CHAPTER cxxxiv.

An Act to extend the powers of the Corporation of the borough of Jarrow in the county of Durham with respect to the local government and improvement of the borough; to extend the boundary of the borough; and for other purposes. [14th July 1884.]

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WHEREAS the borough of Jarrow in the county of Durham (in this Act referred to as "the borough") is a municipal borough created by charter and subject to the Acts relating to municipal corporations and is under the government of the mayor aldermen and burgesses of the borough (in this Act referred to as "the Corporation"):

And whereas the Corporation by the council of the borough are the sanitary authority for the district of the borough under the Public Health Act 1875 with all the powers and authorities of an urban sanitary authority:

And whereas various powers were conferred on the Corporation by the Jarrow Improvement Act 1878 herein-after called "the Act of 1878:"

And whereas it is expedient that the municipal limits of the boundary of the borough be extended so as to include a piece of land called or known as "Fulwell Detached" situate within the township of Fulwell and the district of the Sunderland Union Rural Sanitary Authority (herein-after called "the local authority") and that such added area henceforth form part of the borough of Jarrow:

And whereas the local authority now owe the sum of three hundred and thirty-two pounds ten shillings which has been borrowed by the local authority upon mortgage of the rates of the township of Fulwell including Fulwell Detached and it is expedient that the same should be apportioned as herein-after provided:

And whereas it is expedient that the Corporation be empowered to construct the works and purchase the lands herein-after mentioned:

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And whereas it is expedient that the powers herein-after contained should be granted to the Corporation for the better governing and improving of the borough and generally for the execution of the powers and discharge of the duties of the Corporation in their municipal and sanitary capacities:

And whereas it is expedient that the Corporation be empowered to erect warehouses cranes and other machinery on lands acquired by them:

And whereas it is expedient to provide that a judge of any court or a justice shall not be disqualified from acting in the execution of the Act of 1878 or this Act by reason of his being liable to any rate or other charge under such Acts or being a member of the council of the borough:

And whereas it is expedient to empower the Corporation to borrow for the purposes of this Act as herein-after provided:

And whereas the Corporation have prepared estimates showing that they will or may require to borrow for the purposes of this Act (being permanent works within the meaning of section two hundred and thirty-four of the Public Health Act 1875) sums not exceeding fifty thousand pounds in addition to the sum of fifty thousand pounds authorised to be borrowed by the Act of 1878 and it is expedient that they be empowered to borrow and raise such additional sum on security of the district fund general district rate borough fund or borough rate:

And whereas a majority of the whole number of the members of the council (the whole number being twenty-four) at a meeting held on the fourth day of December one thousand eight hundred and eighty-three after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Jarrow Express (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 expenses in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate:

And whereas such resolution was published twice in the Jarrow Guardian (a local newspaper published or 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 Secretaries of State in respect of matters within his jurisdiction:

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 members of the council at a further special meeting held in pursuance of a similar notice on the ninth day of January one

thousand eight hundred and eighty-four 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 manner provided in the Third Schedule to the Public Health Act 1875 consented to the promotion of the Bill for this Act:

And whereas plans and sections showing the lines and levels of the widening of the Monkton Road Bridge authorised by this Act and plans showing the lands and property to be taken under the powers of this Act and a book of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes of the said widening or under the powers of this Act were duly deposited with the clerk of the peace for the county of Durham:

And whereas plans and sections showing the lines and levels of the subway and approaches in substitution for a footbridge over the North-eastern Railway and also books of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes of the said subway and approaches were deposited in the month of March one thousand eight hundred and eighty-four with the clerk of the peace for the county of Durham and it is expedient that the said subway and approaches be authorised The plans sections and books of reference herein-before mentioned being herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the objects aforesaid 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 (that is to say):

Part I.

Preliminary.

Short title.

1. This Act may be cited as the Jarrow Improvement Act 1884.

As to deposit of plans in March 1884.

2. The plans and other documents deposited as aforesaid in the month of March one thousand eight hundred and eighty-four with the clerk of the peace for the county of Durham shall be kept by him as documents deposited under the standing orders of Parliament for the purposes of this Act and shall for the purposes of this

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Act and for all other purposes be deemed to form part of the deposited plans.

Act divided into Parts.

3. This Act is divided into Parts as follows:

Part I.—Preliminary.
Part II.—Extension of existing borough.
Part III.—New works and lands.
Part IV.—Infectious diseases.
Part V.—Recovery of expenses.
Part VI.—Slaughter houses.
Part VII.—Marine store dealers and dealers in old metals.
Part VIII.—Ferries.
Part IX.—Financial arrangements.
Part X.—Miscellaneous provisions.

Limits of Act.

4. This Act except where otherwise expressed or implied shall apply exclusively to the borough.

Incorporation of General Acts.

5. The following Acts or parts of Acts (that is to say):

The Harbours Docks and Piers Clauses Act 1847:

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883

so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act.

Commencement of Act.

6. This Act shall commence except where otherwise expressly provided at the passing thereof.

Interpretation.

7. In this Act—

"The existing borough" means the municipal borough of Jarrow as existing at the passing of this Act:

"The added area" means the area added to the existing borough by this Act:

"The borough" means the municipal borough of Jarrow as extended by this Act:

"The corporation" means the mayor aldermen and burgesses of the borough:

"The mayor" means the mayor of the borough:

"The council" means the council of the borough:

"The town clerk" "the treasurer" "the medical officer of health" "the surveyor" "the inspector of nuisances" respectively mean the town clerk the treasurer the medical officer of health the surveyor and the inspector of nuisances of the borough:

"The borough fund" "the borough rate" "the watch rate" "the district fund" and "the general district rate" mean respectively the borough fund the borough rate the watch

rate the district fund and the general district rate of the borough:

"The local authority" means the Sunderland Union Rural Sanitary Authority:

"Infectious disease" for the purposes of this Act and the Act of 1878 means and includes small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria; and such other disease as the Corporation under the provisions and for the purposes of this Act may from time to time declare to be infectious:

"The Public Health Act" means the Public Health Act 1875 and any Act amending the same:

"The Municipal Corporations Act" means the Municipal Corporations Act 1882 and any Act amending the same:

Terms to which meanings are assigned in enactments incorporated with this Act or which have therein special meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction and in this Act and (for the purposes of this Act) in enactments incorporated with this Act—

The expressions "court of competent jurisdiction" "superior "courts" or any other like expression shall have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Act to be executed by council.

8. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council and according to the Municipal Corporations Act and the Public Health Act respectively and other Acts for the time being affecting the Corporation as a municipal body and sanitary authority respectively and with all the rights powers privileges exemptions authorities and duties conferred and imposed by those Acts respectively on the Corporation and on the council and committees of the council and the officers agents and servants of the Corporation with respect to matters provided for by or comprised in the before mentioned Acts respectively and as nearly as may be in all respects as if the powers duties exemptions and property vested in imposed on or enjoyed by the Corporation by or under this Act were vested in imposed on or enjoyed by them by or under those Acts respectively.

Part II.

Extension of existing Borough.

Commencement of this part of this Act.

9. This part of this Act shall not commence until the twenty-sixth day of March one thousand eight hundred and eighty-five.

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Cesser of jurisdiction of local authority over added area.

10. From and after the commencement of this part of this Act the local authority shall cease to have or exercise any powers rights or jurisdiction in or in relation to the added area. But nothing in this Act shall be construed to prevent the local authority from suing for and recovering any rates or sums of money due to them at or immediately before the commencement of this part of this Act and the local authority may accordingly sue for and recover all such rates and sums in the same manner as if this Act had not been passed.

As to apportionment of debt on Fulwell Detached.

11. As between the local authority and the Corporation the existing debt of three hundred and thirty-two pounds ten shillings charged on the said township of Fulwell shall be assessed and charged as follows (that is to say) the sum of fifteen pounds part thereof shall within one month from the commencement of this part of this Act be paid by the Corporation to the local authority and upon such payment as between the local authority and the Corporation all liability of the Corporation or of the said part of Fulwell called Fulwell Detached in respect of the residue of the said debt so charged as aforesaid shall cease and determine and the same shall be borne and all payments in respect thereof made by the local authority.

Providing for agreements with local authority.

12. The Corporation and the local authority may subject to the provisions of this Act at any time after the passing of this Act with the approval of the Local Government Board make and carry into effect agreements with respect to the transfer of any property liabilities or powers from the local authority to the Corporation and for settling and adjusting any doubt or difference arising in relation thereto and generally with respect to the execution of the provisions of this Act relating to any such agreement and any such agreement may provide for the reference of any matter to the decision of the Local Government Board and the provisions of any such agreement shall be deemed to be within the powers of the Corporation and the local authority respectively and shall be carried into effect accordingly.

Vesting property in added area in Corporation.

13. Subject to any agreement which may be made between the Corporation and the local authority all buildings sewers lamps lamp-posts pipes mains and other property of the local authority situate in the added area shall from and after the commencement of this part of this Act be transferred to and vested in the Corporation for all the estate and interest therein of the local authority and the Corporation shall pay to the local authority for the property by this section transferred to and vested in the Corporation such sum as may be agreed upon or as in default of agreement may be determined by the Local Government Board.

14. The borough shall comprise the district described in the First Schedule to this Act.

Extension of borough.

15. Subject to the provisions of this Act all the real and personal property at the commencement of this part of this Act vested in the Corporation or council in any capacity for the benefit of the existing borough are hereby as from that date vested in the Corporation but subject to all debts liabilities interests and obligations affecting the same or any part thereof or the Corporation or council in respect thereof and all the powers rights privileges authorities immunities and duties of the Corporation as a municipal body and of the council and any committee thereof and of the Corporation acting in the execution of such of the provisions of the Act of 1878 as were at the commencement of this part of this Act in force within the existing borough and of the Corporation acting by the council or any committee thereof as the urban sanitary authority for the district of the existing borough and of all officers and servants of the Corporation shall extend to and throughout the borough and all enactments and byelaws at the commencement of this part of this Act applicable to the existing borough shall subject to the provisions of this Act extend and apply to the borough.

Authority of Corporation &c. extended.

16. The jurisdiction powers authorities rights privileges and duties of the justices of the peace appointed for the existing borough and of the clerk to such justices whether acting in petty sessions or out of sessions or otherwise shall extend to and throughout the borough.

Jurisdiction &c. of borough justices.

17. The borough shall continue to be divided into the same number of wards and having the same names as at present but the boundary of the south ward of the borough shall be extended and altered so as to include the added area.

Added area to form part of south ward of borough.

18. A map of the borough as extended by this Act showing the wards into which the same is divided signed in duplicate by the Right Honourable the Earl of Redesdale the Chairman of Committees of the House of Lords shall within one month after the passing of this Act be deposited in the office of the Clerk of the Parliaments and with the town clerk of the borough at his office and a copy thereof certified by the town clerk shall be sent by him as soon as may be after the deposit of the same as aforesaid to the Director-General of Her Majesty's Ordnance Survey.

Deposit of borough map.

19. Copies of the borough map signed and deposited as aforesaid or any extract therefrom certified by the town clerk to be true shall be received by all courts of justice or elsewhere as primâ facie evidence of the contents of such map and such map shall at all

Copies of deposited borough map to be evidence.

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reasonable times be open to the inspection of the persons liable to any rate leviable within the borough and all persons so liable shall be entitled to a copy of or extract from such map certified by the town clerk on payment of a reasonable fee for every such copy or extract.

Part III.

New Works and Lands.

Power to make works.

20. Subject to the provisions of this Act the Corporation may make and maintain in the line and according to the levels shown on the deposited plans and sections the works herein-after described with all proper approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose. The works herein-before referred to and authorised by this Act are—

1. The widening on each side to the extent of seven feet or thereabouts of an existing bridge belonging or reputed to belong to the North-eastern Railway Company called or known as Monkton Road Bridge carrying Monkton Road over the North-eastern Railway:

2. A subway commencing at a point at or near the junction of Grant Street with Humbert Street thence proceeding in a northerly direction for one hundred and twenty-six yards or thereabouts under the North-eastern Railway and lands belonging or reputed to belong to the North-eastern Railway Company and terminating at a point at or near the junction of Wear Street Clayton Street and Sheldon Street:

3. The alteration of the levels of the following streets as approaches to the said subway, that is to say:

(*a.*) Grant Street measuring in a north-westerly direction for a distance of forty-seven yards or thereabouts from the commencement of the said subway to a point opposite the house numbered 6 in that street:

(*b.*) Humbert Street measuring in a southerly direction for a distance of eighty yards or thereabouts from the commencement of the said subway to a point opposite the house numbered 2 in that street:

(*c.*) Clayton Street from the point of termination of the said subway to a point at or near the junction of the back street between Sheldon Street and Station Street with Clayton Street:

(*d.*) Wear Street measuring in a north-westerly direction for a distance of thirty yards or thereabouts from the termination of the said subway:

(*e.*) Sheldon Street measuring in an easterly direction for a distance of thirty yards or thereabouts from the west end of that street.

For the protection of the North-eastern Railway Company.

21. For the protection of the railway and works of the North-eastern Railway Company (in this section called "the railway company") the following provisions shall apply:

(1) The subway authorised by this Act to be constructed shall be constructed by the Corporation in a substantial and workmanlike manner in all respects and so that the same shall be able to and shall at all times support as many lines of railway of the usual gauge with the traffic thereon as the width of the land belonging to the railway company will permit to be laid down and also such buildings as the railway company may at any time hereafter erect on such land or any part thereof and no part of the structure of such subway shall be at a less distance from the surface level of the railway than one foot two inches and the work of constructing and maintaining the same shall at all times be executed by the Corporation so as not to endanger or interfere with the security of the railway or works of the railway company or to impede the traffic thereof:

(2) In constructing and maintaining the said subway and in widening the said bridge carrying Monkton Road over the North-eastern Railway the work shall be executed under the superintendence (at the cost of the Corporation) and to the reasonable satisfaction of and at the times approved by the engineer of the railway company and in accordance with plans and sections to be submitted to and approved by him previously to the commencement of the work And the railway company may take and require all such precautions to be taken by the Corporation at the cost of the Corporation during the execution of such work as they may deem expedient for protecting their railway and works from injury and their traffic from interruption:

(3) The Corporation shall not purchase or take compulsorily any land or property of the railway company but they may purchase and take from the railway company and the railway company may and shall sell to the Corporation an easement or right of constructing and maintaining the said subway and of widening the said bridge through under or over the property of the railway company in accordance with the provisions of this Act nor (save only so far as may be absolutely necessary for the purpose of constructing the said subway and of widening the said bridge in accordance with the provisions of this Act)

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shall the Corporation in the execution of this Act in any manner either temporarily or permanently enter upon use or interfere with any property of the railway company except with their consent in writing first obtained:

(4) The Corporation shall pay to the railway company on demand all expenses incurred by that company in watching and protecting their railway or works or traffic during the execution by the Corporation or their agents of any work of construction or maintenance under the authority of this Act and shall indemnify the railway company against all damages losses costs and expenses which may be incurred by that company by reason of or in connexion with any injury to the railway or property of the railway company or any obstruction or loss of or interference with or injury to the traffic on such railway caused by the acts omissions or defaults of any person whatsoever or by inevitable accident during and in connexion with the execution of any such work under the authority of this Act:

(5) From and for ever after the widening of the said bridge the structure thereof shall be maintained by and at the expense of the railway company and the roadway thereon and the approaches thereto shall be maintained by and at the expense of the Corporation.

Power to take lands.

22. Subject to the provisions and for the purposes of this Act the Corporation may enter upon take and use the lands quays houses and buildings in the townships of Hedworth Monkton and Jarrow and parish of Jarrow shown on the deposited plans and described in the deposited books of reference and situate as follows (that is to say):

(1) A piece of land called or known as the Jarrow Corporation Quay bounded on the north by the River Tyne on the south by Tyne Street on the west by the works of Palmer's Shipbuilding and Iron Company (Limited) and on the east by land belonging or reputed to belong to the South Shields Gas Company:

(2) A piece of land bounded on the north by the River Tyne on the south by a road leading from the east end of Tyne Street to the Curlew on the west by the works of the Jarrow Forge Company and on the east by land belonging or reputed to belong to Mrs. Isabella Drewett and agreed to be leased to Messrs. Gavin Smith and Company.

Correction of errors, omissions, &c.

23. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown or described in the deposited plans or book of reference the

Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices for the correction thereof and if it appears to the justices that the omission mis-statement or wrong description arose from mistake they shall so certify stating the particulars thereof and their certificate shall be deposited (as regards both the county and the parish) as if it had originally formed part of the deposited plans or book of reference (as the case may be) and shall be kept therewith and shall be deemed to be part thereof and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to such certificate and the Corporation may take the lands and execute the works in accordance with such certificate.

Period for compulsory purchase of lands.

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

Power for persons under disability to grant easements.

25. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Corporation any easement right or privilege not being an easement of water required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Period for completion of works.

26. The works hereby authorised shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Corporation for making the said works or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Power to erect warehouses &c.

27. The Corporation may subject to the approval of the Local Government Board erect warehouses sheds cranes and other machinery on any lands acquired by them under this Act.

Rates to be charged for use of warehouses cranes &c.

28. The Corporation may demand for the use of any of their warehouses sheds cranes and weighing machines and for use of quays of and from the owner or person having the charge of the goods deposited therein or loaded unloaded or weighed by means thereof such reasonable tolls dues and rates as the Corporation shall from time to time appoint and as may be approved of by the Board of Trade.

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Part IV.

Infectious Diseases.

Notice to be given of persons suffering from infectious diseases.

29. In order to secure that due notice be given to the Corporation of any inmate of any building used for human habitation who is suffering from any infectious disease the following provisions shall take effect (that is to say):

(1.) If any such inmate be suffering from any infectious disease the occupier or the person having the charge management or control of such building (or if such occupier or person be prevented by reason of such disease then the person in charge of such inmate) shall so soon as he shall become aware of the existence in any such inmate of any such disease forthwith give notice thereof to the medical officer of health at his office;

(2.) If such inmate be not a member of the family of such occupier or person the head of the family (resident in such building) to which such inmate belongs or if there be no such head or if such head be prevented by illness then such inmate (unless prevented by reason of such disease or of youth) shall on becoming aware of the existence in such inmate or in his own person as the case may be of such disease forthwith give notice thereof to such occupier or person;

(3.) The Corporation shall provide and supply gratuitously to every legally qualified medical practitioner resident or practising in the borough who shall apply for the same forms for the certificate or declaration to be made by such medical practitioner of the particulars herein-after mentioned in relation to such cases according to the form set forth in the Second Schedule to this Act;

(4.) Every medical practitioner attending on or called in to visit such inmate shall on becoming aware that such inmate is suffering from any infectious disease forthwith fill up sign and deliver or send to the medical officer of health at his office a certificate or declaration stating according to the form so prescribed the name of such inmate the situation of such building the name of such occupier or person and the nature of the infectious disease from which in the opinion of such medical practitioner such inmate is suffering;

(5.) The Corporation shall pay to every legally qualified medical practitioner who shall in pursuance of this section duly make and give any such certificate or declaration a fee of two shillings and sixpence for each such certificate or declaration in respect of cases occurring in his private practice and a fee of one shilling for each such certificate or declaration in respect

of cases occurring in his practice as a medical officer to any public body or institution;

(6.) And any person who shall wilfully offend against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Other diseases may be declared to be within the foregoing provision.

30. The Corporation may from time to time by resolution on the report of the medical officer of health and approved by the Local Government Board order that any infectious disease other than those specifically mentioned in this Act shall be deemed to be an infectious disease within and subject to the provisions of this Act:

(1.) Any such order of the Corporation may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Corporation shall give public notice of the order by publishing the same by advertisement in two of the local newspapers circulating in the borough and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act;

(2.) The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given;

(3.) The Corporation shall immediately after any such order shall have been made send a copy thereof to each legally qualified medical practitioner residing in the borough but the omission to send any such copy shall not affect the validity of such order.

Cowkeepers and others to furnish lists of customers in certain cases.

31. Whenever it shall be certified to the Corporation by the medical officer of health or other legally qualified medical practitioner that the spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of milk or occupier of a dairy milk-store or milk-shop the Corporation may require such cowkeeper purveyor of milk or occupier to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the borough and such cowkeeper purveyor of milk or occupier shall furnish such list accordingly and the Corporation shall pay to him for every such list after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed two shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not

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exceeding five pounds and a further penalty not exceeding five shillings for every day during which the offence is continued.

Further powers in relation to disinfection of premises.

32. Where the Corporation are of opinion on the certificate of the medical officer of health or of any other legally qualified medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section And any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding forty shillings for every day during which the obstruction continues.

Penalty on persons ceasing to occupy houses without previous disinfection or giving notice to owner or making false answers.

33. Every person who shall cease to occupy any house room or part of a house in which any person has within six weeks previously been suffering from any infectious disease without having such house room or part of a house and all articles therein liable to retain infection disinfected to the satisfaction of a legally qualified medical practitioner as testified by a certificate signed by him or without first giving to the owner of such house room or part of a house notice of the previous existence of such disease and every person ceasing to occupy any house room or part of a house and who on being questioned by the owner thereof or by any person negotiating for the hire of such house room or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease knowingly makes a false answer to such question shall be liable to a penalty not exceeding ten pounds.

Prohibiting the retention of dead bodies in certain cases.

34. No person shall without the sanction in writing of the medical officer of health or of a legally qualified medical practitioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding forty shillings for every day during which the offence is continued.

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Bodies of persons dying in hospital &c. of infectious diseases to be removed only for burial.

35. If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds.

Justices may in certain cases order dead bodies to be buried.

36. Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after the death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expense of such burial Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

Corpses not to be carried in public conveyances.

37. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who has died from any infectious disease without previously notifying to the owner or driver of such public conveyance that the person whose corpse is or is intended to be so conveyed has died from infectious

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disease and any owner or driver of a public conveyance other than a hearse which has been used for conveying the corpse of a person who has died from infectious disease who shall not immediately afterwards provide for the disinfection of such conveyance shall be liable to a penalty not exceeding five pounds.

Temporary shelter.

38. The Corporation shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected and shall further provide or contract with any person or persons to provide nurses for attendance upon persons suffering from any infectious disease within the borough and shall be enabled to charge a reasonable sum for the service of any nurse provided by them.

Saving for Acts relating to dairies animals &c.

39. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Act 1878 or of any order license or act of Her Majesty's Privy Council made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or exempt the dairies milk-stores or milk-shops or the slaughter-houses or knackers yards to which this Act relates or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies milk or animals already passed or to be passed in this or any future session of Parliament.

Part V.

Recovery of Expenses.

Successive owners to continue liable.

40. Successive owners of any premises for or in respect of which any new street expenses have been incurred by the Corporation shall be liable to the Corporation for the payment of the same or such part thereof as may for the time being remain unpaid until the same shall have been fully paid and satisfied and such expenses or such part thereof as may for the time being remain unpaid shall constitute a debt due from each successive owner to the Corporation recoverable from him in a summary manner within twelve calendar months after his succession and after that period such debt may be recovered by the Corporation from the owner for the time being of the premises in any court of competent jurisdiction Provided that no debt shall be recovered under the provisions of this section after the expiration of six years from the time of the completion of the works in respect of which such debt is due or in the case of payment

by instalments after the expiration of three years from the time when any instalment became due For the purposes of this part of this Act the expression "new street expenses" means any expenses incurred by the Corporation under section one hundred and fifty of the Public Health Act or under section four of the Act of 1878.

Penalty on occupiers refusing execution of Act.

41. In case the occupier of any house or part of a house prevents the owner thereof from carrying into effect in respect thereof any works required by any notice given by the Corporation under this Act or the Public Health Act then after notice of this provision given by the owner to the occupier any justice upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by such notice to be done and if after the expiration of seven days from the service of such order the occupier continues to refuse to permit the owner to execute the said works such occupier shall for every day during which he so continues to refuse be liable to a penalty not exceeding five pounds and during the continuance of such refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

Corporation may require temporary repairs of certain streets to be made and recover expenses thereof.

42. The Corporation in cases where temporary repairs only are required of any street (not being a highway repairable by the inhabitants at large) may from time to time by notice addressed to the respective owners of the premises fronting adjoining to or abutting on such parts thereof as require to be so repaired require them to execute such temporary repairs within a time to be specified in such notice If such notice is not complied with the Corporation may if they think fit themselves execute the repairs mentioned or referred to therein and the expenses thereof shall be deemed to be new street expenses and shall be recoverable accordingly Provided always that if a majority in rateable value of the owners of premises fronting adjoining or abutting upon the street in which such temporary repairs are required shall within fourteen days of the service of such notice upon them respectively give notice in writing to the Corporation that they wish the said street to be sewered levelled paved metalled flagged channelled and lighted under the provisions of the Public Health Act and the expenses of any works made chargeable as therein provided the Corporation shall not execute such temporary repairs but may cause such street or any part thereof to be sewered levelled paved metalled flagged channelled and lighted under the provisions of the Public Health Act accordingly.

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Part VI.

Slaughter Houses.

Provisions as to slaughter-houses.

43. No person shall slaughter or dress any animal unless the operation of slaughtering or dressing shall be effectually secluded from public view and if any person acts in contravention of this enactment he shall for every such offence be liable to a penalty not exceeding five pounds.

Part VII.

Marine Store Dealers and Dealers in Old Metals.

Power to confirm byelaws made under Act of 1878.

44. Any byelaws made under the Act of 1878 with regard to dealers in marine stores or old metals shall not take effect unless and until they have been submitted to and confirmed by Her Majesty's Principal Secretary of State for the Home Department and the said Secretary is authorised to confirm the same if approved of by him.

Part VIII.

Ferries.

Power to improve and maintain ferries.

45. The Corporation may improve and keep in efficient state the ferries landing-places stages bridges tramways and works and the approaches thereto established under the Act of 1878 or under this Act and they may from time to time erect construct and maintain convenient wharfs landing-stages bridges places for repair of ferry boats buildings offices tramways sidings and other accommodation works which they may think neccessary in connexion therewith and they may acquire by agreement any landing-places or stages with approaches thereto and may employ such staff as may be necessary for the efficient repair maintenance and working of the ferries.

Power to hire boats.

46. The Corporation may hire any steam or other boats and may add to enlarge renew alter repair and maintain any of their steam or other boats and may purchase all the plant stores materials and machinery necessary for that purpose and for the carrying on the ferries in the most efficient manner.

Power to stop any person refusing to pay tolls.

47. If any person subject to the payment of ferry tolls or landing-place tolls (herein-after referred to together as ferry tolls) or any of them or any person having charge of any horse beast carriage or thing in respect of which toll is payable shall after demand made thereof by any collector appointed to receive toll neglect or refuse to pay the same or any part thereof such collector by himself or taking such assistance as he shall think necessary may stop and

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prevent the passage of the person so neglecting or refusing or of the horse beast carriage or thing for or in respect of which such tolls ought to have been paid until full payment thereof and may seize and distrain any horse or other beast or any bridles saddles gear harness and accoutrements thereunto belonging or any carriage or any other article or thing belonging to such person and if such ferry tolls or any of them and the reasonable charges of such seizure and distress shall not be paid within the space of four days next after such seizure or distress made the person so seizing and distraining shall and may sell the horse beast carriage or thing so seized or distrained or any part thereof returning the overplus (if any) and what shall remain unsold upon demand to the owner thereof after such tolls and the reasonable charges occasioned by such seizure distress and sale shall be deducted.

Making and recovery of tolls.

48. Such ferry tolls shall be paid to such persons and at such places on or near the ferries in respect of which the same are demandable and in such manner and under such regulations as the Corporation by notice to be annexed to the account or list of tolls appoint and if on demand any person fails to pay the tolls due in respect of any goods it shall be lawful for the collector to detain and sell all or any part of such goods and out of the moneys thence arising to retain the tolls payable in respect of such goods and all charges and expenses of such detention and sale and such collector shall on demand render the overplus if any of the moneys arising by such sale and such of the goods as remain unsold to the person entitled thereto or the Corporation may recover such tolls in a court of summary jurisdiction. Provided always that officers of the revenue in the execution of their duty may at all times freely pass and re-pass over the said ferries and landing-places without payment of any toll for so doing either under this Act or the Act of 1878.

Disputes as to amount of tolls.

49. If any dispute arise concerning the amount of the ferry tolls due to the Corporation or concerning the charges occasioned by any distress levied with reference thereto the collector or person distraining may detain the goods distrained or (if the case so require) the proceeds of the sale thereof until the amount of the tolls due be paid or until the amount of such tolls and of the costs of such distress have been ascertained in a court of summary jurisdiction.

Penalty on refusing to pay tolls.

50. If any person knowingly or wilfully refuses or neglects to pay any ferry toll or fare when payable he shall be liable to a penalty not exceeding forty shillings.

List of tolls to be printed and exhibited.

51. A list of all the ferry tolls from time to time appointed by the Corporation to be taken shall be published by being printed or

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painted and exhibited in some conspicuous place on the toll-gates or toll-houses or places where such tolls are payable.

Postal packets and conveyances free from tolls.

52. Nothing in this Act shall be construed to authorise the charging or taking of any ferry tolls or landing-place tolls upon or in respect of any postal packets as defined in the Post Office Act 1875 (including in the term "postal packets" parcels and telegrams) nor upon or in respect of any person animal or carriage of whatever description employed in the conveyance thereof under the authority of Her Majesty's Postmaster-General either when employed in conveying fetching or guarding the same or in returning back from conveying or guarding the same.

Power to lease the ferry tolls.

53. It shall be lawful for the Corporation from time to time by lease to take effect in possession within twelve months from the letting thereof to let the ferry tolls or any part thereof respectively to any party for any period not exceeding seven years from the commencement of any such lease Provided that no such letting shall take place unless public notice of the intention to let the tolls or the part thereof intended to be let shall have been given by the Corporation by advertisement in one or more local newspapers published and circulating in Jarrow once at least in each of four successive weeks prior to the meeting of the council at which it shall be intended to let such tolls.

Lessees making default to be removed.

54. If any such lease becomes void or voidable according to any stipulations therein contained for that purpose by reason of the failure on the part of the lessee to comply with any of the terms of such lease or if all or any part of the rent thereby reserved is in arrear or unpaid for twenty-one days after the same has become payable then on application made by the Corporation to a court of summary jurisdiction it shall be lawful for such court to order any constable with proper assistance to enter upon any weighing machine toll-house dwelling-house office or other building with the appurtenances thereto belonging to the Corporation and remove from the same the lessee or collector or other person found therein together with his goods and to take possession thereof and of all property found therein belonging to the Corporation and deliver the same to them or any person appointed by them for that purpose.

Power to re-let tolls.

55. Upon such possession being obtained it shall be lawful for the Corporation to determine the lease (if any) previously subsisting and the same shall be accordingly utterly void except as to the remedies of the lessors for payment of the rent due or in respect of unperformed or broken obligations or conditions on the lessees part all which remedies shall remain in full force and in every such case either during such proceedings or on the termination thereof the

Corporation may again let the tolls to the same or any other person or cause them to be collected in the same manner as if no such former lease had been made relative thereto.

Corporation to regulate the use of the ferries.

56. The Corporation may from to time in addition to the powers contained in the Harbours Docks and Piers Clauses Act 1847 but subject to the terms of any lease make byelaws for all or any of the following purposes (that is to say) :—

For regulating the times of the arrival and departure of boats using the ferries :

For regulating the embarking and discharging of passengers and the loading and unloading of goods and carriages carried on board the boats using the ferries :

For regulating the delivery of goods and other things which are conveyed on board such boats :

For preventing or regulating the smoking of tobacco and for preventing the commission of any nuisance in or upon such boats or in any of the premises occupied by the Corporation and generally for maintaining order and decorum on board the boats using the ferries and for regulating the using or working of the ferries and boats.

Publication of byelaws.

57. The substance of such byelaws and the short particulars of any offence for the commission of which a penalty is imposed by the provisions of this Act or by any byelaw relating to the ferries shall be painted on boards or printed on paper and pasted on boards and hung up and fixed and continued on some conspicuous part of the ferry premises so as to give public notice thereof to the parties interested therein or affected thereby and no penalty imposed by any such byelaws shall be recoverable unless the same shall have been published and kept published in manner aforesaid :

The Corporation may by any such byelaws impose penalties for any breach thereof not exceeding for any offence five pounds but no such byelaws shall be valid until confirmed by the Board of Trade and that Board is hereby authorised to confirm the same.

Defacing boards.

58. If any person pulls down destroys or damages or defaces any such board put up or affixed as required by this Act for the purpose of publishing any byelaw or penalty or obliterates any of the letters or figures thereon he shall be liable for every such offence to a penalty not exceeding five pounds and he shall also defray the expenses attending the restoration of such board and such expenses shall be recoverable summarily.

Provisions as to dangerous goods on boats.

59. No person shall be entitled to carry or to require the Corporation to carry on board their boats any aquafortis oil of vitriol gunpowder or any other goods which the Corporation may

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by byelaw have declared to be of a dangerous nature and if any person send or convey by the ferry any such goods without distinctly marking their nature on the outside of the package containing the same or otherwise giving notice in writing to the superintendent or other servant of the Corporation with whom the same are left at the time of sending he shall be liable to a penalty not exceeding ten pounds for every such offence.

Part IX.

Financial Arrangements.

Power to Corporation to borrow moneys.

60. The Corporation may from time to time with the consent of the Local Government Board borrow at interest in the manner provided by the Public Health Act or in the manner provided by the Local Loans Act 1875 any sums necessary for carrying into effect the purposes of this Act not exceeding in the aggregate the sum of fifty thousand pounds on the following securities that is to say so much of the said sum as may be borrowed for the purpose of purchasing any lands which may be acquired by the Corporation under this Act and of erecting any warehouses sheds cranes or other machinery thereon or for the purposes of Part VIII of this Act on the security of the borough fund and borough rate So much of the said sum as may be borrowed for the purpose of carrying into effect any of the other purposes of this Act on the security of the district fund and general district rate Provided that in the construction of the Local Loans Act 1875 for the purposes of this Act the expression "prescribed" means prescribed by the Local Government Board in each case and that any loan under the said Act may be raised by means of debenture stock or annuity certificates.

Powers to re-borrow.

61. If the Corporation pay off any moneys borrowed by them under this Act otherwise than by means of a sinking fund or by appropriations instalments or annual repayments in the nature of a sinking fund or out of the proceeds of the sale of land or of fines or premiums on leases or other moneys received on capital account they may re-borrow the same and so from time to time Provided that all moneys so re-borrowed shall be repaid within the time prescribed for the repayment of the moneys in lieu of which such re-borrowing is made and any amounts from time to time re-borrowed shall be deemed to form the same loan as the moneys in lieu of which such re-borrowing has been made and the obligations of the Corporation with respect to the repayment of such moneys by means of a sinking fund or by appropriations instalments or annual repayments shall not be in any way affected by such re-borrowing.

Corporation to collect borough

62. (1) The Corporation may if they think fit by resolution of the council determine to make assess levy collect and recover the

borough rate and watch rate if any in the same manner as and with and under the same provisions (except as to exemptions from and reductions in the assessment) with which they make levy assess collect and recover the general district rate and they may so make assess levy collect and recover the same rates either as separate rates or together:

rate and watch rate.

(2) Any such rate or rates so made may be in the forms given in the Fourth Schedule to this Act or to the like effect and the demand note for the same may include all such rates:

(3) The Corporation may employ and pay such clerks collectors and other persons as may be required for the purpose and the Corporation and persons so employed shall have the like powers rights and remedies for and be subject to the like obligations as to notice with respect to the making levying collection and recovery of the borough rate and watch rate (if any) as overseers have by law in relation to poor rates and the obligations and duties of the overseers and their collectors shall as from the before-mentioned determination of the council cease in relation to the making levying and collection of a borough rate and watch rate within the borough:

(4) Nothing in this section contained shall prejudice or affect the collection and recovery of any borough rate or watch rate made before such resolution:

(5) Nothing in this section shall be construed to require any borough rate or watch rate to be allowed by justices.

Buildings erected since last valuation list may be valued and rated.

63. (1) If after the making of the valuation list or if there be none then after the making of the last poor rate and before the making of the next borough rate watch rate or general district rate by the Corporation any building be newly erected which would be assessable to the poor rate the Corporation may cause such building to be valued by a competent valuer and the Corporation may in making the assessment for such borough rate watch rate or general district rate include such building therein:

(2) For the purpose of every such valuation the valuer with his assistants may at all reasonable hours until the same is completed enter and survey all and every part of the property to be valued and do any act or thing necessary for the making of such valuation and the valuer may accept any valuation tendered to him which he may consider just and true:

(3) If any person think himself aggrieved by any rate made on the basis of such valuation he may at the first meeting of the Corporation held after the publication of such rate after giving three days' notice in writing to the Corporation apply to the Corporation for relief and they may grant such relief as they may think right and may amend such rate accordingly and if any such person think

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himself aggrieved by the determination of the Corporation he may appeal to the next practicable court of quarter sessions under and according to the provisions of section two hundred and sixty-nine of the Public Health Act.

Rating of owners instead of occupiers in certain cases.

64. The Corporation may by resolution declare that the owners instead of the occupiers of such rateable hereditaments as are mentioned in section four of the Poor Rate Assessment and Collection Act 1869 shall be rated to the borough rate and watch rate (if any) and thereupon the enactments contained in section four of that Act shall be deemed to apply to rating to the borough rate and watch rate with the same incidents conditions powers liabilities and remedies as if the borough rate and watch rate were the poor rate.

Power to levy rates by instalments.

65. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by any number of instalments of such amounts within the same year and to be paid at such times as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for payment of each instalment and all the powers rights and remedies of the Corporation and their officers for levying and recovering any such rate shall extend and apply to each instalment thereof as if the same were a separate rate.

Part X.

Miscellaneous.

Judge or justices not disqualified by reason of being liable to rates or member of council.

66. A judge of any court or a justice shall not be disqualified from acting in the execution of the Act of 1878 or of this Act by reason of his being liable to any rate or other charge under such Acts or being a member of the council.

Means of ingress and egress in public buildings.

67. Every building for public resort shall be supplied with sufficient ingress and egress for the protection of the public in cases of emergency to be approved by the Corporation and the owner thereof shall deposit with the Corporation or their surveyor a certificate from a competent architect or surveyor that such building for public resort is substantially constructed and may be used with safety for the purposes for which it is constructed and before such building for public resort is used at any time for any purpose other than that which is specified in such certificate or before any building for public resort is hereafter used for any purpose other than the purpose to which it is applied at the date of the passing of this Act a further like certificate shall in like manner be deposited and it shall not be lawful for any building for public

resort to be used contrary to the provisions of this section and if any building for public resort is used contrary to the provisions of this section the occupier thereof and where such building is let for any period less than one year the owner thereof as well shall be deemed to have committed an offence against the provisions of this section and in this section the expression "building for public resort" shall mean a building used or constructed or adapted to be used either ordinarily or occasionally as a church chapel or other place of public worship or as a college school (not being merely a dwelling-house so used) theatre public hall public concert room public ball room public lecture room or public exhibition room or as a public place of assembly for persons admitted thereto by tickets or by payment or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose. Every person offending against the provisions of this section shall for every such offence be liable to a penalty not exceeding five pounds.

Public buildings to be supplied with ventilation and drainage.

68. Every building for public resort shall be supplied with sufficient ventilation and drainage to the satisfaction of the Corporation or their medical officer of health and in this section the expression "building for public resort" shall have the same meaning as in the immediately preceding section of this Act. Every person offending against the provisions of this section or permitting such building to be used without such sufficient ventilation and drainage shall for every such offence be liable to a penalty not exceeding five pounds.

Stands &c. not to be used until approved by surveyor.

69. No person shall permit to be used any stand platform or other erection of a temporary nature not included within any building into or upon which it is intended that the public should be admitted until the same shall have been approved in writing by the surveyor and every person offending against the provisions of this section shall for every such offence be liable to a penalty not exceeding five pounds.

Urinals attached to public-houses &c.

70. The Corporation may order the occupier of any inn public-house beer-house eating-house cook-shop or other place of public entertainment built before or after the passing of this Act to provide and maintain upon his premises urinals to the satisfaction of the Corporation and the Corporation may order the owner and occupier of any building or lands to remove any urinal belonging or attached thereto which appears to them so situated or constructed as to be a nuisance or offensive to public decency and if any persons fails to comply with any of the provisions of this section he shall be liable to a penalty not exceeding twenty shillings for every day during which such failure continues after the expiration of fourteen days from the service of such order on him.

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Provisions with respect to disorderly houses.

71. It shall be lawful for the chief constable or the superintendent of police acting within the borough for the time being to institute and prosecute proceedings against the occupier or other person keeping or occupying any brothel or house of ill-fame or any lewd or disorderly house which is a nuisance or annoyance to the persons residing in the neighbourhood thereof before any court of summary jurisdiction and the said court shall have power to impose such fine or penalty not exceeding twenty pounds in addition to the costs of the prosecution or may order the imprisonment of the offender for such period not exceeding three months as the court may deem expedient.

Extension of definition of the word "house."

72. For the purposes of sections thirty-five to forty-one ninety-one to one hundred and eleven and one hundred and twenty to one hundred and twenty-five inclusive of the Public Health Act the word "house" as used in section four of that Act shall within the borough extend to and include any erection or building whether built upon or resting on or supported on the ground or any vehicle or caravan which is or is intended to be used for human habitation.

Sections thirty and fifty-two of Act of 1878 to apply within added area.

73. The provisions of sections thirty and fifty-two of the Act of 1878 shall respectively apply within the added area and to any moneys to be raised or paid under the authority of this Act.

Appeal.

74. Any corporation or person deeming themselves or himself aggrieved by any order determination decision or requirement of the Corporation or of any officer of the Corporation or by the withholding of any certificate consent or approval by the Corporation or any officer of the Corporation or by any conviction or order made by a court of summary jurisdiction under this Act may appeal to the next practicable quarter sessions to be holden for the county of Durham in the same manner and subject to the same provisions as in the case of an appeal from the decision of a court of summary jurisdiction under section two hundred and sixty-nine of the Public Health Act Provided that where any corporation or person shall appeal against any order determination decision or requirement of the Corporation or of any officer of the Corporation under this section no liability to penalty shall arise nor shall any proceedings be taken or work be done under such order determination decision or requirement until after the determination of such appeal unless such appeal ceases to be prosecuted.

Repeal of certain sections of Act of 1878.

75. The sections or parts of sections of the Act of 1878 set out in the Third Schedule to this Act are hereby repealed.

This Act to be construed with Act of 1878.

76. This Act and the Act of 1878 as amended by this Act shall be read and construed together as one Act.

Proceedings for summary convictions and appeal.

77. Proceedings with a view or in relation to the summary conviction of offenders under this Act or the Act of 1878 or under any byelaws of the Corporation under this Act or the Act of 1878 or to the recovery of penalties (except when otherwise expressed) or of any money or expenses authorised to be recovered summarily or any order to be made by justices under this Act or the Act of 1878 or any such byelaw shall be taken according to the provisions of the Summary Jurisdiction Acts.

Saving rights of Tyne Improvement Commissioners.

78. Nothing contained in this Act shall take away lessen prejudice alter or affect any of the rights duties privileges powers or authorities vested in or enjoyed or exerciseable by the Tyne Improvement Commissioners and no work or erection shall at any time be made or placed by the Corporation or allowed by them to be made or placed in the River Tyne or on the foreshore thereof without the assent in writing of the said Commissioners.

Expenses of Act.

79. The costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto including the costs charges and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid as taxed and ascertained by the taxing officer of the House of Lords or House of Commons shall be paid by the Corporation out of the borough fund or borough rate or out of any moneys raised under the powers of this Act and not specially appropriated by this Act for other purposes and with the consent of the Local Government Board the Corporation may upon the credit of the borough fund and borough rate borrow the money necessary to repay the same repayable in not less than twenty years.

SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

The borough as extended shall include within its boundary as shown on the borough map the following townships and parts of townships and places (that is to say) :—

The existing municipal borough.

So much of the district of the Sunderland Union Rural Sanitary Authority as is comprised in the district of Fulwell Detached.

THE SECOND SCHEDULE.

Certificate of Disease.

Jarrow Improvement Act 1884.

To the Corporation of the Borough of Jarrow.

Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the under-mentioned person is suffering from a disease within the terms of that Act.

Dated this day of 18 .

(Signed)

Name of person suffering from the disease.

Situation of the house building or room wherein such person is.

Name of occupier or other person having the charge management or control of such house building or room.

Nature of the disease.

Note.—This certificate must (under a penalty of forty shillings in case of neglect) be forthwith sent to the medical officer of health at the town-hall and may be delivered to the official clerk or servant in attendance at the sanitary office of the Corporation.

THE THIRD SCHEDULE.

Provisions repealed of the Jarrow Improvement Act 1878 :—

Section 2	Definition of "Infectious disease."
Section 24	"Means of ingress and egress in public buildings."
Section 35	"Notice to be given of persons suffering from infectious disease."

THE FOURTH SCHEDULE.

Form of Rates.

An Assessment to Rates under the Jarrow Improvement Act 1884 *for the Borough of Jarrow in the County of Durham made the day of* 188 .

No. of	Name of Occupier.	Name of Owner.	Description of Property rated.	Name or Situation of the Property.	GENERAL DISTRICT RATE.											BOROUGH RATE.											Total Amount of Rates.
					Gross Estimated Value.	Rateable Value.	Rate at ..... in the £ on Houses and Manufactories.	Rate at ..... in the £ on Land and Railways.	Amount of Composition payable by Owner.	Recoverable Arrears of former Rates.	Total Amount to be collected.	Total Amount collected.	Amount of Rate unpaid in respect of Property vacant.	Remitted on account of Poverty.	Otherwise not recoverable.	Total of Deductions.	Recoverable Arrears at balancing the Book.	Gross Estimated Value.	Rateable Value.	Rate at ..... in the £ on Houses and Manufactories.	Rate at ..... in the £ on Land and Railways.	Amount of Composition payable by Owner.	Recoverable Arrears of former Rates.	Total Amount to be collected.	Total Amount collected.	Amount of Rate unpaid in respect of Property vacant.	Remitted on account of Poverty.	Otherwise not recoverable.	Total of Deductions.	Recoverable Arrears at balancing the Book.	

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