CHAPTER cxlii.

An Act for increasing the number and altering the Boundaries of the Wards of the Borough of Gateshead; and for increasing the number of Aldermen and Councillors for the said borough; and for authorising the Mayor, Aldermen, and Burgesses of the borough to raise further Moneys; and for the further improvement of the borough; and for other purposes. [2d August 1877.]

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WHEREAS the following Acts have been passed with respect to the borough of Gateshead (in this Act called "the borough"); that is to say, the Act of the fifty-fourth year of George the Third, chapter one hundred and nine (local), intituled "An Act for "cleansing, lighting, and otherwise improving certain streets and "places within and near the town and borough of Gateshead, in the "county of Durham," (in this Act referred to as the "Act of 1814,") the "Public Health (Supplemental) Act, 1851 (Number two)," (in this Act referred to as the "Act of 1851,") whereby a provisional order of the General Board of Health, dated the first day of February one thousand eight hundred and fifty-one, applying parts of the "Public Health Act, 1848," to the borough was confirmed, the "Gateshead Quay Act, 1855," the "Gateshead Quay (Second) Act, 1859," (which two last-mentioned Acts are in this Act referred to as the "Quay Acts,") and the "Gateshead Improvement Act, 1867" (in this Act referred to as the "Act of 1867"):

54 G. 3. c. cix.

14 & 15 Vict. c. 98. (*Pub.*)

18 & 19 Vict. c. cxliii.

21 & 22 Vict. c. xii.

30 & 31 Vict. c. lxxxiii.

And whereas under the provisions of the Act of the fifth and sixth of William the Fourth, chapter seventy-six, entitled "An Act "to provide for the regulation of municipal corporations in England "and Wales" (which Act, with the Acts amending the same, is in this Act referred to as the "Municipal Corporation Acts"), the parliamentary borough of Gateshead, consisting of the parish of

5 & 6 W. 4. c. 76. (*Pub.*)

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Gateshead and part of the chapelry of Heworth was erected into a municipal borough by the name of "the borough of Gateshead," with a separate commission of the peace and six aldermen and eighteen councillors, and was divided into three wards, designated respectively as "East Ward," "West Ward," and "South Ward," and six councillors were apportioned to each of the said wards:

And whereas the borough has very greatly increased in population and rateable value since the passing of the said Act for the regulation of municipal corporations in England and Wales, and is still increasing in population and rateable value, and it is expedient that the number of the wards in which the borough is now divided should be increased, and that the boundaries of the existing wards should be altered, and that the number of aldermen and councillors for the borough should be increased, and that provision should be made for the representation of the new and altered wards in the borough:

And whereas in the year one thousand eight hundred and sixty the Corporation were, by an Order in Council dated the twenty-third day of November one thousand eight hundred and sixty, 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 whereas it is expedient that the limits of the district of the Corporation as such burial board should be extended so as to include a portion of the chapelry of Heworth which is within the borough, and which is not included in the district of any other burial board or authority:

18 & 19 Vict. c. cxliii.

And whereas by the Quay Act of 1855 the Corporation, acting by the council of the borough, are the Commissioners for executing that Act, and by that Act they were authorised to make and maintain a quay (in this Act called "the 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 use lands, and to borrow moneys on the credit of the borough fund and rate for the said purposes:

And whereas under the provisions of the Act of 1851 and the Public Health and Local Government Acts, the Corporation borrowed moneys for the purposes of those Acts on the security of the general district rate and of a footway paving rate which was leviable under the Act of 1851:

And whereas in the year one thousand eight hundred and fifty-two the Corporation adopted the Baths and Wash-houses Acts,

1846 and 1847, and borrowed moneys for the purposes of those Acts:

And whereas by the Act of 1867 (section forty-one) the sum of one thousand two hundred and twenty-five pounds theretofore borrowed and then outstanding on account of baths and wash-houses, and the sums of thirty-six thousand five hundred and fifty pounds and of four thousand pounds theretofore borrowed and then outstanding under the provisions of the Quay Acts, together with a further sum of twenty thousand pounds which by the Act of 1867 the Corporation were authorised to borrow on the security of the borough fund and borough rate, and all which sums together amounted to a total of sixty-one thousand seven hundred and seventy-five pounds, were by that Act charged as one consolidated debt on the borough fund and the 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; and out of the said consolidated debt of sixty-one thousand seven hundred and seventy-five pounds there remained unpaid on the thirty-first October one thousand eight hundred and seventy-six the sum of forty-six thousand eight hundred and sixty-three pounds nine shillings and tenpence:

And whereas by the said Act of 1867 (section fifty-one) the sums of two thousand eight hundred pounds, thirteen thousand five hundred and seventy-two pounds nine shillings and sixpence, and six thousand three hundred pounds theretofore borrowed under the provisions of the Act of 1851 and of the Public Health Acts, and then outstanding, together with a further sum of ten thousand pounds which the Corporation, in their capacity of the local board or urban sanitary authority, were by the Act of 1867 authorised to borrow on the security of their general district rate, and all which sums together amounted to thirty-two thousand six hundred and seventy-two pounds nine shillings and sixpence, were by that Act charged as one consolidated debt on the general district rate; and out of the said consolidated debt of thirty-two thousand six hundred and seventy-two pounds nine shillings and sixpence there remained unpaid on the thirty-first October one thousand eight hundred and seventy-six the sum of twenty-five thousand eight hundred and twenty pounds:

And whereas, in addition to the last-mentioned sums, the Corporation in their capacity of an urban sanitary authority have since the passing of the Gateshead Improvement Act, 1867, been autho-

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rised to borrow, under the authority of the Local Government Board given in accordance with the Public Health Acts, on the security of their general district rate, for the purchase and laying out of Saltwell Park, and for street and other improvements, sums amounting to forty-one thousand and seventy-five pounds, and they have borrowed thirty-five thousand pounds on such security; and on the thirty-first October one thousand eight hundred and seventy-six thirty-three thousand eight hundred pounds thereof remained unpaid:

And whereas since the passing of the Act of 1867 the Corporation have expended for permanent works of drainage improvement and formation of footpaths sums amounting together to nine thousand eight hundred and seventy-one pounds, and consisting of three thousand four hundred and eighty pounds for formation of footpaths, and two thousand eight hundred and fifty-six pounds for drainage, and three thousand five hundred and thirty-five pounds for other improvements, and it is expedient that the Corporation should be authorised to borrow the same:

And whereas since the Act of 1867 the Corporation have expended for the purposes of street and other improvements large sums which will ultimately be recoverable from the owners and occupiers of premises, but which are not immediately recoverable, and similar outlay in advance of repayment will become necessary in respect of works and improvements provided for by this Act, or to be executed from time to time under the authority of the Public Health Act, 1875, and it is expedient that the Corporation should be authorised to borrow such a sum as will provide for the amount for the time being of such outlay in advance of repayment, and the amount of such outlay so in advance of repayment on the thirty-first day October one thousand eight hundred and seventy-six was sixteen thousand six hundred and forty-eight pounds:

And whereas the moneys borrowed for the purposes of the Quay Acts and of the Acts of 1851 and 1867 have been wholly expended on the quays, streets, and works authorised by those Acts, and for the completion of the said quays, streets, and works, and it is expedient that the Corporation should be authorised to borrow further moneys:

And whereas the further sums proposed to be borrowed under this Act are as follows:

(A.)

To be charged on the borough fund and borough rate for the purposes of the Quay Acts - - -	£40,000

(B.)

To be charged on the general district rate in respect of outlay since 1867 on—

Formation of footpaths - - - -	£3,480
Works of drainage - - - -	2,856
Other improvements - - - -	3,535
in respect of outlay in advance of receipts on improvements - - - - -	16,648
for future works for the purposes of Acts of 1851 and 1867 - - - - -	50,129

And whereas it is expedient that provision should be made for charging sums already borrowed and authorised to be borrowed on the borough fund and borough rate, and the amounts proposed to be borrowed, as shown in part (A.) of the foregoing table, as one consolidated debt on the borough fund and borough rate, and for charging the sums already borrowed and authorised to be borrowed on the general district rate, and the amounts proposed to be borrowed, as shown in part (B.) of the foregoing table, as one consolidated debt on the general district fund and rate:

And whereas estimates have been prepared for the purchase of lands for and the completion of the new streets and works authorised as before recited, and such estimates are as follows:

For the purposes authorised by the Quay Acts -		£40,000
For a fever hospital - - -	£7,000	
For widening, improvement, and paving of streets, and other works connected therewith - - - - -	28,129	
For works of sewerage - - -	15,000	
		£50,129

And whereas the several works for streets and other improvements included in such estimates are permanent works within the meaning of section two hundred and thirty-four of the Public Health Act, 1875:

And whereas an absolute majority of the whole number of the council of the borough, at a meeting held on the eleventh day of December one thousand eight hundred and seventy-six, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Newcastle Daily Chronicle, a local newspaper published or 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 borough fund and general district rate in equal proportions:

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And whereas such resolution was published twice in the said Newcastle Daily Chronicle, being a newspaper circulating in the borough, and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that Board, and the approval of one of Her Majesty's Principal Secretaries of State in respect of other matters:

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 tenth day of January one thousand eight hundred and seventy-seven, being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the borough, by resolution in the manner provided in Schedule Three of the Public Health Act, 1875, for the adoption of that Act, consented to the promotion of the Bill for this Act:

And whereas the purposes of this Act cannot be effected 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 and construction of Act.

1. This Act may be cited for all purposes as "The Gateshead Improvement Act, 1877," and shall be construed as one with the Act of 1867.

Increase of Number of Wards, Aldermen, and Councillors.

Alteration of wards.

2. On and after the first day of November one thousand eight hundred and seventy-seven, the borough shall for all purposes be divided into five wards, having respectively the names and boundaries set forth and described in the schedule to this Act, and shown upon a plan of the borough signed in duplicate by the Chairman of the Committee of the House of Commons, to whom the Bill for this Act is referred, and deposited in the Private Bill Office of the House of Commons, and with the town clerk of the borough at his office.

Nothing in this Act shall affect or alter the boundaries of the borough.

Alteration of number of aldermen and councillors.

3. On and after the said first day of November one thousand eight hundred and seventy-seven, the Municipal Corporation Acts shall, with respect to the borough, have effect as if in Schedule (A.) to the Municipal Corporation Act of 1835 the numbers of wards,

aldermen, and councillors for the borough were respectively declared to be five wards, ten aldermen, and thirty councillors, and the number of councillors for each of the five wards of the borough shall be six. A.D. 1877.

Temporary provisions.

4. The following temporary provisions shall be enacted with reference to the alteration of wards and the increase in the number of aldermen and councillors; (that is to say,)

(i.) For all the purposes of the preparation, revision, and completion of the burgess lists or the ward lists or burgess roll in the year one thousand eight hundred and seventy-seven, and for all the purposes of nomination for or otherwise preparatory or incidental to any municipal election (including the appointment of polling districts) to take place in the borough, or in any ward thereof, on or after the said first day of November one thousand eight hundred and seventy-seven, this Act and the Municipal Corporation Acts shall have effect as if the alteration of wards and the increase in the number of aldermen and councillors took effect on and after the passing of this Act, and persons enrolled as burgesses of any of the wards as constituted by this Act in the burgess roll or ward lists to be made in the year one thousand eight hundred and seventy-seven shall, for all the purposes of nominations or elections in that or the following year, be deemed to be duly enrolled burgesses of such ward within the meaning of the Municipal Elections Act, 1875:

(ii.) Anything to be done under the provisions of the Municipal Corporation Acts by an alderman in relation to any ward before the ninth day of November one thousand eight hundred and seventy-seven may be done by any alderman or other person nominated for that purpose by the mayor:

(iii.) The councillors for the existing East, West, and South Wards respectively holding office on the thirty-first day of October one thousand eight hundred and seventy-seven shall, for the purposes of retirement or continuance in office on the first day of November one thousand eight hundred and seventy-seven, be deemed to be councillors of those wards respectively as altered by this Act, and shall retire or continue in office as if this Act had not passed; and six new councillors shall be elected in November one thousand eight hundred and seventy-seven for the South-

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east and South-west Wards respectively by the burgesses enrolled in those wards respectively:

(iv.) The provisions of the Municipal Corporations Act of 1835, sections thirty-one and forty-three, for regulating the order of retirement of councillors first elected for a ward shall apply to the councillors to be first elected for the South-east and South-west Wards respectively as if the years one thousand eight hundred and seventy-eight and one thousand eight hundred and seventy-nine were respectively substituted in the said sections for the years one thousand eight hundred and thirty-six and one thousand eight hundred and thirty-seven:

(v.) The election of four additional aldermen by this Act added to the existing number of the aldermen of the borough shall take place at the same time and in the same manner as other elections of aldermen to be held in the year one thousand eight hundred and seventy-seven:

The town council, immediately after such election in the year one thousand eight hundred and seventy-seven, shall appoint who of the aldermen elected under this section shall go out of office in the year one thousand eight hundred and eighty, and the two aldermen so to retire and the three other aldermen who would have retired in one thousand eight hundred and eighty if this Act had not passed shall go out of office in one thousand eight hundred and eighty, and thereafter those aldermen (whether elected under this section or not) shall from time to time go out of office who have been aldermen for the longest time without re-election.

Saving of certain provisions of the Municipal Corporations Acts.

5. Nothing in this Act shall interfere with section twenty-six of the Municipal Corporations Act of 1835, or with the provisoes to section twenty-five of the said Act, or with section four of the Municipal Corporations Act of 1869 (thirty-two and thirty-three Victoria, chapter fifty-five), and the said sections and provisoes shall have effect as if they were incorporated in this Act.

Burial District.

Burial district.

6. So much of the chapelry of Heworth as is included in the borough shall be included in the district of the council of the borough as the burial board, and the Burial Acts and all the powers of the council as a burial board shall extend to the said part of the said chapelry in the same manner as to that part of the parish of Gateshead for which the council are the burial board.

Borrowing Powers.

Further borrowing powers for the purposes of the Quay Acts.

7. For the completion of the works authorised by the Quay Acts, the Corporation may borrow and re-borrow, on the security of the borough fund and borough rate, any sum not exceeding forty thousand pounds, in addition to any sums already borrowed or authorised to be borrowed on that security, and any sums to be from time to time borrowed under the authority of this section shall be added to and form and be charged as part of the consolidated debt charged by the Act of 1867, section forty-one, on the borough fund and borough rate.

All mortgages of the borough fund and borough rate from time to time made by the Corporation after the passing of this Act, whether on the original borrowing or on the re-borrowing of any money, and whether under this Act or under the Act of 1867, or under any future Act, if the Corporation so determine, shall form one class of mortgages without any priority or preference as among themselves. On the face of every mortgage of the borough fund and borough rate to be granted after the passing of this Act, whether on the original borrowing or on the re-borrowing of any money, and whether under this Act or under the Act of 1867, there shall be expressed the condition that all mortgages of the borough fund and borough rate granted after the passing of this Act, whether under this Act or the Act of 1867, shall form one class of mortgages without any priority or preference as among themselves, and without regard to the times of granting the same respectively, and the Corporation may also, if they think fit, grant any such mortgage, subject to the further condition to be expressed on the face thereof, that the Corporation may issue on an equality and as one class therewith any other mortgages which under any Act hereafter to be passed they may be authorised to grant on the security of the borough fund and borough rate.

Railways to be rated to increase of borough rate at one fourth of annual value.

8. The occupier of any land used as a public railway shall pay, in respect of any increase to the borough rate arising in respect of moneys borrowed under the authority of this Act for the completion of the works authorised by the Quay Acts, in the proportion of one fourth part only of the net annual value of such land, and when and so often as such occupier shall have paid more than such one fourth, the Corporation shall repay or allow to such occupier a drawback on the assessment of such occupier to any such rate equal to three fourth parts of the sum paid by such occupier in respect of the increase to such rate, and the amount of such drawback may be recovered by action at law or may be deducted out of the next or any other rate to which such occupier may be liable.

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Further borrowing powers on security of general district rate.

9. In addition to the sums which by the Act of 1867 are borrowed and authorised to be borrowed on security of the general district rate, the Corporation, in their capacity as the local board or urban sanitary authority, may borrow and re-borrow on the security of the said rate as follows:

In respect of outlay for street and other improvements, any sum not exceeding nine thousand eight hundred and seventy-nine pounds;

In respect of outlay in advance of recovery for street and other improvements, any sum not exceeding sixteen thousand six hundred and forty-eight pounds;

For the purposes of the Acts of 1851 and 1867, any sum not exceeding fifty thousand pounds;

and the said sums, and also any sums borrowed or authorised to be borrowed by them under the authority of the Local Government Board for the purposes of the Public Health Act, 1875, or of the former Public Health Acts, or to be borrowed by them under the like authority given before the passing of this Act, shall be added to and form and be charged as part of the consolidated debt charged by the Act of 1867, section fifty-one, on the general district rate.

All mortgages of the general district rate from time to time made after the passing of this Act, whether on the original borrowing or on the re-borrowing of any money, and whether under this Act or the Act of 1867, or by the authority of the Local Government Board given before the passing of this Act, shall form one class of mortgages without any priority or preference as among themselves. On the face of every such mortgage as aforesaid of the general district rate to be granted after the passing of this Act there shall be expressed the condition that all mortgages of the general district rate granted after the passing of this Act, whether on the original borrowing or on the re-borrowing of money, and whether under this Act or the Act of 1867, or by the authority of the Local Government Board given before the passing of this Act, shall form one class of mortgages without any priority or preference as among themselves, and without regard to the times of granting the same respectively, and the Corporation may also, if they think fit, grant any such mortgage, subject to the further condition to be expressed on the face thereof, that the Corporation may issue on an equality and as one class therewith any other mortgages which under any Act hereafter to be passed they may be authorised to grant on the security of the general district rate.

Sinking fund.

10. The provisions of sections forty-four and fifty-five of the Act of 1867, with respect to paying off the consolidated debts charged on

the borough fund and borough rate and on the general district rate respectively by instalments or a sinking fund, shall apply respectively to the consolidated debts respectively charged by this Act on the said borough fund and rate and on the general district rate, but the period within which each of such consolidated debts respectively as increased by this Act shall be paid off shall, as to the sum borrowed in respect of outlay in advance of recovery for street and other improvements, be thirty years, and, as to the remainder, be sixty years from the thirty-first day of December one thousand eight hundred and seventy-seven, and the annual instalment or payment to sinking fund shall be one sixtieth or one thirtieth part of the whole moneys borrowed as regards each of the said debts.

Form of mortgages.

11. Mortgages and transfer of mortgages under this Act may be made in accordance with the forms authorised by the Public Health Act, 1875, or to the like effect.

Receiver.

12. Section fifty-six of the Act of 1867, with respect to the appointment of a receiver, shall apply to the respective consolidated debts as increased by this Act.

Priority of existing mortgages.

13. The mortgages granted by the Corporation as the Corporation or as the sanitary authority respectively before the passing of this Act, and in force at the passing of this Act, shall, while in force, and with respect to the fund or rate comprised in such mortgages respectively, have priority over all mortgages granted under this Act on the security of the same fund or rate.

Application of moneys.

14. All money borrowed by the Corporation under this Act shall be applied for the purposes for which it was borrowed and generally for objects to which capital money is properly applicable, and for no other purposes.

Power to borrow under the Local Loans Act, 1875.

15. The Corporation, if they think fit, may at any time borrow or re-borrow, in manner provided by the Local Loans Act, 1875, (including the borrowing on debenture stock,) any moneys which by this Act or the Act of 1867 they are authorised to borrow or re-borrow, whether on the security of the borough fund and rate or on the security of the general district rate, and the periods hereinbefore respectively provided shall apply to any such borrowing or re-borrowing.

Annual returns to Local Government Board with respect to sinking fund.

16. The town clerk shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or to be paid as an instalment under this Act, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory

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declaration, if so required by them, showing the amount which has been paid by way of instalment or for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds. If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment, or to set apart the sum required by this Act for the sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act, the Local Government Board may, by order, direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Regulation of public use of lands belonging to the Corporation.

17. The powers now vested in the Corporation in any capacity for laying out, planting, improving, and maintaining lands for the purpose of being used as public parks, walks, or pleasure grounds, and for making byelaws for the regulation of the same, are hereby extended to the lands under the management or control of the Corporation which are known as the Windmill Hills.

Any expenses incurred by the Corporation for the purposes of this section shall be paid out of the general district fund or rate.

Openings in streets, &c.

18. No person shall, without the previous consent of the Corporation as the urban sanitary authority, do any of the following acts within the borough; that is to say,

(i.) Form or construct any hatchway, grating, or other opening in any street;

(ii.) Form or make any entrance or opening from any street into any cellar, vault, or room underground;

(iii.) Take up, break into, stop up, or obstruct any private drain or sewer communicating with any drain or sewer of the Corporation at its junction with such last-mentioned drain or sewer, or within the distance of one foot therefrom.

Any person acting in contravention of this section shall be liable to a penalty not exceeding forty shillings for every such offence.

Recovery of improvement expenses.

19. Sections thirty-three and thirty-four of the Act of 1867 (relating to the recovery of improvement expenses due from owners)

shall apply in cases where the owner is also occupier of premises in the same manner as if such person were not owner of such premises, but were the occupier thereof at a rent equal to the gross estimated rental in the poor rate for the time being in force, and payable quarterly in advance on the usual quarter days.

Recovery of penalties.

20. The provisions of the Public Health Act, 1875, Part VII. (legal proceedings), shall extend and apply to the prosecution of offences against this Act, and to the recovery and application of penalties for such offences.

As to Post Office telegraph system.

21. With respect to the Post Office telegraph system, the following provisions shall take effect:

Restriction on works affecting Post Office telegraph system.

(A.) The Corporation shall not by any work or thing interfere with any telegraph post, wire, tube, apparatus, or work of Her Majesty's Postmaster General, or execute or do any work or thing causing or likely to cause any interruption of or impediment to postal telegraphic communication, unless and until the Corporation have given to the Postmaster General one calendar month's previous notice in writing of their intention to execute or do the proposed work or thing, specifying all necessary and proper particulars relating thereto, and unless and until the Postmaster General has approved of the proposed work or thing by writing delivered to the Corporation, or has failed to approve or to disapprove of the same for one calendar month after service of such notice and particulars on him: Provided always, that this section shall not be deemed to prevent the Corporation executing any repairs or other works or things which shall be necessary to prevent accidents, and in any such case the Corporation shall forthwith give notice to the Postmaster General of any such interference, and the reason for the same:

Power for Postmaster General to annex conditions.

(B.) Her Majesty's Postmaster General may annex to his approval under this Act of any work or thing such reasonable terms and conditions as to the time and mode of execution of any such work or thing as he thinks fit, and the Corporation shall observe and perform the same:

Power of entry for Postmaster General.

(C.) The engineer and other officers and servants and workmen of Her Majesty's Postmaster General may at and for all reasonable times enter on and into and remain on any of the highways, lands, and works of the Corporation for the purpose of examining, repairing, altering, or removing any telegraph post, wire, tube, apparatus, or work the property of the Postmaster General being thereon:

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Compensation by Corporation to Postmaster General, and penalty.

(D.) The Corporation shall from time to time make full compensation to Her Majesty's Postmaster General for any expense, loss, or damage which he is put to or sustains by reason of the Corporation by any work or thing executed or done by them interfering with any telegraph post, wire, tube, apparatus, or work of the Postmaster General; and if at any time any such work or thing causes an interruption of or impediment to postal telegraphic communication, the Corporation shall, in addition to making compensation as aforesaid, be liable to forfeit a sum not exceeding twenty pounds for every twenty-four hours during which that interruption or impediment continues; and the amount of any such expense, loss, damage, or forfeiture shall be a debt due from the Corporation to the Crown, and be recoverable accordingly with costs, or the same may be recovered with costs on behalf of the Postmaster General as a penalty is recoverable from the Corporation:

(E.) Inasmuch as it is contemplated to introduce a general measure for the better protection of the national telegraphs, and to enlarge the powers of the Postmaster General in relation thereto, this section shall only remain in force for one year from the date of the passing of this Act and to the end of the then next session of Parliament.

Supplemental.

Explanation of "Corporation."

22. Expressions in this Act referring to the Corporation shall be construed to refer to them in their capacity as the Corporation or as the urban sanitary authority, as the subject-matter requires.

Saving rights of Corporation.

23. Nothing in this Act shall prejudice any of the existing rights, powers, privileges, or immunities of the Corporation in their capacity as the Corporation, or as the urban sanitary authority, or as the Commissioners for the purposes of the Quay Acts.

Powers to be cumulative.

24. Nothing in this Act shall prevent or prejudice any proceedings or remedy against a person under the Public Health Act, 1875, or any other Act or law, so that he be not twice punished or proceeded against for the same matter.

Expenses of Act.

25. All the costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Corporation out of any moneys at their disposal, and shall be ultimately charged on and borne by the borough fund or borough rate and the general district fund or rate in equal proportions.

The SCHEDULE referred to in the foregoing Act.

BOUNDARIES OF WARDS.

East Ward.

1. The East Ward shall contain the whole extent included within the following limits and boundary lines:—From the northern boundary of the borough at Tyne Bridge southward along Bridge Street, Bottle Bank, and High Street to Park Road, thence eastward along Park Road to the main line of the North Eastern Railway, thence along the said railway to the eastern boundary of the borough, thence northward along the eastern boundary of the borough to the River Tyne, thence westward along the River Tyne, the northern boundary of the borough, to Tyne Bridge aforesaid.

West Ward.

2. The West Ward shall contain the whole extent included within the following limits and boundary lines:—From the north boundary of the borough at Tyne Bridge southward along Bridge Street, Bottle Bank, and High Street to Ellison Street, thence westward along that street and William Street to Mulgrave Terrace, thence southward along Mulgrave Terrace to Bensham Road, thence westward along Bensham Road to Derwentwater Road, and along Derwentwater Road to the boundary of the borough at Low Team Bridge, thence northward by the course of the River Team, which is the western boundary of the borough, to the River Tyne, thence eastward along the River Tyne, the northern boundary of the borough, to Tyne Bridge aforesaid.

South Ward.

3. The South Ward shall contain the whole extent included within the following limits and boundary lines:—From Bewick Road at its junction with High West Street southward to Saint Edmund's Road, thence along that road to the Old Durham and Tyne Bridge Road, thence southward to Cross Street, thence eastward to the east end of Cobden Terrace, thence southward to Split Crow Lane, thence along Split Crow Lane to the eastern boundary of the borough, thence along the eastern boundary of the borough to its extreme south-eastern point at Leam Lane, thence along the south and west boundaries of the borough to the River Team, thence northward by the River Team to the point where that river divides into two branches, thence by a hedge or fence to a point in Saltwell Lane opposite the entrance to Saltwell Park, thence northward along the road behind Fern Dene House to Enfield Lane, thence northward by a public footpath to the junction of Rector's Lane and Bewick Road West, thence eastward along Bewick Road West and Bewick Road to the junction of Bewick Road with High West Street.

A.D. 1877.

SOUTH-EAST WARD.

4. The South-east Ward shall contain the whole extent included within the following limits and boundary lines:—From High Street at its junction with Park Road southward to Warwick Street, thence by Warwick Street and Cumberland Street to High West Street, thence southward to Saint Edmund's Road, thence along Saint Edmund's Road to the Old Durham and Tyne Bridge Turnpike Road, thence southward to Cross Street, thence eastward to the east end of Cobden Terrace, thence southward to Split Crow Lane, thence along Split Crow Lane to the eastern boundary of the borough, thence in a northerly direction along the eastern boundary of the borough to the line of the North-eastern Railway, thence along the North-eastern Railway to Park Road, thence along Park Road to High Street at its junction with Park Road.

SOUTH-WEST WARD.

5. The South-west Ward shall contain the whole extent included within the following limits and boundary lines:—From Ellison Street at its junction with High Street westward along Ellison Street West and William Street to Mulgrave Terrace, thence along Mulgrave Terrace to Bensham Road, thence westward along Bensham Road to Derwentwater Road, and along Derwentwater Road to the boundary of the borough at Low Team Bridge, thence southward by the course of the River Team, which is the western boundary of the borough, to the point where that river divides into two branches, thence by a hedge or fence to a point in Saltwell Lane opposite the entrance to Saltwell Park, thence northward along the road behind Fern Dene House to Enfield Lane, thence northward by a public footpath to the junction of Rector's Lane with Bewick Road West, thence along Bewick Road West and Bewick Road to High West Street, and thence northward along High West Street to its junction with Cumberland Street, thence by Cumberland Street and Warwick Street to High Street, and thence northward to Ellison Street at its junction with High Street.

NOTE.—Each street, road, or lane mentioned in the above division of the said borough into wards is to be considered as divided along the centre of such street, road, or land.

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