Corporation to keep Town Hall Account.

15. The Corporation shall keep a separate and distinct Account of all their Receipts, Credits, Payments, and Liabilities in and about the Execution of this Act with respect to the Town Hall and the Buildings connected therewith, to be called "The Town Hall Account," and from Time to Time they may apportion, as they think fit, between that Account and any of their other Accounts, any Item which they consider to be chargeable partly to "The Town Hall Account" and partly to any of their other Accounts.

Power to Head Constable to suspend Constables.

16. The Head Constable may suspend any Constable from the Exercise of his Office until the next Meeting of the Watch Committee, for Breach of Discipline, or Neglect or Violation of Duty, or grave Misconduct; and if any Constable, while suspended by the Chief Constable, exercises in any Manner the Office of Constable, every Person so offending shall for every such Offence forfeit not exceeding Forty Shillings; and Section 11 of the "Towns Police Act, 1847," extends to every Constable so suspended.

Power to deduct Penalties on Constables from Salaries.

17. Where under this Act or any other Act then in force within the Borough any Penalty is recovered against any Person who holds or has held the Office of Constable in respect of any Act or Default of the Person while holding the Office, the Amount of the Penalty may be deducted from any Salary due or to become due to him as Constable.

Regulations for preventing Obstructions in Streets during Public Processions, &c.

18. The Mayor from Time to Time may make and enforce Regulations for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets, in Times of Holidays, Public Processions, Public Meetings, Public Rejoicings or Illuminations, and in Cases where the Streets are thronged or liable to be obstructed, and may give Directions to the Constables for keeping Order, and for preventing any Obstructions of the Streets in the immediate Neighbourhood of the Town Hall;

the Police Court, the County Court, the Theatres, and other Places of Public Resort; and where any Person fails to comply with any of the Regulations or with the Direction of any Constable acting in pursuance thereof, every Person so offending shall for every such Offence forfeit not exceeding Forty Shillings, or, in the Discretion of the Justice before whom he is convicted, be imprisoned for not exceeding One Month.

Prohibitions as to diseased Cattle.

19. Where any Person exposes or offers for Sale, or brings or attempts to bring through or into any Street, any Animal comprised within the Definition in this Act of "Cattle" infected with or labouring under any infectious or contagious Disease, knowing the Animal to be in that State, every Person so offending shall for every such Offence forfeit not exceeding Twenty Pounds.

Power to Police to seize and destroy diseased Cattle.

20. Where any Animal comprised in the Definition in this Act of "Cattle" being, or reasonably supposed to be infected with, or labouring under any infectious or contagious Disease, is exposed or offered for Sale, or is brought or attempted to be brought through or into any Street, any Constable or Officer authorized by the Corporation for the Purpose may seize the Animal, and have it inspected by Two Veterinary Surgeons or other competent Persons, and shall report the Seizure to a Justice; and the Justice, after hearing the Evidence, may order that either the Animal be restored, or that the Animal, and any Pens, Hurdles, Litter, Hay, Straw, or other Things which he judges likely to have been infected by or to have infected the Animal, be forthwith destroyed or otherwise disposed of.

Power to Police to enter and break open Premises in Case of Fire.

21. Any Constable of the Police Force or of the Fire Police of the Borough, and any Officer or other Person appointed by the Corporation, may enter, and, if necessary, break into any Building in the Borough being or reasonably supposed to be on fire, or any Building or Land adjoining or near thereto, without the Consent of any Owner or Occupier thereof respectively, and may do all such Things as he deems necessary for extinguishing Fire in any Building, or for protecting the same, or rescuing any Person or Property therein from Fire.

Expenses of extinguishing Fires within the Borough.

22. The Owner and Occupier of any Premises, Ship, Goods, or Property within the Borough in which Fire breaks out shall be jointly and severally liable to pay and shall pay to the Corporation, as a Contribution towards the Expenses incurred for extinguishing the Fire, Fifteen Pounds, or whatever less Sum is equal to One Half of the Expenses; and the Amount of the Contribution shall, in case of Difference, be summarily determined by a Justice, whose Decision shall be final and conclusive on all Parties, and the Amount, if any, awarded

awarded by the Justice, shall be recoverable as any Penalty under this Act is recoverable.

Dangerous Places to be repaired or inclosed.

23. With respect to the repairing or inclosing of dangerous Places the Provisions following shall have Effect; (that is to say,)

(*a.*) Where any Building, Wall, Structure, Erection, or other Thing, or any Shaft, used or disused, Excavation, Reservoir, Pond, or Dam of Water, or any other Place, is, in the Opinion of the Corporation, or of the Mayor, for Want of sufficient Repair, Protection, or Inclosure, dangerous to the Occupiers thereof or of any neighbouring Building or Land, or to Passengers along any Street or Footpath, the Corporation or the Mayor may order the Owner to repair, protect, or inclose the same, so as to prevent any Danger therefrom:

(*b.*) Where the Owner fails to comply with the Order, every Person so offending shall forfeit a Sum not exceeding Twenty Pounds; and in that Case, and also if the Owner is not known, or cannot, after due Inquiry, be found within the Borough, the Corporation may do such Works as they think proper for effecting the Repair, Protection, or Inclosure, and the Expenses thereof shall be repaid to them by the Owner:

(*c.*) Where the Owner can be found within the Borough, if, on Demand of the Expenses, he fails to pay the same, then the Expenses may be levied by Distress, and any Justice shall issue his Warrant accordingly:

(*d.*) Where the Owner cannot be found within the Borough, or sufficient Distress of his Goods and Chattels within the Borough cannot be made, the Corporation, after giving Twenty-eight Days Notice of their Intention to do so by affixing the Notice to a conspicuous Place on or near to the Building or Erection, or on the Land whereon the Building or Erection stood, may, if the Expenses are not paid, take possession of the Building, Erection, or Land, making Compensation to the Owner, but deducting from the Compensation the Amount of the Expenses, and may thereupon sell or otherwise dispose of the Building, Erection, or Land:

(*e.*) Where the Building or Erection, or any Part thereof, is by virtue of this Section pulled down, the Corporation may sell the Materials, and apply the Proceeds of the Sale in or towards Payment of the Expenses incurred in respect of the Building or Erection, restoring, on Demand, the Overplus, if any, to the Owner:

(*f.*) Never-

(*f.*) Nevertheless the Corporation, although the Materials are so sold, shall have the same Remedies for compelling Payment of so much of the Expenses as remain due after the Application of the Proceeds of the Sale as are by this Section given for compelling Payment of the whole of the Expenses.

Local Board may grant and revoke Licences for Slaughter-houses.

24. The Local Board may grant any Licence for the Erection of a Slaughter-house or Knacker's Yard, or for the Use and Occupation of any Place as a Slaughter-house or Knacker's Yard, subject to such Conditions and Restrictions as they think fit, and may from Time to Time, by Order, revoke or determine any such Licence.

Streets broken up to be reinstated.

25. Where any Person opens, takes up, or alters any Part of the Pavement or Carriageway or Footway of any Street, and does not forthwith, after the Completion of the Work for which the Pavement or Carriageway or Footway was opened, taken up, or altered, relay and reinstate and make good the Street, and carry away the Rubbish occasioned thereby, the Local Board may execute the Works necessary in that Behalf, and the Expenses thereof shall be repaid to them by the Person who opened, took up, or altered the Street, and may be recovered from the Person in any Court of competent Jurisdiction, or as a Penalty under this Act is recoverable.

Power to Local Board to compel paving, &c. of Highways.

26. The Powers of the Local Board under the Public Health Acts to compel the sewering, levelling, paving, flagging, and channelling of Streets that are not Highways repairable at the Public Expense, and after the Completion of the Works to declare such Streets Highways repairable at the Public Expense, extend to and may from Time to Time be exercised by the Local Board with respect to Highways and Parts of Highways which have not at any Time before the passing of this Act been sewered, levelled, paved, flagged, or channelled by or at the Cost of the Local Board, and the Expense of levelling, paving, flagging, or channelling such Highways and Parts of Highways may be recovered by the Local Board from the Owners of the Premises fronting, adjoining, or abutting upon such Parts thereof as require to be levelled, paved, flagged, or channelled, in the same Manner as if such Highways and Parts of Highways were Streets (not being Highways) specified in Clause 69 of "The Public Health Act, 1848."

Power to Local Board to erect Barriers in Streets of less than prescribed Width.

27. The Local Board may from Time to Time erect and maintain Barriers so as to prevent all Passage along any Street or Part of a Street hereafter made, and which is in any Part thereof of a Width less than the Width prescribed by any Byelaw of the Local Board made previously to the making of the Street, in pursuance of

Section

Section 34 of "The Local Government Act, 1858," and every Person who throws down, damages, or injures any such Barrier shall for every such Offence forfeit not exceeding Forty Shillings, and the Expenses of erecting and making good the Barrier.

Power to Local Board to stop up Highways not wanted.

28. The Local Board may from Time to Time, for the Improvement of any of the Streets in the Borough, by Order, stop up in whole or in part any Street in the Borough which in their Judgment is unnecessary, on such Terms with respect to the vesting of the Soil and other Matters as are agreed on between the Local Board and the Owners and Lessees of and Persons interested in the Premises abutting on the Street; and where any Street is so stopped up all public and other Rights of Way and other Rights in and over the Street are by this Act absolutely extinguished: Provided that before the making of any such Order One Month's previous Notice be given by the Local Board of their Intention to make the same, the Notice to be fixed on or near to the outer Door of the Town Hall, and to be inserted in a Newspaper circulated in the Borough: Provided also, that any Person thinking himself aggrieved by any such Order may appeal to the Quarter Sessions for the County of *Durham* held next after the Expiration of One Month after the making of the Order, giving Ten Days Notice of Appeal to the Local Board, and the Quarter Sessions shall hear the Appeal, and confirm or annul or alter the Order, and may give Costs to either Party.

Power to Local Board to order Buildings to be provided with Water-closets.

29. The Local Board from Time to Time, where it appears to them expedient so to do, may order that any Building, whether built before or after the passing of this Act, shall be provided with a suitable Watercloset or Earthcloset, or, in the Discretion of the Local Board, a suitable Privy, to the Satisfaction of their Surveyor, and may also in any Case order that any Ashpit, Cesspool, or Privy Sumph shall be filled up, and some other Means provided, to the Satisfaction of their Surveyor, for the Removal and Reception of Nightsoil and Ashes; and where the Owner of any such Building does not within One Month next after Notice to him of the Order comply therewith, every Owner so failing to comply with the Order shall for every Day's Failure forfeit not exceeding Five Shillings, and the Local Board, if they think fit, may execute the Works necessary for complying with the Order, and the Expenses incurred by them in that Behalf shall be repaid to them by the Owner in default, and shall be recoverable from him in any Court of competent Jurisdiction, or as a Penalty under this Act is recoverable.

Penalty for discharging Sewage into disused

30. Insomuch as the draining of Houses into disused Shafts, Coalpits, and Quarries is calculated to be seriously prejudicial to Health, therefore the Local Board from Time to Time by Order may prohibit

Coalpit, Shafts, &c.

prohibit the Discharge into any disused Shaft, Coalpit, or Quarry of the Sewage and Drainage of any House or Building already or hereafter erected, and may require the Owner thereof to discontinue the Discharge, and to make a Drain to any Sewer of the Local Board within Two hundred Feet of the House or Building; and if the Owner, after Notice from the Local Board, cause or suffer any Sewage or Drainage to be discharged or to flow into any disused Shaft, Coalpit, or Quarry, every Person so offending shall for every such Offence forfeit not exceeding Forty Shillings, and a further Sum not exceeding Twenty Shillings for every Day after the Service of the Notice on which any Sewage or Drainage continues to flow or be discharged into any Shaft, Coalpit, or Quarry: Provided that nothing in this Section shall make it obligatory on any Owner to acquire any Land or Easement for the Purpose of making any such Drain or of connecting it with any Sewer.

Power to Local Board to apportion Street Improvement Expenses among Owners.

31. The Local Board from Time to Time may, in such Manner as, having regard to the Circumstances of the Case, they think fit, apportion any Street Improvement Expenses between the respective Owners of the Premises fronting or adjoining to or abutting on the Street or Part of a Street with respect to which the Expenses are payable; and the Proportion thereof so apportioned to be paid by any Owner shall be recoverable from him in like Manner as under "The Public Health Acts" any Street Improvement Expenses are recoverable.

Power to Local Board to allow Time for Payment of Street Improvement Expenses.

32. Where any Street Improvement Expenses are to be repaid by the Owners of Premises in the Street, the Local Board may allow Time for the Repayment of the Expenses, and may receive the same by such Instalments as the Local Board under the Circumstances think fit, with Interest, after such Rate as the Local Board determine, on the Amount from Time to Time unpaid; and all such Sums remaining due after the Time allowed by the Local Board shall be repaid and be recoverable by the Local Board, with the Interest thereon, as if any Time for the Repayment thereof had not been allowed by the Local Board.

Power to Local Board to take possession of Premises where Owner fails to pay his Proportion of Street Improvement Expenses.

33. Where the Owner of any Premises which under any of "The Public Health Acts" are charged with the Payment of any Expenses incurred by the Local Board fails for Six Months after the same become recoverable from him to pay the same, with the Interest, if any, due thereon, or where any such Owner is bankrupt, or, after due Inquiry, is unknown to the Local Board, or cannot be found by them, the Local Board from Time to Time, after the Expiration of One Month after Notice served on the Owner or his Assignees in Bankruptcy, or if, after diligent Inquiry, he be unknown to or cannot be

be found by the Local Board, then affixed to a conspicuous Part of the Premises, may proceed as follows; (that is to say,)

(*a.*) The Local Board may enter into Receipt of and demand and receive the Rents and Profits of the Premises from the Occupiers and Persons liable to pay the same, and in case of Nonpayment may use such lawful Remedies by way of Distress or otherwise for obtaining Payment of the same or any Part thereof as in ordinary Cases may be used by Landlords for Recovery of Rent in arrear, and as if the Local Board were the Owners of the Premises; and the Receipt of the Treasurer or any Officer of the Local Board appointed in that Behalf shall, and shall alone, be an effectual Discharge for the same:

(*b.*) Where the Premises at the Time when the Local Board would be entitled under this Act to enter into the Receipt of the Rents and Profits (if any) thereof, or at any Time afterwards while the Claim of the Local Board is unsatisfied, are unoccupied or unproductive, the Local Board from Time to Time may enter into possession of the Premises, and may occupy, inclose, and use the same or any Part thereof, and may let from Year to Year or for any shorter Period the Premises or any Part thereof, and recover the Rents and Profits thereof, as if they were the Owners thereof.

Application by Local Board of Rents of the Premises.

34. All Rents and Profits received by the Local Board in respect of any such Premises shall be applied as follows; (that is to say,)

First, in Payment thereout of all Taxes, Rates, Repairs, and other Outgoings properly payable by the Owner in respect of the Premises, and all Expenses incurred by the Local Board with respect to the Premises by reason of the Failure of the Owner to pay any Expenses so charged on the Premises, or any Interest thereon; and, subject thereto,

2ndly, in Payment to the Local Board of the Expenses so charged on the Premises, and the Interest thereon; and, subject thereto,

3rdly, the Surplus, if any, shall, on Demand, be paid to the Owner or his Representatives.

Borough Rate and Burial Rate, &c. to be made by Corporation.

35. After the passing of this Act, the Borough Rate and the Burial Rate, and every or any other Rate in the Nature of a Borough Rate, from Time to Time made in the Borough, instead of being made by the Overseers and Churchwardens of the Parishes in whole or in part within the Borough, shall be made directly by the Corporation under their Common Seal; and every Borough Rate and Burial Rate, and other Rate in the Nature of a Borough Rate, from Time to Time so made, shall be as valid as if it were made by Churchwardens and Overseers,

Overseers, and shall be allowed by Justices in Petty Sessions, and published in like Manner as a Poor's Rate, and shall be subject to Appeal in like Manner as if it were a Poor's Rate, and shall, except in not being made by Churchwardens and Overseers, in all other respects have the Incidents of a Borough Rate in the Nature of a County Rate, according to the Provisions of the Municipal Corporations Acts.

Notice of Rates.

36. The Corporation and the Local Board respectively, at least Seven Days before making any Rate, shall give public Notice of their respective Intention to make the Rate, and of the Time when they intend to make it, and of the Place where a Statement of the proposed Rate is deposited for Inspection, and the Notice shall be affixed on or near to the outer Door of the Town Hall, and no further or other Notice shall be necessary, and in case of Proceedings to levy or recover any Rate it shall not be necessary to prove that any such Notice was given.

Evidence of Rates.

37. The Books purporting to contain any Rate or Assessment made by the Corporation or the Local Board shall be *primâ facie* Evidence of the making and Validity of the Rates thereby appearing.

Corporation not to make Watch Rate.

38. After the passing of this Act, the Corporation shall not make any Watch Rate, but this Section shall not have any retroactive Operation, and any Watch Rate made by the Corporation before the passing of this Act shall be as valid, and shall be paid, recovered, received, and applied, in all respects as if this Act were not passed.

Power to Corporation to apply Borough Fund for Purposes of Watch Rate.

39. The Corporation from Time to Time shall apply so much of the Borough Fund as is necessary in or towards Payment of the Expenses of the Police of the Borough and any other Expenses to which the Watch Rate, if levied, would be applicable, and their Expenditure in that Behalf out of the Borough Fund shall be deemed an Expenditure necessarily incurred in carrying into execution with respect to the Borough the Provisions of the Act for the Regulation of Municipal Corporations in *England* and *Wales*.

Power to Corporation to borrow 20,000*l.* on Mortgage of Borough Fund and Borough Rates.

40. In addition to any other Monies which under the Municipal Corporations Acts and the *Gateshead Quay* Acts they may borrow, the Corporation from Time to Time, under the Authority and for any of the Purposes of this Act with respect to the Corporation, may borrow and reborrow at Interest on the Security of the Borough Fund and Borough Rate of the Borough such Monies as they think fit, not exceeding in the whole Twenty thousand Pounds, and may secure Payment of the same by Mortgage accordingly.

41. So

Debts charged on Borough Fund and Borough Rate.

41. So much of the One thousand two hundred and twenty-five Pounds which on the First Day of *September* One thousand eight hundred and sixty-six remained due on account of the Baths and Wash-houses, and so much of the Thirty-six thousand five hundred and fifty Pounds and Four thousand Pounds respectively which on that Day remained due under the *Gateshead Quay* Acts, as from Time to Time remain due, and so much of the Monies, not exceeding Twenty thousand Pounds, which by this Act the Corporation are authorized to borrow, as from Time to Time remains due on Mortgages of the Borough Fund and Borough Rate of the Borough, are by this Act charged as One Consolidated Debt on the Borough Fund and the Borough Rate of the Borough, and shall be borne and paid by the Borough Fund and Borough Rate of the Borough as if the Payment thereof were an Expenditure necessarily incurred in carrying into execution with respect to the Borough the Provisions of the Act for the Regulation of Municipal Corporations in *England* and *Wales*.

Reborrowing by Corporation of existing Debts.

42. If and when the Corporation reborrow any Portions of those Debts of One thousand two hundred and twenty-five Pounds and Thirty-six thousand five hundred and fifty Pounds and Four thousand Pounds respectively, they shall reborrow the same under this Act, and only on the Security of the Borough Fund and Borough Rates of the Borough, and as Part of the Consolidated Debt by this Act charged thereon.

Mortgages of Borough Fund and Borough Rate to be of One Class.

43. All Mortgages of the Borough Fund and Borough Rate from Time to Time after the passing of this Act made by the Corporation, and whether on the original borrowing or on the reborrowing of any Money, and whether under this Act or under any Act passed before the passing of this Act, shall form One Class of Mortgages, without any Priority or Preference as among themselves.

Sinking Fund for paying off Debt of Corporation under Act.

44. The Monies which the Corporation from Time to Time borrow or reborrow under this Act shall be paid off either by equal yearly Instalments or by means of a Sinking Fund, or partly by equal yearly Instalments and partly by way of a Sinking Fund, so that the whole thereof be paid off by the Expiration of Fifty Years after the Thirty-first Day of *December* One thousand eight hundred and sixty-nine, and in every Year in which the Corporation do not by an Instalment pay off One Fiftieth Part of the Monies borrowed they shall pay to the Sinking Fund a Sum equal to that One Fiftieth Part, and the Corporation shall not at any Time reborrow any Sum which is so paid off: Provided that the Security of any Mortgagee of the Corporation shall not be affected by any Default of the Corporation in complying with the Requirements of this Section, and no

Mortgagee of the Corporation shall be bound to inquire whether those Requirements are complied with.

Expenses of existing Act by Corporation to be paid out of Borough Rate and Borough Fund.

45. Except only as is by this Act otherwise expressly provided, all the Payments and Expenses from Time to Time made and incurred by the Corporation in and about the Execution by the Corporation of this Act are by this Act charged on and shall be paid out of the Borough Rate and Borough Fund of the Borough, as if the same were Expenditure necessarily incurred by the Corporation in carrying into effect in the Borough the Act for the Regulation of Municipal Corporations in *England* and *Wales*.

Application by Local Board for Purposes of Provisional Order of Monies raised by and on General District Rate.

46. The Local Board from Time to Time may apply for any of the Purposes of the recited Provisional Order of the 1st Day of *February* 1851 any Monies which the Local Board from Time to Time raise by the General District Rate, or borrow on the Security of the General District Rate, and which the Local Board from Time to Time order to be applied for those Purposes.

Local Board not to make Lighting Rate or Footway Paving Rate.

47. After the passing of this Act, the Local Board shall not make any Lighting Rate or any Footway Paving Rate; but this Section shall not have any retroactive Operation, and any Lighting Rate and any Footway Paving Rate respectively made by the Local Board before the passing of this Act shall be as valid, and shall be paid, recovered, received, and applied, in all respects as if this Act were not passed.

Power to Local Board to levy Town Improvement Rate.

48. The Local Board from Time to Time may make, assess, levy, and receive a Rate in the Nature of a General District Rate, and to be called "The Town Improvement Rate," and to be made, assessed, levied, and received in respect of all Property rateable to the General District Rate, and situate in those Parts of the District which the Local Board from Time to Time think fit, and by any Order declare to be liable to the Town Improvement Rate.

Application by Local Board of Monies raised by Town Improvement Rate.

49. The Monies from Time to Time received by the Local Board for the Town Improvement Rate shall be applied in those Parts of the District which from Time to Time are liable to "The Town Improvement Rate" for the Purposes for which the Watch Rate and the Lighting Rate and the Footway Paving Rate respectively would if this Act were not passed be applied, and also for any other Purposes of the Improvement of the Parts of the District liable to "The Town Improvement Rate."

Power to Local Board to borrow on Mortgage

50. In addition to any other Monies which under the Public Health Acts, or the said Provisional Order, or either or any of them, they may borrow and reborrow, the Local Board from Time to Time, under

under the Authority of this Act, and for any of the Purposes of the Local Board, may borrow and reborrow at Interest on the Security of the General District Rate such Monies as they think fit, not exceeding in the whole Ten thousand Pounds, and may secure Payment of the same by Mortgage accordingly.

10,000*l.* on General District Rate.

51. So much of the Two thousand eight hundred Pounds which on the First Day of *September* One thousand eight hundred and sixty-six remained due on the Security of the Footway Paving Rate, and so much of the Thirteen thousand five hundred and seventy-two Pounds Nine Shillings and Sixpence which on that Day remained due on the Security of the General District Rate, and so much of the Six thousand three hundred Pounds which the Local Board are also authorized to borrow on the Security of the General District Rate as from Time to Time remains due, and so much of the Monies, not exceeding Ten thousand Pounds, which by this Act the Local Board are authorized to borrow on the Security of their General District Rate as from Time to Time remains due on Mortgages of that Rate, are by this Act charged as One Consolidated Debt on the General District Rate.

Debts charged on General District Rate.

52. If and when the Local Board reborrow any Parts of those Debts of Two thousand eight hundred Pounds and Thirteen thousand five hundred and seventy-two Pounds Nine Shillings and Sixpence and Six thousand three hundred Pounds respectively, they shall reborrow the same under this Act, and only on the Security of the General District Rate, and as Part of the Consolidated Debt by this Act charged thereon.

Reborrowing by Local Board of existing Debts.

53. All Mortgages of the General District Rate from Time to Time after the passing of this Act made by the Local Board, and whether on the original borrowing or on the reborrowing of any Money, and whether under this Act or under any Act passed before the passing of this Act, shall form One Class of Mortgages, without any Priority or Preference as among them.

Mortgages of General District Rate to be of One Class.

54. Any Mortgage under this Act made by the Local Board, and any Transfer of the Mortgage, may be made in accordance with the respective Forms of Mortgage and Transfer by "The Public Health Act, 1848," authorized, with such Modifications thereof as render them applicable to the Purposes of this Act.

Form of Mortgage, &c.

55. The Monies which the Local Board from Time to Time borrow or reborrow under this Act on the Security of the General District Rate shall be paid off either by equal yearly Instalments or by means of a Sinking Fund, or partly by equal yearly Instalments and partly by way of a Sinking Fund, so that the whole thereof respectively

Sinking Fund for paying off Debt of Local Board.

respectively be paid off by the Expiration of Fifty Years after the Thirty-first Day of *December* One thousand eight hundred and sixty-nine, and in every Year in which the Local Board do not by an Instalment pay off One Fiftieth Part of the Monies borrowed they shall pay to the Sinking Fund a Sum equal to that One Fiftieth Part, and the Local Board shall not at any Time reborrow any Sum which is so paid off: Provided that the Security of any Mortgagee of the Local Board shall not be affected by any Default of the Local Board in complying with the Requirements of this Section, and no Mortgagee of the Local Board shall be bound to ascertain or inquire whether those Requirements are complied with.

Arrears may be enforced by Appointment of a Receiver.

56. The Mortgagees under this Act of the Corporation and of the Local Board respectively may enforce the Payment of Arrears of Interest or Principal, or Principal and Interest, by the Appointment of a Receiver; and in order to authorize the Appointment of a Receiver in respect of Principal or Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall be not less than One Tenth of the aggregate of the respective Mortgage Debt.

Priority of existing Mortgages.

57. The Mortgages granted by the Corporation and the Local Board respectively before the passing of this Act, and on the passing of this Act in force, shall, while in force, and with respect to the Rates, Funds, or Property comprised in the Mortgages respectively, have Priority over all Mortgages granted by the Corporation and the Local Board respectively under this Act.

Expenses of existing Act by Board to be paid out of General District Rate and Town Improvement Rate.

58. All the Payments and Expenses from Time to Time made and incurred by the Local Board in and about the Execution by the Local Board of this Act are by this Act charged on and shall be paid out of the General District Rate, or, as the Case requires, the Town Improvement Rate; and where any Question arises as to which of those Rates is to bear any of those Payments and Expenses the Question shall be determined by the Local Board as they think fit.

General District Rate and Estimates to include Sums payable thereout under this Act.

59. The Amount of the General District Rate, and of the Estimates of the Money required for the Purposes of the General District Rate, shall respectively include all Sums required for Payment of any Monies from Time to Time due or accruing upon or in respect of the Monies secured or charged on that Rate, and the yearly Instalments or Sinking Fund for paying off the Mortgages.

Lands to vest in Corporation or Local Board.

60. All the Lands from Time to Time purchased or otherwise acquired by the Corporation or the Local Board shall, if the same be acquired at the Expense of the Borough Fund or any Rate levied by

by the Corporation, be vested in the Corporation as Part of their Corporate Estates and Borough Fund, and if the same be acquired at the Expense of the General District Rate, or any other Rate levied by the Local Board, be vested in the Local Board as Part of the Estates of the Local Board, and not as Part of the Borough Fund.

Printed Copies of Byelaws to be Evidence.

61. A Copy, either in Writing or in Print, or partly in Writing and partly in Print, purporting to be a Copy of any Byelaw of the Corporation or of the Local Board, and purporting to bear the Signature of the Mayor or Town Clerk, shall be *primâ facie* Evidence of the Existence and due making and Allowance of the Byelaw, without Proof of the Signature of the Mayor or Town Clerk or of any other Matter.

Form of Notices, &c. by Corporation and Local Board.

62. Any Notice, Summons, Order, Resolution, Requisition, Demand, or like Instrument made, given, delivered, or served under this Act or any of the Municipal Corporation Acts, or any of the Public Health Acts, or any Byelaw of the Corporation or the Local Board, may be in Print or in Writing, or partly in Print and partly in Writing, and shall be sufficiently authenticated by the Name of the Mayor, Town Clerk, Surveyor, or other proper Officer, according to the Subject Matter of the Instrument being affixed thereto on behalf of the Corporation, or, as the Case requires, of the Local Board; and it shall be sufficient, where the Instrument is required to be given to or served upon the Owner or Occupier of any Premises, to address the same to him as Owner, or, as the Case requires, Occupier (without giving his Name) of the Premises (specifying them) in respect of which the Instrument is to be served.

Service of Notices, &c. by Corporation and Local Board.

63. Any such Notice or other Instrument may be served upon any Owner, Occupier, or other Person either personally or by sending the same through the Post in a registered Letter addressed to him by Name at his then or then last usual or known Place of Abode or of Business, or by delivering the same to some Inmate at his then or then last usual or known Place of Abode or of Business, or in case of an Occupier to any Inmate of the Premises with respect to which the Instrument is served, or if the Premises are unoccupied, and the then or then last usual Place of Abode or of Business of the Person to be served be, after due Inquiry, unknown, by affixing the Instrument, or a Copy thereof, on some conspicuous Part of the Premises.

Recovery of Rates, &c., by Action.

64. Where any Person fails to pay any Rate or Sum due to the Corporation or to the Local Board, the Corporation, or, as the Case happens, the Local Board, may recover the same, with Costs, in any

Court of competent Jurisdiction, and the Remedies of the Corporation and the Local Board respectively under this Section are in addition to their other Remedies for the Recovery of the Rate or Sum.

Recovery of Rates.

65. Where any Person fails to pay any Rate or Sum due to the Corporation or to the Local Board, and the Amount thereof is not contested, the Corporation, or, as the Case happens, the Local Board, may recover the Sum due, with Costs, by Distress and Sale of the Goods and Chattels of the Person in default; and any Justice, on Application for the Purpose, may issue his Warrant of Distress accordingly, but no Warrant shall be issued without a previous Summons.

Costs of Distress.

66. The Justice who issues a Warrant of Distress for the Recovery of any Money payable under this Act may order that the Costs of the Proceedings for Recovery of the Money be paid by the Person liable to pay the Money, and the Costs shall be ascertained by the Justice, and included in the Warrant of Distress for the Recovery of the Money.

Several Names in One Warrant.

67. Any Number of Names or Sums may be included in any Information, Summons, Warrant of Distress, or Notice obtained or given by the Corporation or the Local Board for any of the Purposes of this Act, and may be stated either in the Body of the Instrument or in a Schedule thereto.

Proceedings for Recovery of Rates.

68. In any Proceedings for the Recovery of any Rate payable under this Act or any other Act to the Corporation or the Local Board, the Application or Demand shall be sufficient if made by the Collector at the Residence or Place of Business of the Ratepayer, and a personal Demand shall not be necessary; and in Cases of Default in Payment of Rates by the Owners of Houses let in separate Tenements the Rates shall be paid by the Tenants, who may deduct the Amount paid by them out of their Rent, or otherwise recover the same from the Owners; and the Justices shall have discretionary Power to order Payment to the Corporation or the Local Board of Costs incurred in or dependent on Proceedings for Enforcement of Rates; and for the Purposes of the Recovery of Rates under this Act or any other Act the Agents or Deputies of Landlords shall be deemed Owners of the Premises in respect of which the Rates are due and payable.

Application of Penalties.

69. Every Penalty imposed by this Act, or by any Byelaw made in pursuance thereof, (except where the Penalty is imposed on the Corporation or the Local Board,) shall be paid to the Borough Treasurer, and shall be carried by him to the Credit of the Borough Rate

Rate of the Borough, or, as the Case requires, the General District Rate or the Town Improvement Rate.

Act not to affect existing Securities for Debts charged on Borough Fund.

70. Provided, That this Act shall not take away, lessen, or prejudicially affect any now existing Security of any of the Mortgagees for the Debts of One thousand two hundred and twenty-five Pounds, and Thirty-six thousand five hundred and fifty Pounds, and Four thousand Pounds respectively, by this Act charged on the Borough Fund and Borough Rate; save only that the Borough Fund and Borough Rate shall be comprised in their respective Mortgages in the Place of any other Property or Rates.

Act not to affect Securities for Debts charged on General District Rate.

71. Provided, That this Act shall not take away, lessen, or prejudicially affect any now existing Security of any of the Mortgagees for the Debts of Two thousand eight hundred Pounds, and Thirteen thousand five hundred and seventy-two Pounds Nine Shillings and Sixpence, and Six thousand three hundred Pounds respectively, by this Act charged on the General District Rate; save only that the General District Rate shall be comprised in their respective Mortgages instead of any other Rate.

Saving Powers of Corporation as to Rates.

72. Except only as is by this Act expressly provided with respect to the Watch Rate, and the Manner of making the Borough Rate, and any Rate in the Nature of a Borough Rate, nothing in this Act shall take away, lessen, prejudice, or alter any of the Powers of the Corporation with respect to the making or recovering of the Borough Rate, or any Rate in the Nature of a Borough Rate, or any other Rate.

Saving Powers of Local Board as to Rates.

73. Except only as is by this Act expressly provided with respect to the Lighting Rate and the Footway Paving Rate, nothing in this Act shall take away, lessen, prejudice, or alter any of the Powers of the Local Board with respect to the making or recovering of any General District Rate, or Special District Rate, or Private Improvement Rate, or any other Rate.

Saving Rights of Corporation and Local Board.

74. Except only as is by this Act expressly provided, nothing in this Act shall take away, lessen, prejudice, or affect any of the Jurisdictions, Franchises, Estates, Rights, Powers, Privileges, or Immunities of the Corporation or of the Local Board.

Corporation not exempt from Provisions of General Acts.

75. Nothing in this Act shall exempt the Corporation or the Local Board from the Provisions of any Act hereafter passed in the present or any future Session of Parliament with respect to Municipal Corporations or Local Boards of Health, or any of the Subject Matter of this Act.

76. All

Expenses of Act.

76. All the Costs, Charges, and Expenses of and incident to the preparing and applying for and the obtaining and passing of this Act shall be paid by the Corporation out of the first Monies at their Disposal, and shall be debited to the Borough Fund and Borough Rate of the Borough, and the General District Rate and the Town Improvement Rate, in such Proportions as the Corporation think fit.

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