## CHAP. cxxxv.

An Act for the further improvement and better government of the borough of Newcastle-upon-Tyne, and for other purposes. [13th July 1871.]

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WHEREAS the borough of Newcastle-upon-Tyne (in this Act called the borough) is a municipal borough under the government of the mayor, aldermen, and burgesses of the borough (in this Act called the Corporation), and is regulated by the Acts relating to municipal corporations in England, and by various Local Acts, including those described in the First Schedule to this Act (which are in this Act severally referred to by the short descriptions in that schedule given):

And whereas it is expedient that the Corporation be empowered to make and maintain the new streets described in the Second Schedule to this Act, and to borrow further money, and that better provision be made respecting the formation of streets, and the erection of buildings, and the removal of dangerous structures, and that the Acts affecting the borough be in various respects extended and amended:

And whereas it is expedient that the Corporation be empowered to take by compulsion or otherwise the buildings and lands described in the Third Schedule to this Act:

And whereas it is expedient that the package duty levied under the Improvement Act of 1841 be extended to classes of goods not subject thereto under that Act:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas plans and sections, describing the lines, situations, and levels of the proposed new streets, and plans of the lands to be subjected to powers of compulsory purchase under this Act, and a book of reference to those plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of lands in the line of the proposed works or within the limits of deviation

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as defined on the plans, and describing those lands, have been deposited with the clerk of the peace for the town and county of Newcastle-upon-Tyne (which are in this Act referred to as the deposited plans, sections, and book of reference):

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,)

Short title.

**1.** This Act may be cited as The Newcastle-upon-Tyne Improvement Act, 1871.

Provisions of general Acts incorporated.

**2.** The following enactments (as far as the same are applicable for the purposes of and not inconsistent with this Act) are hereby incorporated with this Act; (namely,)

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869:

The provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, except section eighty-four.

Interpretation of terms.

**3.** With respect to the interpretation of terms, in and for the purposes of this Act, the following provisions shall have effect; (namely,)

In this Act the expressions "the Improvement Act of 1837," "the Improvement Act of 1841," "the Improvement Act of 1865," and "the Improvement Act of 1870," respectively, have the meanings assigned thereto in the First Schedule to this Act:

Words to which meanings are assigned in the Improvement Act of 1865, or which have therein special meanings, have in this Act the same meanings:

In the provisions of the Commissioners Clauses Act, 1847, incorporated with this Act, the term "the commissioners" shall for the purposes of this Act be taken to mean the Corporation, and the terms "clerk" and "clerk to the commissioners" to mean the town clerk.

Acts to be read as one.

**4.** Save as in this Act otherwise provided, the Improvement Acts of 1865 and 1870, and this Act, shall be construed and executed as if they were one Act, and the purposes of this Act shall be deemed to be purposes of the Improvement Acts of 1865 and 1870.

Extent of Act.

**5.** This Act shall, except where it is expressly provided otherwise, apply to and within the borough exclusively.

Power to make works and take lands.

**6.** Subject to the provisions of this Act, the Corporation may execute and maintain, in the lines and situations and according to the levels described in the deposited plans and sections, such of the new streets and improvements shown on the deposited plans as are set forth and described in the Second Schedule to this Act, with all proper roadways, footways, pavements, sewers, drains, gutters, works, and conveniences connected therewith, and may enter on, take, hold, and use such of the buildings and lands described in the deposited plans and book of reference as they require for any of the purposes of this Act, or for providing space for the erection of houses and buildings in or adjoining to any of the new streets and improvements.

As to construction of certain new streets where affecting North-eastern Railway Company's property.

**7.** The Corporation shall not, as regards the proposed new street terminating at or near the south end of the archway under the North-eastern Railway near to Trafalgar Street, purchase or take any more of the lands of the North-eastern Railway Company numbered 81 and 82 on the deposited plans than may be absolutely necessary for the purpose of forming and maintaining that new street to the width and in the direction shown on the deposited plans, and as regards the proposed new street commencing at the south end of Stepney Square, the Corporation shall form the same in the line or direction shown on the deposited plans, where it passes through the properties numbered on those plans 158 to 162a, both inclusive, and without taking or interfering with any of the land of the North-eastern Railway Company situate on the south-west and north-east sides of the line of the said new street, as shown on those plans, nor shall the Corporation in any manner interfere with the Quayside branch tunnel of the North-eastern Railway as now constructed under the line of the said proposed new street, and section twenty-seven of "The Improvement Act of 1870" shall extend and apply to all works by this Act authorised which shall in any way affect the railways or property of the said company.

Power to make minor works connected with new streets, &c.

**8.** Subject to the provisions of this Act, and in accordance with the deposited plans or within the limits thereon defined, the Corporation, in connexion with the new streets and improvements by this Act authorised, or any of them, and for the purposes thereof, may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the new streets or improvements or any of them, and may make diversions, widenings, or alterations of lines or levels of any existing streets, bridges, arches, or works, for the purpose of connecting the same with the new or improved streets or any of them, or of crossing under or over the same or any of them, or otherwise.

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Alterations of sewers, gas and water pipes.

**9.** In making the new streets and improvements, the Corporation may raise, sink, or otherwise alter the position of any sewer, drain, water pipe or gas pipe, belonging to or connected with any building adjoining or near to the site of any new or improved street, and also any main or other pipe laid down or used for carrying a supply of water or gas, and also any pipe, tube, wire, or apparatus laid down for telegraphic or other purposes, and may remove any other obstruction, causing as little detriment and inconvenience as circumstances admit, and making reasonable compensation for damage caused by any such alteration.

Power to deviate from levels, &c.

**10.** In making any of the works by this Act authorised, the Corporation, subject to the provisions of this Act, may deviate to any extent not exceeding five feet from the levels thereof defined on the deposited sections, and may deviate from the lines thereof respectively in all cases within the limits of deviation defined on the deposited plans, and beyond those limits with the consent of the owners, lessees, and occupiers of the lands through which any such deviation is to be made, but not otherwise.

Power to set out carriageway and footway.

**11.** The Corporation may cause such part of any new or improved street made by them to be laid out for carriageway, and such part thereof for footway, as they think proper.

New streets, &c. to be public highways.

**12.** When and as often as any new or improved street by this Act authorised is in the judgment of the Corporation completed, and ready for public use, the Corporation shall declare the same to be a public highway, and every such declaration shall be recorded among the proceedings of the council, and thereupon the same shall become and be a public highway, and be thenceforth paved, cleansed, lighted, watched, repaired, and regulated as the other public streets and highways in the part of the borough wherein such new or improved street is situate.

Period for completion of works.

**13.** If the new streets and improvements by this Act authorised are not completed within ten years from the passing of this Act, then, on the expiration of that period, the powers by this Act granted to the Corporation for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Houses of labouring classes.

**14.** The Corporation shall, not less than thirteen weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice, placed in public view upon or within a reasonable distance from such houses, and the Corporation

shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Corporation have so made known their intention to take the same.

Powers for compulsory purchases limited.

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

Errors and omissions in book of reference may be corrected by justices, who shall certify the same.

**16.** If any omission, mis-statement, or wrong description shall have been made of any land or other property, or of the owners, lessees, or occupiers of any land or other property, described on the deposited plans or mentioned in the deposited book of reference, the Corporation, after giving ten days notice to the owners, lessees, and occupiers of the lands or property affected by such proposed correction, may apply to any two justices for the correction thereof; and if it appear to such justices that such omission, mis-statement, or wrong description arose from mistake, they shall certify the same accordingly, and they shall in such certificate (which shall be given in duplicate) state the particulars of any such omission, mis-statement, or wrong description; and one part of such certificate, with the other documents to which it relates, shall be deposited with the clerk of the peace for the town and county of Newcastle-upon-Tyne, and the other part of such certificate shall be deposited with the town clerk; and such certificate shall be kept by the clerk of the peace and town clerk respectively with the other documents to which it relates, and thereupon such plans and book of reference shall be deemed to be corrected according to such certificate; and the Corporation may take any land or property in accordance with such certificate, and may make the work as if such omission, mis-statement, or wrong description had not been made.

Plans, &c. to be open to inspection.

**17.** A copy of the deposited plans and book of reference respectively, and of all such alterations or corrections thereof as aforesaid, shall be kept by the town clerk, who shall permit all persons interested in any property proposed to be taken under the powers of this Act to inspect the same at reasonable times, and to make copies and extracts of and from the same respectively, free of all charge, and shall permit all other persons to do the like, on payment by each person of one shilling for every such inspection, and of the further sum of one shilling for every hour during which such inspection shall continue after the first hour, and after the rate of sixpence for every one hundred words copied therefrom.

Copies of plans, &c. to be evidence.

**18.** Copies of the deposited plans and book of reference, and of any alteration or correction thereof or extract therefrom, certified by

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the said clerk of the peace or by the town clerk, which certificate they respectively shall give to all parties interested, when required, shall be received in all courts of justice or elsewhere as primâ facie evidence of the contents thereof.

Building leases of lands near streets, &c.

**19.** Sections one hundred and twenty-one to one hundred and twenty-seven (inclusive) of the Improvement Act of 1865 shall extend and apply to lands acquired by the Corporation for the purposes of any street or improvement authorised by this Act, or taken by them for providing space for the erection of buildings in or adjoining to any such street or improvement, and accordingly in those sections the expression "this Act" shall be taken to include the present Act.

Application of existing funds.

**20.** The Corporation may apply for purposes of this Act any money raised or authorised to be raised under any Act mentioned in the First Schedule to this Act, and not required for purposes thereof.

Power to borrow on borough fund and estates for new streets, &c.

**21.** The Corporation may, for the purposes of the quay of Newcastle-upon-Tyne, and other the purposes of the Improvement Act of 1870, and for the purposes of this Act, from time to time borrow and take up at interest or by way of annuity on the credit of the improvement rate authorised by the Improvement Act of 1865, and of the borough fund, and of the estates and property of the Corporation, or of any of those securities, any money not exceeding in the whole the sum of one hundred and fifty thousand pounds (in addition to any money authorised to be borrowed by them independently of this section), and may mortgage and charge the improvement rate, the borough fund, and the estates and property of the Corporation, or any of those securities, for securing the repayment of the money so borrowed, with interest, or of such annuities (as the case may be), accordingly.

Application of parts of Act of 1855.

**22.** Sections nineteen, twenty, twenty-two, and twenty-three of the Newcastle-upon-Tyne Improvement Act, 1855, shall extend and apply to all money for the time being borrowed by the Corporation under this Act, and the form of instrument of grant of annuity given in the schedule to that Act shall be altered so as to refer to this Act.

Application of money borrowed.

**23.** All money borrowed under this Act shall be appropriated to purposes for which it is authorised to be borrowed.

Repayment by instalments.

**24.** The Corporation shall pay off any money borrowed by them under this Act by annual instalments of not less than one sixtieth part of the principal money borrowed, and the Corporation shall

commence such payment off in manner aforesaid not later than the sixth year after the passing of this Act.

Power to re-borrow.

**25.** If the Corporation pay off any part of any money borrowed by them under this Act otherwise than by means of instalments, they may re-borrow the same, and so from time to time.

Saving for existing charges.

**26.** Nothing in this Act shall prejudicially affect any charge on the corporate estates of the Corporation, and the borough fund and borough rates, and improvement rate, or any of them, by way of annuity, mortgage, or otherwise, subsisting at the passing of this Act; and every annuitant, mortgagee, or incumbrancer, or person for the time being entitled to the benefit of any such charge, shall have the same priority of charge, and all the like rights and remedies in respect of the property subject to his charge, as if this Act had not been passed, and all such charges created before the passing of this Act shall during the subsistence thereof have priority over any mortgage granted under this Act.

Effect of approval of streets and buildings.

**27.** Where after the passing of this Act an intended new street or building is approved by the Corporation, but the street approved is not made or laid out and opened for public use within three years after the approval thereof, or the building approved is not erected within two years after the approval thereof, then, on the expiration of those respective periods, if the town improvement committee of the council shall so decide, the approval shall cease to operate, and fresh notice and approval shall be requisite, as if approval had never been given.

Continuance of space for existing dwelling-houses.

**28.** Where a dwelling-house which exists at the passing of this Act has an open space belonging to it not greater than that required by the Improvement Act of 1870 for new dwelling-houses, the same shall never be built on without the approval of the Corporation, and where a dwelling-house which exists at the passing of this Act has an open space belonging to it greater than that required by the Improvement Act of 1870 for new dwelling-houses, the same shall never be built on so as to leave for that dwelling-house a less open space than that so required, without the approval of the Corporation.

Survey of and certificate as to dangerous structures.

**29.** The surveyor shall from time to time, on receiving information of a building, wall, or structure being in a dangerous state, make the same known to the Corporation; and where it is in any manner made known to the Corporation that a building, wall, or structure is in a dangerous state, they shall require a survey thereof to be made by the surveyor; and the surveyor shall, on the completion of his survey of the building, wall, or structure, certify to

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the Corporation his opinion on its state, and if the certificate is to the effect that the building, wall, or structure is not in a dangerous state, no further proceeding shall then be had in respect thereof, but if the certificate is to the effect that the building, wall, or structure is in a dangerous state, the Corporation shall cause the same to be shored up or otherwise secured, and a proper hoard or fence to be put up for the protection of passengers, and shall serve a notice on the owner or occupier of the building, wall, or structure, requiring him forthwith to take down, secure, or repair the same, as the case requires.

On non-compliance with notice as to dangerous structures, order of justices.

**30.** If any owner or occupier fails to comply as speedily as the nature of the case permits with the requisition of any such notice as aforesaid, the Corporation may make complaint thereof before two justices, who may, if they see good cause, order the owner, or on his default the occupier, to take down or to repair or otherwise secure the building, wall, or structure, or such part thereof as appears to the justices to be in a dangerous state (as the case requires), to the satisfaction of the Corporation, within a time fixed by the justices; and in case the order is not obeyed the Corporation may, with all convenient speed, execute the order.

Proceedings as to dangerous structures by surveyor in case of imminent danger.

**31.** Where the surveyor, on receiving information of a building, wall, or structure being in a dangerous state, is informed that the same is in an imminently dangerous state, he shall forthwith proceed to examine the same, and if he is satisfied on such examination that the same is in an imminently dangerous state, he shall forthwith cause the same to be shored up or otherwise secured, and a proper hoard or fence to be put up for the protection of passengers, and the expenses of his so doing shall be deemed expenses incurred by the Corporation in respect of a dangerous building, wall, or structure, under this Act. In every such case the surveyor shall forthwith report to the Corporation on the state of the building, wall, or structure, and his proceedings in relation thereto.

Expenses as to dangerous structures to be paid by owners.

**32.** All expenses incurred by the Corporation in respect of any dangerous building, wall, or structure under this Act shall be paid to them by the owner of the building, wall, or structure within one month after demand, and shall be recoverable summarily by them from him, without prejudice to the owner's rights (if any) against any person liable to the expenses of repairs; and if the owner cannot be found, or if, on demand, he fails to pay the expenses, the Corporation may serve on him notice of their intention to proceed under this section, and may, after the expiration of three months from the service thereof, sell the building, wall, or structure, in which case

they shall, after deducting from the proceeds of sale the amount of all expenses incurred by them, restore the surplus (if any) to the owner on demand.

Removal of inmates from dangerous structures.

**33.** Where a building or structure has been certified as aforesaid to be in a dangerous state, or the surveyor is satisfied on examination that a building or structure is in an imminently dangerous state, two justices may, if they see good cause, on the application of the Corporation, or, in the last-mentioned case, of the surveyor, order the inmates (if any) to be removed therefrom by a constable, and, if they have no other abode, he may require them to be received into the workhouse established for the reception of the poor of the place in which the building or structure is situate.

Powers as to dangerous structures to be exercised by committee.

**34.** All powers and duties by this Act conferred and imposed on the Corporation in relation to dangerous buildings, walls, or structures, shall, in and for the intervals of time between any two successive meetings of the council, be vested in and exercised and performed by a committee of the council to be from time to time appointed in that behalf.

Inspection of provisions.

**35.** With respect to section twenty-nine of the Improvement Act of 1837, the Corporation may from time to time appoint two or more persons to be inspectors of provisions, and every such inspector may exercise all or any of the powers of that section; and any such servant or assistant as therein mentioned, after their names have been submitted to and approved by the watch committee of the Corporation (of which approval a certificate under the hand of the town clerk shall be sufficient evidence), may, in aid of or in the absence of an inspector, exercise all or any of the powers by that section conferred on inspectors; and any such inspector, servant, or assistant may bring with him any medical practitioner, or other competent person, as an examiner or witness, into or to any place, vehicle, boat, erection, or thing within that section, and use the assistance of such practitioner or person in the inspection thereof.

Repeal of authorised and power to levy other package duty.

**36.** From and after the passing of this Act, instead of the package duty described in the Second Schedule to the Improvement Act of 1841 that described in the Fourth Schedule to this Act shall be payable.

Incorporation with Act of parts of Harbours, Docks, and Piers Clauses Act as

**37.** The clauses of the Harbours, Docks, and Piers Clauses Act, 1847, with respect to the collection and recovery of rates, shall, in respect of the public quay at Newcastle-upon-Tyne, be incorporated with and form part of this Act; and for the purposes aforesaid the public quay shall be deemed a pier within the meaning of the said

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to collection and recovery of rates.

Act of 1847, and the word "master," besides having the meaning assigned to it by the said Act, shall include also the broker or other person appointed or authorised to act in the loading, unloading, landing, or shipping of any goods from, on, or off the said quay.

Maintenance of new quay and erection of sheds.

**38.** The Corporation shall maintain and keep in repair the public quay and any extension thereof, as occasion may from time to time require, and where and when requisite erect sheds thereon, for the reception of goods, wares, merchandise, articles, and things landed upon or shipped or delivered from the said quay.

Separate accounts of moneys arising from package duty to be kept, and application of those moneys.

**39.** The Corporation shall cause separate and distinct accounts to be kept of all moneys arising from the said package duty, and of the manner in which such moneys shall be applied and disposed of; and such accounts shall be kept in separate books, and shall not be intermixed with the other accounts of the Corporation, and shall be open at all reasonable times to the inspection of any burgess of the borough; and all such moneys shall be applied exclusively in the maintenance and improvement of the said public quay, and the works and approaches connected therewith.

Provision for reduction of package dues.

**40.** If the moneys arising from the said package dues shall at any time prove, together with the other moneys, if any, applicable to the maintenance and improvement of the public quays, to be more than sufficient for that purpose, the said package dues shall be from time to time proportionately reduced, so as to equalize, as nearly as may be, the receipts and expenditure for the purposes aforesaid.

Saving for consent of Treasury as to sales, &c.

**41.** Nothing in this Act shall enable the Corporation to sell, alienate, encumber, or demise, for the purposes of this Act, without the approbation of the Commissioners of Her Majesty's Treasury, signified in writing, any buildings or lands which they held at the passing of this Act, and which they could not have sold, alienated, encumbered, or demised without such approbation before the passing of this Act.

Expenses of Act.

**42.** 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, and as to one moiety shall be a charge upon and be paid out of money arising from or received in respect of the improvement rate, and as to the other moiety shall be paid out of the borough fund.

# The SCHEDULES to which the foregoing Act refers.

## THE FIRST SCHEDULE.

### Former Local Acts.

| Session and Chapter. | Title or Short Title. | Short Description. |
|---|---|---|
| 7 Will. 4 & 1 Vict. c. lxxii. | An Act for regulating and improving the Borough of Newcastle-upon-Tyne. | The Improvement Act of 1837. |
| 4 & 5 Vict. c. lxxi. - | An Act to alter and extend an Act passed in the first year of the reign of Her present Majesty, intituled "An Act for regulating and improving the Borough ofNewcastle-upon-Tyne." | The Improvement Act of 1841. |
| 28 & 29 Vict. c. ccl. - | The Newcastle-upon-Tyne Improvement Act, 1865. | The Improvement Act of 1865. |
| 33 & 34 Vict. c. cxx. - | The Newcastle-upon-Tyne Improvement Act, 1870. | The Improvement Act of 1870. |

## THE SECOND SCHEDULE.

### New Streets authorised by Act.

1. A new street commencing in the township and parochial chapelry of All Saints in the parish of Saint Nicholas at or near that part of the quay which adjoins Burn Bank, and terminating in the said township and chapelry in or near to a street called Trafalgar Street at or near to the south end of the archway under the North-eastern Railway.

2. A new street commencing in the same township and parochial chapelry of All Saints on the east side of Pilgrim Street, immediately south of Manor Street, and terminating in the said township and parochial chapelry on the south-east side of the arch called the Skew Arch under the North-eastern Railway near the Croft Stairs.

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3. A new street commencing in the said township and parochial chapelry of All Saints in the parish of Saint Nicholas at the northern end of Pleasant Row, and terminating in the said township and parochial chapelry in an intended new street next herein-after described at a point at the east end of an intended bridge or viaduct across the Blyth and Tyne Railway.

4. A new street commencing in the township and parochial chapelry of Saint Andrew in the parish of Saint Nicholas at the northern end of Albion Street, and terminating in Terrace Place in the said township and parochial chapelry.

5. A new street commencing in the said township and parochial chapelry of Saint Andrew in the parish of Saint Nicholas at the southern end of Percy Terrace, and terminating in the said township and parochial chapelry at or near the northern end of Chester Crescent.

6. A new street commencing in the township of Byker in the parochial chapelry of All Saints in the parish of Saint Nicholas at the south end of Stepney Square, and terminating in the said parochial chapelry of All Saints at a point near the centre of that portion of an intended new street numbered 3 in Schedule Number 4 of the Improvement Act of 1870 which lies between the Cut Bank and the head of Elwick's Lane.

7. A new street or road commencing in the township of Jesmond in the parochial chapelry of Saint Andrew in the parish of Saint Nicholas in or near the Jesmond Dean Road, at a point about thirty-five yards south of Jesmond Terrace, crossing the Dean by means of a bridge or viaduct, and terminating in the same township and parochial chapelry in or near the same road at a point about one hundred and seventy yards north of Jesmond Terrace aforesaid.

## THE THIRD SCHEDULE.

### Buildings and Lands to be taken under this Act.

*In the parish or parochial chapelry of All Saints in the parish of Saint Nicholas.*

Buildings, erections, and land situate on the eastern side of the Sandhill and on the south or south-west side of Queen Street, in the occupation of Matthew Proctor and others.

The buildings and land situate between the Ouseburn and Ouse Street, and extending from near the Glasshouse Bridge to the Ouseburn Bridge.

A block of buildings fronting the New Quay, extending from Flag Entry to the Folly Entry.

*In the parish or parochial chapelry of Saint Andrew in the parish of Saint Nicholas.*

Buildings and land situate near the eastern end of Green Court, and extending therefrom to High Friar Street.

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All that block of buildings and land situate on the east side of Pilgrim Street, and lying between vacant land belonging to the Corporation and premises belonging to Thomas George Hutton and others.

Wall, palisading, and land situate at the north or north-west end of the road and gardens of Albion Place.

*Partly in the parish or parochial chapelry of Saint Andrew and partly in the parish or parochial chapelry of All Saints in the parish of Saint Nicholas.*

The building on the eastern side of Croft Street called Plummer Tower.

*In the township of Jesmond in the parish or parochial chapelry of Saint Andrew in the parish of Saint Nicholas.*

Lands and houses of the Master and Brethren of the Hospital of Saint Mary the Virgin lying between the Ouseburn and Jesmond Road, and on the north side of the Benton Road.

## THE FOURTH SCHEDULE.

### Package Duty,

Being a duty payable for each package of goods, merchandise, live animals, articles, and things landed upon or shipped or delivered from the quay of Newcastle-upon-Tyne or any extension thereof into or from sea-going vessels, the whole of which are comprehended in the expression "goods" when hereafter used.

For one package of each kind of goods other than passengers luggage, and goods herein-after charged by weight, measure, tale, or by the head, and any number not exceeding ten packages in number on account of the same individual, a due not exceeding one penny halfpenny;

Exceeding 10 and not exceeding 20, not exceeding twopence;

Exceeding 20 and not exceeding 40, not exceeding fourpence;

Exceeding 40 and not exceeding 80, not exceeding sixpence;

Exceeding 80 and not exceeding 120, not exceeding one shilling;

And every additional 40, fourpence more.

Of articles usually charged by weight, including all machinery, engines, boilers, forgings, castings, and all manufactured and unmanufactured iron or other metal, any package or quantity in a manufactured state not exceeding one ton in weight, or in an unmanufactured state not exceeding two tons in weight, to be considered as one package, and charged not exceeding one penny halfpenny; and every additional ton in a manufactured and two tons in an unmanufactured state to be considered one package, and to be charged not exceeding one penny halfpenny.

Of articles usually charged by measure, any quantity not exceeding five quarters or half a last of dry measure, and ten gallons of wine measure, and every five barrels of beer, to be considered as one package, and charged not

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exceeding one penny halfpenny; and each additional five quarters or half last, and ten gallons of wine measure, and five barrels of beer, to be considered an additional package, and charged not exceeding one penny halfpenny.

Two lasts or loads of timber to be considered one package, and charged not exceeding one penny halfpenny.

Of articles usually charged by tale, any number not exceeding one hundred, and every five thousand bricks, to be considered one package, and charged not exceeding one penny halfpenny; and each additional hundred of other articles, and every five thousand bricks, to be considered an additional package, and charged not exceeding one penny halfpenny.

Every horse, ox, and cow to be charged a due not exceeding sixpence.

Every three calves, ponies, asses, or mules to be charged a due not exceeding threepence.

Every score of pigs, sheep, or lambs to be charged a due not exceeding threepence, and so in proportion for any greater or less number. Any fraction of a penny to be charged a penny.

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