



CHAPTER xcix.

An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Tynemouth with respect to their water fish quay and electricity undertakings to make further provision for the health local government and improvement of the borough and for other purposes. A.D. 1924.
[7th August 1924.]

WHEREAS the borough of Tynemouth in the county of Northumberland (hereinafter referred to as "the borough") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and the mayor aldermen and burgesses of the borough (hereinafter referred to as "the Corporation") acting by the council are the urban sanitary authority for the borough :

And whereas the Corporation are the owners of a water undertaking from which they are required to supply and do supply water within the borough and within certain districts outside the borough as well as in bulk to the councils of other districts in the neighbourhood of the borough :

And whereas owing to the demands made upon them for water the Corporation have found it necessary from time to time to extend their water undertaking and the subsequent rise in the cost of labour and materials

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has increased the expense to which the Corporation have been put in constructing such works during recent years to such an extent that the estimates for such works have been exceeded and the borrowing powers of the Corporation in that behalf are insufficient to enable them to complete the works which they have been authorised to construct and have not yet completed :

And whereas it is expedient that the Corporation in order to meet the continued demands for water be authorised to obtain a further source of supply and to construct further waterworks and to borrow further moneys for those purposes and for the purpose of completing the waterworks which they are already authorised to construct and that the rates and charges at which the Corporation are or may be required to supply water within the borough and the urban district of Whitley and Monkseaton be altered and increased as in this Act provided :

And whereas the Corporation are the owners of a fish quay undertaking at North Shields and in order to meet the increased cost which has been caused by ~~the war and otherwise of carrying on the same~~ it is expedient that the tolls dues and charges to be taken by the Corporation at the fish quays be increased :

And whereas the trade at the fish quays is carried on in a manner which renders the catches of fish peculiarly liable to serious loss by pilfering and in the interest of the trade it is expedient that the Corporation be empowered to enclose portions of the fish quays and adjoining premises where the fish are spread out and to license the persons to be employed as fish porters as in this Act provided :

And whereas it is expedient that such other provisions be made and that such other powers be granted to the Corporation with respect to their water fish quay and electricity undertakings and with respect to police and sanitary matters and for the health local government and improvement of the borough as in this Act contained :

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned in respect of which borrowing powers are by this Act

conferred upon the Corporation and such estimates are A.D. 1924.
as follows :—

- | | |
|--|------------|
| (a) For excess expenditure on the water-works by the Tynemouth Corporation Act 1916 authorised | £
9,900 |
| (b) For excess expenditure on mains extension of mains and service pipes | 9,100 |
| (c) For the completion of the duplication of the Font Gravitation Main Work No. 6 by the Tynemouth Corporation (Water) Act 1898 authorised | £170,000 |
| in respect of which the Corporation have unexercised borrowing powers under the Tynemouth Corporation (Water) Act 1907 of | £81,617 |
| leaving further borrowing powers required in respect of that work of | 88,383 |
| (d) For the purchase of lands and easements for and the construction of the water-works by this Act authorised | 44,000 |
| (e) For additional filter beds | 12,000 |
| (f) For new mains extensions of mains and service pipes and other waterworks purposes | 50,000 |

And whereas the several works included in the said estimates are permanent works and it is expedient that the cost thereof be spread over a term of years :

And whereas it is expedient that the other provisions contained in this Act be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

And whereas plans and sections showing the lines and levels of the works by this Act authorised and also a book of reference containing the names of the owners or reputed owners and lessees or reputed lessees and occupiers of the lands required or which may be taken or used for the purposes or under the powers of this Act were duly deposited with the clerk of the

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May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.

PRELIMINARY.

Short and
collective
titles.

1. This Act may be cited as the Tynemouth Corporation Act 1924 and this Act and the Tynemouth Corporation (Water) Acts 1897 to 1919 may be cited together as the Tynemouth Corporation (Water) Acts 1897 to 1924.

Division
of Act
into Parts.

2. This Act is divided into Parts as follows :—

- Part I.—Preliminary.
- Part II.—Water and lands.
- Part III.—Fish quays.
- Part IV.—Electricity.
- Part V.—Streets buildings sewers and drains.
- Part VI.—Human food.
- Part VII.—Sanitary and infectious diseases.
- Part VIII.—Street traffic.
- Part IX.—Hackney carriages.
- Part X.—Sale of coke.
- Part XI.—Finance.
- Part XII.—Miscellaneous.

Incorporation
of Acts.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely) :—

(1) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) :

(2) The Waterworks Clauses Acts 1847 and 1863 except—

(a) The words “with the consent in writing
“of the owner or reputed owner of any such

“ house or of the agent of such owner ” A.D. 1924.
in section 44 of the Waterworks Clauses
Act 1847; —

(b) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts;

In construing the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes incorporated herewith the expression “ the limits of the special Act ” shall for the purposes of this Act be deemed to include any streets which the Corporation require to open and break up for laying down any lines of pipes or works therein in exercise of the powers of this Act :

(3) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in such provisions for the purposes of this Act “ the railway ” shall mean the works by this Act authorised and “ the centre of the railway ” shall mean the centre lines of the aqueducts conduits or lines of pipes and the boundaries of the clear water tank :

(4) The provisions of the Harbours Docks and Piers Clauses Act 1847 with respect to the police of the harbour dock or pier and in construing those provisions for the purposes of this Act the “ harbour dock or pier ” shall mean the fish quays as by this Act defined and the fish market.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to

Interpre-
tation.

A.D. 1924. such construction. And in this Act unless the subject or context otherwise requires :—

“The borough” means the borough of Tynemouth;

“The Corporation” means the mayor aldermen and burgesses of the borough;

“The Act of 1897” “the Act of 1898” “the Act of 1907” “the Act of 1916” and “the Act of 1919” mean the Tynemouth Corporation Water Act or the Tynemouth Corporation Act (as the case may be) of the year in which the same was passed;

“The tribunal” means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

“The Fishery Board” means the Board of Conservators of the Coquet Fishery District;

“The limits of supply” means the limits within which the Corporation are for the time being authorised to supply water;

“The water undertaking” and “the fish quay undertaking” mean respectively the water undertaking and the fish quay undertaking of the Corporation as existing and as authorised by this Act;

“The Act of 1910” means the Tynemouth Corporation Act 1910;

“The fish quays” means the fish quay and extension jetty fish landing place and Union Quay and includes the landing steps and jetty and foreshore for the time being belonging to the Corporation;

“The mayor” “the town clerk” “the treasurer” “the medical officer” “the inspector of nuisances” “the water engineer” and “the surveyor” mean respectively the mayor the town clerk the treasurer the medical officer of health the inspector of nuisances the water engineer and the surveyor of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;

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“The borough fund” “the borough rate” “the district fund” and “the general district rate” mean respectively the borough fund the borough rate the district fund and the general district rate of the borough;

“Daily penalty” means a penalty for each day on which any offence is continued by a person after conviction;

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the borough;

“Sunday school” means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether or not on a Sunday;

“Omnibus” has the same meaning as in the Town Police Clauses Act 1889;

“Hackney carriage” has the same meaning as in the Town Police Clauses Act 1847 and does not include an omnibus;

“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

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PART II.

WATER AND LANDS.

Power to
make works.

5.—(1) Subject to the provisions of this Act the Corporation may wholly in the county of Northumberland and in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference make and maintain the following works shown on the deposited plans and sections (that is to say):—

Work No. 1 An aqueduct conduit or line or lines of pipes (No. 1) with intakes to be situate wholly in the parish of Cartington commencing in the enclosure numbered 110 in that parish on the 1/2500 Ordnance map Northumberland sheet XLIV.3 (second edition 1897) and terminating by a junction with and at the point of commencement of Work No. 5 by this Act authorised:

Work No. 2 An aqueduct conduit or line or lines of pipes (No. 2) with intake to be situate wholly in the parish aforesaid commencing in the enclosure numbered 110 aforesaid and terminating in the enclosure numbered 98 in the same parish on the same map by a junction with Work No. 1 by this Act authorised:

Work No. 3 An aqueduct conduit or line or lines of pipes (No. 3) with intake to be situate wholly in the enclosure numbered 98 in the said parish and on the said map and terminating by a junction with Work No. 1 by this Act authorised:

Work No. 4 An aqueduct conduit or line or lines of pipes (No. 4) with intakes to be situate wholly in the parish aforesaid commencing in enclosure numbered 95 in that parish on the said map and terminating by a junction with and at the point of commencement of Work No. 5 by this Act authorised:

Work No. 5 A line or lines of pipes (No. 5) commencing in the parish of Cartington in the enclosure numbered 101 in that parish on the map above mentioned and thence passing

through the parishes of Debdon Thropton Newtown and Tosson and terminating in the parish of Newtown by a junction with the existing main of the Corporation near the point where the public highway leading from Whitton to Newtown crosses over the Black Burn:

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Work No. 6 A clear water tank to be called "Fontburn Tank" and to be situate wholly in the parish of Ritton White House in the southern portion of the enclosure numbered 19 in that parish on the 1/2500 Ordnance map Northumberland sheet LIII. 11 (second edition 1897).

The foregoing works will be situate in the rural district of Rothbury.

Work No. 7 A line or lines of pipes (No. 6) to be situate in the borough of Tynemouth commencing at the north-eastern corner of Moorhouses Reservoir and terminating by a junction with the existing main of the Corporation in Rake House Lane.

(2) In addition to the foregoing works the Corporation may upon the said lands make and maintain all such buildings machinery works and apparatus of whatever character as may be necessary or convenient in connection with or subsidiary to the before-mentioned works or any or either of them but nothing in this subsection shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

6. In the construction of the works authorised by this Act the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and to any extent downwards Provided that except for the purpose of crossing over a stream or railway no part of the aqueducts conduits or lines of pipes shall be raised above

Limits of
deviation.

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the surface of the ground unless and except so far as is shown on the deposited sections.

Power to
acquire
lands.

7. Subject to the provisions and for the purposes of this Act the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Corpora-
tion may
acquire
easements
for access.

8. The Corporation may in lieu of acquiring the lands numbered 1 2 3 and 5 in the parish of Cartington on the deposited plans acquire such easements only in such lands as they may require for the purpose of giving access to the works numbered 1 2 3 4 and 5 by this Act authorised and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts and the Corporation shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use the said lands at all times as if this Act had not passed.

Property of
railway
company
not to be
acquired.

9. Notwithstanding anything in this Act contained the Corporation shall not without the consent of the London and North Eastern Railway Company (in this section referred to as "the company") under their common seal purchase or acquire any lands or property of the company but the Corporation may subject to similar terms and conditions as those contained in an agreement dated the twenty-second April one thousand nine hundred and three made between the North British Railway Company and the Corporation purchase and take such rights of way and such easements and privileges for constructing laying down and maintaining roads rails and pipes and for conveying material and water as the Corporation may reasonably require over in or through the lands under the Font viaduct of the company numbered on the deposited plans 3 in the parish of Hollinghill in the rural district of Rothbury and the Corporation may give notice to treat in respect of such rights of way easements and privileges describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of such rights easements and privileges

as fully as if the same were lands within the meaning of those Acts. A.D. 1924.

10. The powers of the Corporation for the compulsory purchase of lands or easements under this Act shall not be exercised after the expiration of three years from the passing of this Act. Period for compulsory purchase of lands.

11. Subject to the provisions of this Act the Corporation in addition to any other lands which they are by this Act authorised to acquire or hold may by agreement purchase or take on lease and hold for the purposes of their water undertaking any lands or any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) over or in respect of lands which the Corporation may deem necessary for their purposes but the quantity of lands held by the Corporation in pursuance of this section shall not at any time exceed fifteen acres. Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any lands purchased or taken on lease under this section nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or in connection with the water undertaking. Power to purchase additional lands by agreement.

12. The following sections of the Act of 1916 are incorporated with this Act and shall extend and apply in regard to the works and lands authorised to be executed and taken under this Part of this Act as if those sections with the necessary modifications were set forth in this Act namely:— Incorporation of sections of Act of 1916.

Section 20 (Persons under disability may grant easements &c.);

Section 22 (Provisions as to compensation);

Section 23 (Costs of arbitration in certain cases);

Section 24 (Corporation may acquire easements only in certain cases);

Section 26 (As to private rights of way over lands taken compulsorily);

Section 30 (Power to agree as to drainage of lands &c.);

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Section 33 (Application of Waterworks Clauses Act 1847 to pipes &c.);

Section 34 (For protection of Postmaster General):

Provided that section 22 in its application to this Act shall be read and have effect as if the twentieth day of November nineteen hundred and twenty-three were therein mentioned instead of the eighteenth day of November nineteen hundred and fifteen.

Period for
completion
of works:

13. If the works by this Act authorised are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to such of those works or so much thereof respectively as shall then be completed. Provided that subject to the restrictions and provisions of this Act the Corporation may at any time after the expiration of the said period lay down additional lines of pipes and alter enlarge extend and renew their mains pipes and other works as they may think expedient to provide for the requirements of their water supply.

Power to
take waters.

14. Subject to the provisions of this Act the Corporation may collect impound take use divert and appropriate for the purposes of the water undertaking the springs known as Cartington Springs and all such other springs and waters as are situate within the limits of deviation for Works Nos. 1 2 3 and 4 by this Act authorised as shown on the deposited plans and to the northwards of a line drawn due east and west through a point 30 feet south of the point of junction as shown on the deposited plans of the Works Nos. 1 4 and 5 by this Act authorised.

For the
protection
of Rothbury
Rural
District
Council.

15. For the protection of the council of the rural district of Rothbury (in this section referred to as "the council" and "the district" respectively) the following provisions shall unless otherwise agreed in writing between the Corporation and the council have effect (that is to say):—

- (1) If during or subsequently to the construction of the works in the district by this Act authorised and so long as the Corporation are able to obtain water under the provisions of this Act any diminution shall occur in the supply of water obtained by the council for the villages of Snitter and Trew hitt from the Chapel Well or

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for the village of Thropton from the springs (in this section referred to as "the Thropton Springs") from which the supply for that village is at the passing of this Act obtained the Corporation shall with all reasonable despatch supply and from time to time supply to the council from and at a point near the line or lines of pipes (No. 5) Work No. 5 and at a pressure by mechanical means or otherwise sufficient to reach the highest point of the villages of Snitter and Trew hitt and Thropton respectively from time to time such a quantity of water as may be required to make good such diminution not exceeding in the case of the villages of Snitter and Trew hitt and the farms and lands now supplied from the Chapel Well ten thousand gallons per day free of all cost and in the case of the village of Thropton and the farms and lands now supplied from the Thropton supply ten thousand gallons per day free of all cost The council shall not execute or carry out any works or operations which will diminish or cause the diminution of the supply of water to be obtained from any of the springs referred to Provided always that to such extent as such diminution shall from time to time be proved to have been caused by or be consequent on any works or operations of or authorised by the council the liability of the Corporation to supply water under this section to the council shall cease :

- (2) The Corporation shall not be liable in respect of any claim made by the council under this section if (so far as it is in the power of the council to accord permission) the council shall have failed after being so requested in writing by the Corporation to afford to the officers servants or other representatives of the Corporation at all reasonable times after the passing of this Act access to the Chapel Well or the Thropton Springs (as the case may be) for the purpose of ascertaining particulars thereof and erecting maintaining and inspecting a meter gauge weir or other apparatus to measure the flow of water in the said well or at the said springs :

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- (3) For the purpose of measuring the quantity of water obtained by the council from the Chapel Well or the Thropton Springs respectively the Corporation may (so far as it is in the power of the council to accord permission) provide in some suitable chambers or buildings at the said well and springs or either of them meters gauges or other apparatus and all necessary works and appliances appertaining thereto :
- (4) The Corporation shall at all reasonable times be at liberty to inspect any such meter gauge or apparatus and to test the accuracy thereof :
- (5) All water (if any) supplied to the council by the Corporation under this section shall be measured by a meter or meters or other apparatus to be provided by and at the expense of the Corporation in some suitable chamber or chambers and the council shall at all reasonable times be at liberty to inspect such chamber or chambers meter or meters and apparatus and to test the accuracy thereof :
- (6) The Corporation shall not be liable for any damage which may be caused to the council or to any person or persons by any temporary failure deficiency or defect in the supply of water intended to be given under this section if such failure deficiency or defect shall be occasioned by frost or unavoidable cause or accident :
- (7) Any question or dispute arising or to be determined by arbitration under this section shall be referred to and determined by a single arbitrator to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

For
protection
of Lord
Armstrong.

16. For the protection of William Henry Armstrong Fitzpatrick Baron Armstrong his successors in title and assigns (all of whom are in this section referred to as "the owner") the following provisions shall unless

otherwise agreed in writing between the Corporation and the owner have effect (that is to say):— A.D. 1924.

(1) The owner shall not execute or carry out any works or operations which will diminish or cause the diminution of the supply of water to be obtained from any of the springs referred to in the section of this Act of which the marginal note is "For the protection of Rothbury Rural District Council" and subsections (1) (5) and (6) of that section shall enure for the benefit of and extend and apply to the owner with the substitution of reference to the owner for reference to the council of the rural district of Rothbury and the Corporation shall not agree with the council of the rural district of Rothbury to vary the said provisions without the previous consent in writing of the owner. Provided always that to such extent as such diminution shall from time to time be proved to have been caused by or be consequent on any works or operations of or authorised by the owner the liability of the Corporation to supply water to the owner under this section shall cease:

(2)—(a) The owner shall at all reasonable times during the period of twelve months from the date when the Corporation commence to take the water of the Cartington Springs afford to the officers servants or other representatives of the Corporation access to the Chapel Well and the Thropton Springs or to either of them for the purpose of ascertaining the normal yield of the Chapel Well Spring and the Thropton Springs or either of them;

(b) If at any time after the expiration of the said period of twelve months the owner shall give notice to the Corporation that the supply of water from the Chapel Well Spring and the Thropton Springs or from either of those sources is diminishing then the officers servants or other representatives of the Corporation shall have access at all reasonable times to the Chapel Well and the Thropton Springs or to such one of those sources as shall be referred to in the notice given by the owner;

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(c) The Corporation shall be entitled for the purposes of this subsection to erect meters gauges or other apparatus chambers or meter houses upon the lands of the owner for the purpose of ascertaining the yield for the time being from the said sources or such one of them as aforesaid as the case may be :

(3)—(a) The Corporation shall not at any point other than a point below the pump house of the owner used for the pumping of water derived from the Cartington Springs collect or abstract any of the water issuing from or interfere with such of the springs as have at the passing of this Act been collected by the owner and conveyed to the pump in the said pump house ;

(b) The owner shall be entitled to continue to use the water of the springs so collected by him for supplying to Cartington and the farms houses cottages and fields of the owner in the parish of Cartington or other parishes Provided that the owner shall not except with the consent in writing of the Corporation take from the said springs in any period of twenty-four hours a greater quantity of water than ten thousand eight hundred gallons over and above the quantity of water used for driving the pump in his said pump house which last mentioned quantity shall be permitted to flow from the tail race of the said pump house into any collecting chamber constructed by the Corporation and shall not be included in the said quantity of ten thousand eight hundred gallons ;

(c) Each of them the owner and the Corporation shall take all practicable steps for securing that the waters of the other of them shall not be polluted or contaminated from or by his or their acts or operations :

(4) Notwithstanding anything contained in this Act or shown on the deposited plans the Corporation shall not acquire—

(a) the site of the pump house referred to in subsection (3) of this section or the approach thereto ; or

(b) the lands delineated on the said plans and thereon numbered 7 in the parish of Cartington; A.D. 1924.

but the owner shall if the Corporation reasonably so require grant to the Corporation an easement to lay pipes through or under the said site and approach or any part thereof :

- (5) If any difference shall arise between the Corporation and the owner under the provisions of this section such difference shall be referred to and determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

17. For the protection of the Rothbury Rural District Council (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Corporation and the council have effect in addition to any other provisions of this Act which may enure for the protection of the council (that is to say) :— For further protection of Rothbury Rural District Council.

- (1) The notice required by section 30 of the Waterworks Clauses Act 1847 shall (except in cases of emergency) be in the case of any culvert vested in or repairable by the council or the roadway over any such culvert one month instead of three days and in all other cases seven days instead of three days :
- (2) The plan required by section 31 of the said Act shall (except as aforesaid) be delivered by the Corporation to the surveyor of the council (hereinafter referred to as "the surveyor") not less than in the case of any such culvert or roadway over a culvert one month and in all other cases seven days before the Corporation commence to open or break up any such culvert or roadway :
- (3) Where any work is to be laid under the powers of this Act in any road vested in or repairable by

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the council the work shall wherever reasonably practicable be laid and subsequently maintained at the side of the road and so that the upper surface of the work is not less than two feet six inches below the surface of the road (except in special cases where the surveyor consents to a less space intervening between the surface of the road and the upper surface of the work) and the trench shall be filled in and the surface of the road made good and level with the adjoining surface of the road and (after a sufficient period for settling) re-surfaced in the same manner as it was previously surfaced in accordance with the reasonable requirements of the surveyor and the same shall be kept in good repair by the Corporation in accordance with the provisions of section 32 of the said Act of 1847 :

- (4) If the Corporation in the execution of any works by this Act authorised shall cause any damage injury or disturbance to any such road or culvert and shall neglect or refuse to make good all such damage injury or disturbance in accordance with the provisions of the said Act of 1847 and this section then it shall be lawful for the council after reasonable notice to the Corporation of the alleged failure and of the works which they propose to execute to do all works necessary for making good all such damage injury or disturbance and the Corporation shall repay to the council all the costs charges and expenses which the council shall reasonably and properly incur in carrying out such works :
- (5) All works to be executed under the powers of this Act and any work of maintenance alteration or renewal of any such work affecting any such road or culvert as aforesaid shall be so executed as not to stop or unreasonably impede or interfere with the traffic over or along any such road :
- (6) No work shall be constructed or laid by the Corporation so as to interfere with the structure or foundations of any culvert vested in or repairable by the council except with the consent of the council and in a manner approved by

them but such consent and approval shall not be unreasonably withheld: A.D. 1924.

- (7) Nothing in this Act shall interfere with the right of the council to alter the level of deviate or improve any road or to remove alter rebuild widen or repair any culvert-vested in or repairable by them and in the event of any road or culvert of the council in along over or near or attached to which any work of the Corporation shall have been laid or carried being altered deviated improved removed rebuilt widened or repaired as aforesaid the Corporation shall at the expense of the council with all reasonable despatch on receiving notice in writing under the hand of the clerk or surveyor to the council so to do alter the position of any such work in the manner and to the extent reasonably prescribed by such notice or as in case of difference shall be determined in the manner hereinafter provided Provided that during the alteration deviation improvement removal rebuilding widening or reparation of any such road or culvert as aforesaid the council shall afford all reasonable facilities to enable the Corporation temporarily to carry their work by the side of the road or across any stream or brook so as not to interrupt the continuous supply of water or to diminish the pressure of such supply through such work:
- (8) The Corporation shall indemnify the council against any claims for damage that may be made against the council and against any injury loss cost or expense which may be caused to or incurred by the council by reason or in consequence of the bursting leakage or failure of any work of the Corporation:
- (9) Any difference which shall arise between the Corporation and the council or the surveyor under this section shall be referred to an arbitrator to be agreed between the parties or failing agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to the reference.

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—
Amendment
of section
40 of Act of
1916.

18.—(1) The Corporation may discharge from Work No. 5 by this Act authorised and allow to pass and flow down the Routing or Seal Burn at or near the cottages below Tosson Mill the quantity of water prescribed by section 40 (Restriction upon quantity of water to be taken) of the Act of 1916 (in this section referred to as “the prescribed quantity of water”) or so much thereof as they may desire so to discharge.

(2) Before exercising the powers of this section the Corporation shall construct and place in positions and in accordance with plans sections and specifications to be reasonably approved by the Fishery Board a weir and self-recording gauge with all necessary pipes and other fittings for measuring the quantities of water discharged from Work No. 5 by this Act authorised and allowed to pass and flow down the Routing or Seal Burn. If any difference shall arise between the Corporation and the Fishery Board under the provisions of this subsection the same shall be referred to the arbitration of an engineer to be appointed unless otherwise agreed by the Minister of Agriculture and Fisheries on the application of either party.

(3) So long as the quantity of water allowed to pass through the gauge referred to in section 40 of the Act of 1916 and the quantity of water allowed to pass through the gauge referred to in subsection (2) of this section together amount to the prescribed quantity of water the Corporation may take and use for the purposes of supply all the waters or the remainder of the waters (as the case may be) which may be collected impounded diverted and appropriated by means of works numbered 5 to 10 inclusive by the Act of 1916 authorised.

(4) The provisions of subsections (3) (4) and (5) of section 40 of the Act of 1916 shall apply with the necessary modifications to the gauge referred to in subsection (2) of this section as if section 40 aforesaid had authorised the discharge of the prescribed quantity of water in manner provided by this section.

For pro-
tection of
fisheries of
Coquet
Fishery
District.

19. Within six months from the passing of this Act the Corporation shall pay into the Bank of England to the credit of the Minister of Agriculture and Fisheries the sum of one thousand two hundred and fifty pounds upon trust to permit such moneys to remain in the said

Bank or be invested by the Minister in Government securities and with power to vary the investment and upon further trust to enable the said trust funds and the income therefrom to be applied by the Coquet Fishery Board at such times and in such manner as the said Minister may approve for the purpose of conserving the fisheries of the Coquet Fishery District. A.D. 1924.

20. The works constructed by the Corporation and the lands and easements acquired by them for the purposes of the water undertaking under the powers of this Act shall so long as the same respectively are vested in the Corporation form part of the water undertaking. New works to form part of water undertaking.

21. As from the thirty-first day of August nineteen hundred and twenty-three the following sections of the Act of 1897 as amended by the Act of 1907 shall be read and have effect in their application to the borough and the urban district of Whitley and Monkseaton as if the following amendments had been made therein that is to say :— New rates for supply of water for domestic purposes and by measure.

Act of 1897—

Section 33 (Rate at which water is to be supplied for domestic purposes) as amended by section 33 (Amendment of section 33 of Act of 1897) of the Act of 1907 shall be read and have effect as if in lieu of the words "one shilling and sixpence" there had been inserted therein the words "one shilling and tenpence or such other rate as shall for the time being be fixed by the Minister of Health on the application of the Corporation or the urban district council of Whitley and Monkseaton made at any time" and as if after the first proviso to that section there had been inserted the following proviso :—

" Provided also that in respect of the year ending on the thirty-first day of March one thousand nine hundred and twenty-four and in respect of the year ending on the thirty-first day of March one thousand nine hundred and twenty-five the yearly rate so to be charged shall not be more than sufficient so far as can be estimated by the Corporation to enable the undertaking to be carried on

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during that year without any greater contribution from the district fund than the average of the contributions made during the five years ending the thirty-first day of March one thousand nine hundred and fourteen."

Section 38 (Rates for supply of water for other than domestic purposes) shall be read and have effect as if in lieu of the words "one shilling" there had been inserted therein the words "one shilling and sixpence or such other rate as shall for the time being be fixed by the Minister of Health on the application of the Corporation or the urban district council of Whitley and Monkseaton made at any time" and as if at the end of that section there had been inserted the following proviso:—

"Provided also that in respect of the year ending on the thirty-first day of March one thousand nine hundred and twenty-four and in respect of the year ending on the thirty-first day of March one thousand nine hundred and twenty-five the yearly rate so to be charged shall not be more than sufficient so far as can be estimated by the Corporation to enable the undertaking to be carried on during that year without any greater contribution from the district fund than the average of the contributions made during the five years ending the thirty-first day of March one thousand nine hundred and fourteen."

Notwithstanding anything contained in this Act the rates and charges for the supply of water within the urban district of Ashington shall not exceed the rates and charges authorised by the Act of 1897 and the Act of 1907.

22. Section 35 (Supply of water to certain premises to be by meter or special contract) of the Act of 1897 shall be read and have effect as if the following paragraph were inserted at the end thereof:—

"The minimum quarterly charge for a supply of water by measure to any of the premises in this section mentioned shall be one-fourth of the annual amount which would be payable according to the

Amend-
ment of
section 35
of Act of
1897.

scale for the time being in force for a domestic supply furnished to a dwelling house of the same rateable value but nothing in this paragraph shall prejudice or derogate from any agreement made in pursuance of the provisions of this section before the twentieth day of November one thousand nine hundred and twenty-three."

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23.—(1) The Corporation shall not be bound to supply with water otherwise than by measure any club boarding house capable of accommodating twelve or more persons including the persons usually resident therein hotel hydropathic establishment restaurant public-house or inn.

Supply of water to houses partly used for trade &c.

(2) The minimum quarterly charge for a supply of water by measure to any of the premises in this section mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling house of the same rateable value.

24. Where water supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in premises where horses carriages or motor cars are kept for private use the Corporation may if a hose-pipe or other similar apparatus is used charge any additional sum not exceeding one pound per annum and (where more motor cars than one are ordinarily kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first and any sum chargeable under the provisions of this section shall be paid in advance and be recoverable in all respects with and as the water rate.

Charges for hose-pipes.

25. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Corporation so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner:

Water rates payable by owners in certain cases.

Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from

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him subsequent to the service upon him of a notice to pay the rate.

Extension
of limits
of supply.

26. As from the first day of April one thousand nine hundred and twenty-five the portion of the urban district of Whitley and Monkseaton which formerly formed part of the parish of Hartley in the rural district of Tynemouth shall be added to the existing area for the supply of water by the Corporation and subject to the provisions of this Act the Corporation shall have and may exercise within the district all such and the like powers rights privileges and authorities for and in relation to the supply of water and shall be subject to the like obligations and duties in respect thereof as they now have or may exercise and are subject to within the existing area for the supply of water by the Corporation and subject as aforesaid the Act of 1897 the Act of 1898 and the Act of 1907 and the provisions of the Act of 1916 and of this Act with respect to the supply of water shall be in force and have effect as if the portion of the urban district of Whitley and Monkseaton aforesaid had originally formed part of the existing area for the supply of water by the Corporation and the supplies shall be given under the same terms and conditions and at the same rates and charges for all purposes as those for the time being charged by the Corporation for the like purposes within the remainder of the urban district of Whitley and Monkseaton.

Amendment
of section
54 of Act
of 1897.

27. From and after the passing of this Act section 54 (Corporation when so required to sell portions of undertaking outside borough) of the Act of 1897 shall be read and have effect as if the following proviso had been omitted therefrom:—

“ Provided that in determining the amount of compensation to be so paid the arbitrators or umpire shall not take into consideration any increase of water rates authorised by this Act and shall not make any allowances for prospective profits.”

For supply
of water in
bulk to
Whitley
and Monk-
seaton
Urban Dis-
trict
Council.

28. Section 55 (For the supply of water in bulk to Whitley and Monkseaton Urban District Council) of the Act of 1897 is hereby repealed and in lieu thereof the following provisions shall apply:—

“ If the Whitley and Monkseaton Urban District Council (hereinafter in this section referred to as “ the council ”) shall purchase the portion

of the water undertaking of the Corporation within the district of the council then after the completion of such purchase the Corporation shall afford to the council and the council shall take and purchase from the Corporation in bulk all the water required for use within the district of the council at such price per one thousand gallons as shall from time to time be agreed between the council and the Corporation or as failing agreement shall from time to time be fixed by the Minister of Health and in all other respects upon the terms set forth in the Fourth Schedule to the Tynemouth Corporation Act 1919 so far as the same shall be applicable to such supply."

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—

29. The Corporation may require that any dwelling house erected at the passing of this Act and not fitted on the seventeenth day of June one thousand nine hundred and twenty-four with a water pipe above the ground floor and any new dwelling house erected after the passing of this Act and (in each case) situate on land at a higher level than fifty feet below the service reservoir from which a supply of water is furnished by them to such dwelling house shall be provided with a cistern or cisterns capable of containing a total quantity of water sufficient to provide an adequate supply for such dwelling house for a period of forty-eight hours and the Corporation shall not be required to supply any such existing dwelling house at a greater pressure than is sufficient to reach the ground floor or any such new dwelling house until the same is provided with a cistern in conformity with the requirements of this section. Provided that nothing in this section shall prevent water required for drinking purposes being drawn from the service pipe in any such dwelling house.

Cisterns to be provided for high level supplies.

30. Notwithstanding anything contained in any Act relating to the Corporation the Corporation shall have the exclusive right of executing any works on any of the water mains of the Corporation for connecting any communication or service pipes therewith and the Corporation shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Corporation execute on any such main subject to the provisions so far as applicable of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the

Corporation to connect communication pipes with mains.

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purpose of laying pipes any work and supply all fittings and materials which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Service
pipes.

31. All service pipes and fittings and all fittings connected with any service pipe to communicate with the mains and pipes of the Corporation which shall be provided by any person shall be placed and removed under the superintendence of the Corporation and at the expense of such person except that the provisions of this section shall not apply to any pipes or fittings of the London and North Eastern Railway Company.

Interference
with valves
pipes and
fittings.

32. Every person who shall wilfully (without the consent of the Corporation) or negligently close or shut off any valve cock or other work or apparatus belonging to the Corporation whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Corporation) be liable on conviction to a penalty not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage by them sustained. Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

PART III.

FISH QUAYS.

Dues on
fish quays.

33. Section 9 (Dues on using fish quays) of the Act of 1910 shall be read and have effect as if in lieu of the dues rates and charges specified in the Schedule to that Act the dues rates and charges specified in the Schedule to this Act were referred to therein.

Power to
enclose
fish quays.

34. The Corporation may enclose the land (in this Part of this Act referred to as "the fish quay enclosure") at North Shields comprising the fish market, the fish quay, the jetty at the eastern end of the fish quay (except the portion thereof which is used as an approach to Lloyd's hailing station and the sea water pumping station of the Corporation) the portion (opposite the north-western side of the fish market) of the quay at the northern side of the fish quay and the extension or

protection jetty on the west side of the fish quay and may prohibit and prevent the user of the fish quay enclosure by any person not resorting thereto for bona fide business purposes or not landing at or embarking from any vessel lying at any of the quays or jetties aforesaid.

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The fish quay enclosure is coloured pink on a map signed in triplicate by Sir Thomas Robinson the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred whereof there have been deposited one copy in the Parliament Office of the House of Lords another copy in the Private Bill Office of the House of Commons and the third copy with the town clerk.

35. In addition to the byelaws which may be made by the Corporation under the provisions with respect to byelaws to be made by the Corporation contained in the Harbours Docks and Piers Clauses Act 1847 incorporated with the Act of 1910 the Corporation may from time to time make alter and repeal all such byelaws as they think fit with reference to all or any of the following purposes (that is to say) :—

Power to
license fish
porters.

For prohibiting persons acting as fish porters at the fish quays or in the fish quay enclosure without a licence from the Corporation and for regulating the grant suspension and revocation of and the charge to be made for such licences and generally for regulating their conduct and employment;

For preventing trespassing at the fish quay enclosure;

which byelaws may be enforced in the same manner as byelaws made by the Corporation under the Harbours Docks and Piers Clauses Act 1847.

Any person deeming himself aggrieved by the withholding suspension or revocation of any licence by the Corporation under this section may appeal to a court of summary jurisdiction held after the expiration of at least two clear days after such withholding suspension or revocation. Provided that the person so aggrieved shall give twenty-four hours' written notice of such appeal and the ground thereof to the town clerk and the court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just and the cost of any such appeal

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Any byelaws made by the Corporation under the Harbours Docks and Piers Clauses Act 1847 the Act of 1910 or this Act shall be subject to confirmation by the Minister of Transport instead of by a judge of the High Court or the Board of Trade and shall have no force or effect until so confirmed and such confirmation shall be sufficient for all purposes.

Amend-
ment of
section 15
of Act of
1910.

36. Section 15 (Power to make byelaws) of the Act of 1910 and section 83 (Byelaws may be made for all or any of the purposes herein named) of the Harbours Docks and Piers Clauses Act 1847 which is incorporated with that Act and any byelaws made thereunder shall be read and have effect as if in addition to the fish quays the fish quay enclosure had been mentioned in section 15 aforesaid and in construing section 83 aforesaid the expression "porters and carriers" shall include fish porters licensed in pursuance of the provisions of this Act.

PART IV.

ELECTRICITY.

Provisions
as to supply
of electricity
by agree-
ment.

37. If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue the supply of electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement. Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the manner in which the electricity is used contrary to the terms of such agreement.

Period of
error in
defective
meters.

38.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade or Minister of Transport used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then

last preceding quarter of the year unless it be proved to have first arisen during the then current quarter. A.D. 1924.

(2) The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

39. In case any owner or occupier of premises who has hired from the Corporation any electric line fitting apparatus or appliance (in this section referred to as "fittings") sells or leaves the premises in which such fittings are fixed or fastened and the next owner or occupier of those premises desires to purchase instead of to hire those fittings the Corporation may notwithstanding anything contained in the Electricity (Supply) Acts 1882 to 1922 sell those fittings to such next owner or occupier upon such terms and conditions as may be agreed between him and the Corporation.

Sale of
electrical
apparatus
let on hire.

40.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding five pounds.

Entry upon
premises
Penalty for
obstruction.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to the Corporation and cannot be ascertained after diligent inquiry after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

41. Any expenses reasonably incurred by the Corporation in reconnecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Corporation in like manner as expenses lawfully incurred by them in such cutting off or disconnecting.

Power to
recover
charge for
reconnec-
tion.

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PART V.

STREETS BUILDINGS SEWERS AND DRAINS.

For pre-
venting
water
flowing on
footpaths.

42. Where premises abutting upon any street are so situate that surface water from such premises flows on to or over the footpath of such street the owner of such premises shall within fourteen days after service of a notice by the Corporation for that purpose execute such works as may be reasonably practicable to prevent the water from such premises from flowing over the footpath and in default of compliance with such notice within the period aforesaid such owner shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

As to
erection of
hoardings
&c. at
street
corners.

43.—(1) Before placing or erecting any hoarding or fence at or within a distance of ten yards from the corner of any street within the borough the person proposing to place or erect such hoarding or fence shall give notice of his intention so to do to the Corporation and such notice shall be accompanied by plans and particulars of the hoarding or fence proposed to be so placed or erected.

(2) If the placing or erection of such hoarding or fence would constitute a danger to the traffic in the streets of the borough upon adjoining or near to which the same is proposed to be placed or erected by obstructing the view of any foot passenger or the driver of any vehicle in a street of vehicular or pedestrian traffic the Corporation may within one month of the receipt of the said notice prohibit such placing or erection or may allow the same subject to such conditions or modifications of the said plans and particulars as they may think fit. If within one month of the receipt of the said notice the Corporation shall not have prohibited such placing or erection or allowed the same subject to a condition or to a modification of such plans or particulars they shall be deemed to have allowed such placing or erection.

(3) Any person who places or erects any hoarding or fence in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds and the Corporation may remove the hoarding

or fence so placed or erected and may recover the expenses incurred by them in so doing from such person.

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(4)---(a) Any person deeming himself aggrieved by any requirement or prohibition or by the withholding of any approval of or by the Corporation under this section may within fourteen days from the date of such requirement prohibition or refusal of approval appeal to a court of summary jurisdiction and such court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just.

(b) The cost of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

44.---(1) Every notice board sign bracket or other projection which shall overhang any street within the borough shall be securely fixed and maintained by the owner thereof.

As to pro-
jections
over
streets.

(2) If the Corporation have reason to believe that any such notice board sign bracket or other projection is not securely fixed they may enter upon the premises to which it is attached for the purpose of inspecting the same and the means by which it is attached.

(3) In the event of any such notice board sign bracket or other projection being insecurely fixed the Corporation may require the owner to fix the same securely within a period of seven days from the receipt of notice of such their requirement and in default of his so doing the Corporation may themselves carry out the work necessary in that behalf and may recover the cost incurred by them in so doing from such owner.

45. If any drain (including any joint or combined drain) within the borough shall not be well and sufficiently maintained and kept in good repair to the satisfaction of the Corporation it shall be lawful for the Corporation if in their opinion such drain can be sufficiently repaired at a cost not exceeding thirty pounds to cause the same to be repaired after notice has been given in writing to the owner or owners and the expenses of such repairs may be recovered by them from the owner thereof or if more than one from the owners thereof in such proportions as the surveyor shall determine Provided

As to
repair of
private
drains.

A.D. 1924.

that where such expenses do not exceed twenty shillings the Corporation may remit the payment of the same by the owner or owners if they think fit.

Saving for
railway
company.

46. Nothing in this Part of this Act shall apply to any building (not used as a dwelling house) or work constructed or to be constructed by the London and North Eastern Railway Company as a part of or for the purposes of their railway under any statutory powers or to any lands held or acquired or which may hereafter be held or acquired by that company and used for the purposes (other than for a dwelling house) of their railways with the authority of Parliament.

PART VI.

HUMAN FOOD.

Sanitary
regulations
for pre-
mises where
food is
deposited
for sale.

47.—(1) From and after the passing of this Act the following provisions shall apply to any room shop or other part of a building within the borough in which any article whether solid or liquid intended or adapted for the food of man is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale:—

- (a) No urinal watercloset earthcloset privy ashpit or other like sanitary convenience shall be within such room shop or other part of a building or shall communicate therewith except through the open air or through an intervening ventilated space;
- (b) No cistern for supplying water to such room shop or other part of a building shall be in direct communication with and directly discharge into any such sanitary convenience;
- (c) No drain or pipe for carrying off faecal or sewage matter shall have any inlet or opening within such room shop or other part of a building;
- (d) No such room shop or other part of a building shall be used as a sleeping place and so far as may be reasonably necessary to prevent risk of the infection or contamination of any such article as aforesaid no sleeping place shall adjoin such room shop or other part of a

building and communicate therewith except through the open air or through an intervening ventilated space; A.D. 1924.

- (e) Refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in any such room shop or other part of a building except so far as may be reasonably necessary for the proper carrying on of trade or business;
- (f) Due cleanliness shall be observed in regard to such room shop or other part of a building and all articles apparatus and utensils therein and shall be observed by persons engaged in such room shop or other part of a building.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building wherein any of the conditions prohibited by this section exist or does or knowingly permits any act or thing therein in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to any factory or workshop within the meaning of the Factory and Workshop Act 1901.

48. The Corporation may from time to time make byelaws for securing the cleanliness and protection from contamination of articles intended for human food while being conveyed through or along any street within the borough: Byelaws as to conveyance of food in streets.

Provided that before making any such byelaws applicable to the collection and delivery by any railway company or their contractors or agents of traffic in meat or other articles of food at from or to any railway station or depôt of such company the Corporation shall give at least one month's notice to the company of their intention to make such byelaws and such notice shall be accompanied by a copy of the draft byelaws.

49.—(1) Any premises used or proposed to be used within the borough for the preparation or manufacture of potted or preserved meat fish or other food intended for the purposes of sale shall be registered by the owner Registration of premises used for

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—
manufac-
ture &c. of
potted
meats.

or occupier thereof with the Corporation from time to time and no premises shall be used for the purposes aforesaid unless the same are registered as aforesaid.

(2) Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) Provided that the provisions of this section shall have no application to any premises occupied as a factory or workshop of which notice is required by subsection (1) of section 127 (Notice of occupation of factory or workshop) of the Factory and Workshop Act 1901 to be given or shall in any way affect the operation of that Act.

(4) This section shall not apply to any premises used as a hotel restaurant or club.

PART VII.

SANITARY AND INFECTIOUS DISEASES.

Regulation
ashbins.

50.—(1) The Corporation may prescribe the size and materials of ashbins for use within the borough and any ashbin required by the Corporation to be provided by the owner or occupier of any premises within the borough shall be of the size and materials so prescribed.

(2) In any case in which an ashbin already provided by the owner or occupier of any premises is not of the size and materials so prescribed as aforesaid and in any case in which an ashpit or other receptacle for refuse not being an ashbin of the size or materials prescribed as aforesaid is in use in connection with any premises within the borough the Corporation may either —

(a) themselves at the cost of the owner or occupier of the premises in connection with which such ashbin was provided or an ashpit or other receptacle not being a prescribed ashbin is in use provide or supply or

(b) require such owner or occupier to substitute for such ashbin ashpit or other receptacle

an ashbin of such size and materials as aforesaid,

(3) The Corporation shall give to the owner of any existing ashbin or other receptacle (not being an ash-pit) which shall be replaced under the provisions of this section and which but for the prescription of the Corporation would have been a sufficient and suitable receptacle for refuse credit for the value of such existing ashbin or other receptacle.

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(4) Except as hereinafter provided the owners or occupiers of all premises in connection with which an ashbin of the size and materials prescribed by the Corporation has been provided shall pay to the Corporation on each first day of April after such provision such sum not exceeding five shillings as the Corporation may from time to time by resolution determine for or towards the maintenance repair and renewal by them of such ashbin. Such payment shall be in satisfaction of the obligation of such owners or occupiers in regard to such maintenance repair and renewal.

(5) Any ashbin which may be substituted by the Corporation for an ashpit which is in use at the passing of this Act and but for the prescription of the Corporation would have been a sufficient and suitable receptacle for refuse shall be maintained by the Corporation free of expense for a period of five years from the passing of this Act to the owner and occupier of the premises in connection with which such ashpit was used.

(6) Section 102 (Regulation dustbins) of the Act of 1916 is hereby repealed.

51.—(1) From and after the passing of this Act it shall not be lawful for any person to use any ashbin or dustbin within the borough for any purpose other than the deposit of dust ashes or other house refuse (not being of a liquid or partly liquid character) intended for removal by or on behalf of the Corporation.

Restriction
as to use of
dustbins.

(2) Any person contravening the provisions of this section shall be liable to a penalty of ten shillings and to a daily penalty of ten shillings.

52.—(1) If the owner of any dwelling house or premises within the borough occupied therewith represents to the Corporation that the occupier of such dwelling house or premises habitually maintains the same in a filthy condition any officer of the Corporation duly

As to filthy
premises.

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authorised in that behalf may enter upon such dwelling house or premises and inspect the same and if such officer is satisfied of the truth of the representation of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 (Summary order to do act other than a payment of money) of the Summary Jurisdiction Act 1879.

(2) Any expenses incurred by the Corporation under this section and not recoverable from the occupier shall be paid by the owner of the dwelling house or premises.

Restriction on attendance of children at Sunday schools and places of assembly when infectious disease prevails.

53.—(1) No person over the age of sixteen years who has the custody charge or care of a child who is or has been attending any school in the borough or any part thereof which for the time being is closed by order of the Corporation or of the education committee of the council with the view of preventing the spread of infectious disease or of a child who is suffering from an infectious disease or who with the view of preventing the spread of infectious disease has been prohibited from attending school in the borough by the medical officer or school medical officer shall permit such child to attend any Sunday school or place of public entertainment or assembly in the borough without having procured from the medical officer a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or place of public entertainment or assembly without undue risk of communicating disease to others.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings.

Special provisions to prevent spread of infectious diseases.

54. Any person being the parent or having the care or charge of a child attending a school including a Sunday school in the borough who is aware of or has reason to suspect the occurrence of any infectious disease in any person residing with such parent or other person and who fails forthwith to notify such occurrence to the head teacher principal or superintendent of the school shall be liable to a penalty not exceeding twenty shillings Provided that in any proceeding under this section a

certificate purporting to be under the hand of the head teacher principal or superintendent of the school at which the child named in the certificate is in attendance stating that he has or has not received any notification as required under this section shall be evidence of the facts stated in such certificate unless the defendant shall require that the person by whom the certificate has been signed shall be called as a witness.

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PART VIII.

STREET TRAFFIC.

55.—(1) For the better regulation of persons desiring to travel in omnibuses the Corporation may erect and maintain or authorise any company or person to erect and maintain barriers and posts at any stopping-place or terminus within the borough and for that purpose may use part of the highway and the Corporation may make byelaws requiring persons waiting to enter omnibuses at any such stopping-place or terminus upon any omnibus route to wait in lines or queues :

Power to require intending passengers to wait in lines or queues.

Provided always that the Corporation shall not erect or maintain any barrier or post or require persons waiting to enter omnibuses to wait in any line or queue so as to interfere with or render less convenient the access or exit from any station or depôt of the London and North Eastern Railway Company.

(2) Any byelaws made by the Corporation under this section shall be made subject to and in accordance with the provisions with respect to the making of byelaws of the Tramways Act 1870.

56.—(1) The Corporation may from time to time make regulations prescribing within the central area—

Regulations for controlling traffic.

- (a) the routes to be taken by all vehicles or by any particular class or description of vehicle either generally or during particular hours and that in certain streets within that area vehicular traffic shall pass in one direction only ;
- (b) the stands to be occupied exclusively by omnibuses of any particular class or description or used on any particular route and running a regular service according to a published timetable ;

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(c) the time during which any omnibus shall be allowed to remain at any one stand; and

(d) the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers:

Provided that no regulation made under paragraph (a) of this subsection shall apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the borough whilst so engaged.

(2) No regulation made under this section shall come into operation except with the approval of the Minister of Transport and the Minister may approve the same with or without modifications or may disallow the same. Provided that before considering any regulation the Minister shall direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation shall pay to the Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the Minister for the services of such person.

(3) Such regulations shall take effect as approved by the Minister of Transport and shall come into force on a date to be fixed by him.

(4) The Corporation shall cause to be given at least fourteen days' notice of the intention to hold such local inquiry together with particulars of any proposed regulations by advertisement in a newspaper published or circulating in the borough and in the London Gazette.

(5) The Minister of Transport in considering any regulation under this section shall have all proper regard to the necessities of through locomotive traffic and of persons who own or use locomotives and shall consider any representations made to him.

(6) Any person who shall contravene any such regulation after warning given by word or signal by a police constable stationed in the street to direct the traffic shall be liable to a penalty not exceeding forty shillings.

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertise-

ment in a newspaper published or circulating in the borough and otherwise in such manner as may be prescribed by the Minister of Transport. A.D. 1924.

(8) A copy of any regulations approved under this section purporting to be signed by the town clerk and certified by him to be a true copy and to have been duly approved shall be evidence until the contrary is proved in all legal proceedings of the due making approval and existence of such regulations without further or other proof.

(9) For the purposes of this section the central area means the portion of the borough comprised within a radius of one mile from North Shields railway station.

57.—(1) Any person intending to organise or form a procession in or through the streets of the borough for the purposes of holding a meeting show or entertainment (other than processions which are regularly organised or formed by the same person and held in or through such streets) shall give written notice thereof and of the route proposed to be taken and of the time at which it will take place to the Corporation by leaving such notice at the chief constable's office North Shields twenty-four hours at least (exclusive of Sundays) previous to the time fixed for such procession to pass through the streets. Notice of processions to be given.

(2) If any such procession passes through the streets of the borough without such notice having been previously given or otherwise than in accordance with such notice the person organising or conducting such procession or any or either of them shall be liable to a penalty not exceeding twenty shillings.

58.—(1) Notwithstanding anything contained in the Highway Act 1835 or in the Town Police Clauses Act 1847 no person shall act as the driver of or have the care of more than one cart wagon or carriage each drawn by an animal or animals in any street of the borough and no person shall fasten or allow to be fastened to the rear of any such cart wagon or carriage any other cart wagon or carriage drawn by an animal or any animals drawing a cart wagon or carriage. No person to have care of more than one cart.

(2) Any person acting in contravention of this section shall be liable to a penalty not exceeding twenty shillings.

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PART IX.

HACKNEY CARRIAGES.

Inspection
and certi-
fication
of taxi-
meters.

59.—(1) The Corporation may require any taximeter or other similar apparatus used or intended to be used on any hackney carriage regularly plying for hire within the borough to be tested and inspected and they may also require any taximeter or other similar apparatus to be re-tested and re-inspected at such reasonable intervals of time as the Corporation may prescribe and no such taximeter or other similar apparatus shall be used or be continued in use unless the same be certified to register correctly and the expenses of such testing and certificate not exceeding five shillings in any one year shall be borne by the owner of the hackney carriage.

(2) The Corporation shall issue a certificate in respect of any taximeter found by them to register correctly and such certificate shall be dated with the date upon which such taximeter was last tested and inspected.

(3) Any person using a taximeter or other similar apparatus in the borough which is not so certified or failing to submit the same for testing and inspection at such reasonable intervals of time as aforesaid shall be liable to a penalty not exceeding forty shillings.

As to public
vehicles
taken at
railway
stations.

60. The provisions of the Town Police Clauses Act 1847 and the byelaws of the Corporation with respect to hackney carriages shall be as fully applicable in all respects to hackney carriages standing or plying for hire at any railway station or railway premises within the borough as if such railway station or railway premises were a stand for hackney carriages or a street:

Provided that the provisions of this section shall not apply to any vehicle belonging to and used by the London and North Eastern Railway Company for the purpose of carrying passengers and their luggage to or from any of their railway stations or railway premises or to the driver or conductor of such vehicle:

Provided also that nothing in this section shall empower the Corporation to fix the site of the stand or starting place of any hackney carriage in any railway station or railway premises or in any yard belonging to the London and North Eastern Railway Company except with the consent of that company.

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61. An occasional licence for a hackney carriage or omnibus to ply for hire may be granted by the Corporation to be in force for such day or days or other periods less than one year as may be specified in the licence.

Power to grant occasional licences for hackney carriages and omnibuses.

62. No person shall be entitled to drive a motor vehicle licensed by the Corporation as a hackney carriage unless he shall have satisfied the Corporation of his ability to drive and for that purpose the Corporation may impose such reasonable test as they may think fit.

Power to impose test on motor drivers of hackney carriages.

PART X.

SALE OF COKE.

63.—(1) Where any coke sold or represented to be sold in the borough as a load by weight and exceeding two hundredweights in quantity is delivered by means of any vehicle to a purchaser the seller of such coke shall deliver or cause to be delivered or to be sent by post or otherwise to the purchaser or to his servant before any part of such load is discharged a ticket or note as nearly as may be according to the form in the Third Schedule to the Weights and Measures Act 1889 or according to a form to the like effect.

Weight ticket or note on delivery of coke over two hundredweights.

(2) If default is made in complying with the requirements of this section with respect to the delivery or sending of a ticket or note or if the quantity of coke delivered or in course of delivery is less than the quantity expressed in the ticket or note the seller thereof shall be liable to a penalty not exceeding five pounds.

(3) If any person attending on any such vehicle having received any such ticket or note for delivery to the purchaser refuses or neglects to deliver it as required by this section or on being requested so to do to exhibit it to any inspector of weights and measures or other officer appointed for the purpose by the Corporation he shall be liable to a penalty not exceeding five pounds.

64.—(1) Coke shall not be sold in the borough from any vehicle in any quantity exceeding fourteen pounds but not exceeding two hundredweights unless there is carried on the vehicle a weighing instrument together with correct weights or counterpoises or an accurate measure stamped by an inspector of weights and measures.

Weighing instrument or measure to be carried on vehicle.

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(2) In the case of any contravention of this section the person in charge of the vehicle and any person selling coke therefrom shall be liable to a penalty not exceeding five pounds.

Regulating
sale of
coke under
two
hundred-
weights.

65.—(1) Every person who shall exercise or carry on in the borough the trade of a hawker or seller of coke in quantities not exceeding two hundredweights shall cause his name and place or places of business to be registered in the books of the weights and measures department at the inspector's offices in the borough and on each and every occasion on which he shall change or discontinue his registered place or places of business or any of them he shall within three days thereafter cause to be registered in the said books particulars of such change or discontinuance.

(2) Every person who shall sell offer or expose for sale or cause to be sold offered or exposed for sale in the borough coke in a quantity exceeding fourteen pounds but not exceeding two hundredweights shall sell the same or offer or expose the same for sale in sacks with a metal label with figures not less than three-quarters of an inch in height affixed to the top of every such sack indicating the correct legal weight or measure of coke therein.

(3) Every person who shall sell offer or expose for sale or cause to be sold offered or exposed for sale from any vehicle in the borough coke in quantities not exceeding two hundredweights shall have the name and address of the seller of such coke and a statement of the fact that he is registered pursuant to the provisions of this section conspicuously painted upon such vehicle. Any person who shall fail to comply with the foregoing provisions of this section shall be liable on the first occasion to a penalty not exceeding forty shillings and on the second or any subsequent occasion to a penalty not exceeding five pounds.

(4) If any seller of coke or any person in charge of any vehicle from which coke is being sold or offered or exposed for sale in the borough in quantities not exceeding two hundredweights wilfully makes any false statement as to the weight of the coke in any sack or wilfully increases such weight by damping such coke or wilfully does any other act by which the purchaser of the coke shall be defrauded he shall be liable for every

such offence on the first occasion to a penalty not exceeding five pounds and on the second or any subsequent occasion to a penalty not exceeding ten pounds.

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(5) Public notice of the provisions of this section shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the town hall and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained. The production of copies of the newspapers containing the advertisement shall be sufficient evidence that the provisions of this subsection as to advertisements in newspapers have been complied with.

66.—(1) Any person purchasing coke in the borough in a quantity exceeding two hundredweights and any inspector of weights and measures or other officer appointed for the purpose by the Corporation may subject as hereinafter provided require that any coke sold as mentioned in the section of this Act of which the marginal note is “Weight ticket or note on delivery of coke over two hundredweights” or any vehicle used for the carriage of such coke be weighed or re-weighed by any instrument stamped by an inspector of weights and measures.

Power to
require
weighing or
re-weighing
of coke and
vehicles.

(2) Any person purchasing coke in the borough in a quantity exceeding fourteen pounds but not exceeding two hundredweights and any inspector of weights and measures or other officer appointed by the Corporation may subject as hereinafter provided require that any coke sold offered or exposed for sale as mentioned in the section of this Act of which the marginal note is “Regulating sale of coke under two hundredweights” be weighed or re-weighed or measured or re-measured by any instrument or measure stamped by an inspector of weights and measures.

(3) Provided that—

(a) No seller of coke or person in charge of a vehicle in which coke is carried in the borough shall be required under this section to carry coke beyond such distance not exceeding half a mile as may be prescribed in that behalf by the Corporation ;

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(b) Where any such coke or vehicle has at the instance of the purchaser been weighed or re-weighed or measured or re-measured in pursuance of this section and found to be of the weight or measure stated in that behalf by the seller of the coke or the person in charge of the vehicle the purchaser shall be liable to the payment of all reasonable costs actually incurred of and incidental to the weighing or re-weighing or measuring or re-measuring.

(4) If any person obstructs any weighing or re-weighing or measuring or re-measuring authorised by this section he shall be liable for every such offence to a penalty not exceeding five pounds.

(5) Any inspector of weights and measures may with the consent of the Corporation prosecute before a court of summary jurisdiction or justices any proceedings under this section or under either of the two other sections of this Act which are in this section before referred to.

PART XI.

FINANCE.

Expenses of
execution
of Act.

67. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (with respect to which no other provision is made and except such expenses as are to be paid out of borrowed money) shall be paid as follows (that is to say):—

- (1) Expenses incurred for purposes of the water undertaking out of the revenue of that undertaking :
- (2) Expenses incurred for purposes of the fish quay undertaking out of the revenue of that undertaking :
- (3) Expenses incurred for purposes of the electricity undertaking out of the revenue of that undertaking :
- (4) Expenses incurred for sanitary purposes out of the district fund and general district rate :
- (5) Expenses incurred for all other purposes (not otherwise provided for in this Act) out of the borough fund and borough rate.

68.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the third column thereof (namely):—

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—
Power to
borrow.

Purpose.	Amount.	Period.
(a) For excess expenditure on the waterworks by the Act of 1916 authorised.	£ 9,900	50 years from the date or dates of borrowing.
(b) For excess expenditure on mains extension of mains and service pipes.	9,100	30 years from the date or dates of borrowing.
(c) For the completion of the duplication of the Font Gravitation Main Work No. 6 by the Tynemouth Corporation (Water) Act 1898 authorised in addition to the moneys which they are already authorised to borrow for that purpose.	88,383	60 years from the date or dates of borrowing.
(d) For the purchase of lands and easements for and the construction of the waterworks by this Act authorised.	44,000	50 years from the date or dates of borrowing.
(e) For additional filter beds	12,000	30 years from the date or dates of borrowing.
(f) For new mains extensions of mains and service pipes and other waterworks purposes.	50,000	30 years from the date or dates of borrowing.
(g) For paying the costs charges and expenses of this Act.	The sum requisite.	5 years from the passing of this Act.

(2) The Corporation may also with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act and any money borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Minister of Health.

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(3) In order to secure the repayment of any money borrowed under this section and the payment of interest thereon the Corporation may mortgage or charge:—

(a) As regards money borrowed for the purposes (a) (b) (c) (d) (e) and (f) mentioned in subsection (1) of this section the district fund and general district rate;

(b) As regards money borrowed for the purpose (g) mentioned in subsection (1) of this section the revenue of the water undertaking the district fund and general district rate and the borough fund and borough rate in equal proportions;

(c) As regards money borrowed with the consent of the Minister of Health such revenue fund or rate as may be prescribed by that Minister.

(4) The provisions of this section shall not limit the powers conferred upon the Corporation by section 133 (Power to use one form of mortgage for all purposes) of the Act of 1916.

As to
mortgages
of Corpora-
tion.

69.—(1) All mortgages from time to time granted by the Corporation under the Act of 1897 the Act of 1898 the Act of 1907 the Act of 1916 and this Act shall rank together without any priority on account of the dates of the respective mortgages or on any other account and notice of the effect of this enactment shall be endorsed on every such mortgage.

(2) Subject to the provisions of section 133 (Power to use one form of mortgage for all purposes) of the Act of 1916 the following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):—

Section 236 (Form of mortgage);

Section 237 (Register of mortgages);

Section 238 (Transfer of mortgages).

Amendment
of section
128 of Act
of 1916.

70. Section 128 (Regulations as to sinking fund) of the Act of 1916 shall be read and have effect as if in lieu of the words "three pounds per centum per annum" the words "three pounds ten shillings per centum per annum or such other rate as the Minister of Health may from time to time approve" had been inserted in paragraph (1) of that section.

71. The following provisions of the Act of 1907 and of the Act of 1916 as amended by this Act shall with any necessary modifications extend and apply to the exercise of the powers of this Act as if the same were re-enacted in this Act namely:—

A.D. 1924.

—
Application
of financial
provisions
of Acts of
1907 and
1916.

Act of 1907—

- Section 28 (Regulations of Public Health Act 1875 not to apply to borrowing powers);
Section 29 (Application of Local Loans Act 1875);
Section 30 (Protection of lender from inquiry);
Section 31 (Corporation not to regard trusts);
Section 32 (Return to Local Government Board as to repayment of debt).

Act of 1916—

- Section 4 (Interpretation);
Section 124 (Application of money borrowed);
Section 126 (Appointment of receiver);
Section 127 (Mode of payment off of money borrowed);
Section 128 (Regulations as to sinking fund);
Section 130 (Audit of accounts);
Section 131 (Application of moneys from sale &c. of land).

72. In all cases in which the Corporation keep separate accounts for separate purposes they may apportion between or carry to any of those accounts any receipts credits payments and liabilities which from time to time it appears to the Corporation ought to be so apportioned.

Apportionment of items.

PART XII.

MISCELLANEOUS.

73.—(1) The Corporation may if they think fit in cases not within the Workmen's Compensation Act 1906 or the School Teachers (Superannuation) Act 1918 and not entitled to benefits under a scheme established under the Local Government and other Officers Superannuation Act 1922 grant a gratuity of any sum (not exceeding two years' pay) to any of their officers or servants who may be disabled or injured in their service or may become incapacitated through age sickness or other infirmity or to the widow or family of any such officer or servant who may die in their service.

Power to grant gratuities in certain cases.

A.D. 1924.

(2) Every such gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or been paid if he had continued in his office or service.

(3) In and for the purposes of this section the expression "officers or servants" shall include any teacher who is not entitled to a gratuity under the School Teachers (Superannuation) Act 1918 and who at the date of the passing of this Act is or shall thereafter be permanently and exclusively employed by the Corporation as the local education authority for the borough or permanently and exclusively employed in any public elementary school in the borough (whether provided by the Corporation as the local education authority or not so provided) or permanently and exclusively employed in any school college or hostel provided by the Corporation for the purposes of higher education under the provisions of the Education Act 1921.

Application
of miscel-
laneous
provisions
of Act of
1916.

74. Subject to the provisions of this Act the following provisions of the Act of 1916 as amended by this Act shall with any necessary modifications extend and apply for the purposes of this Act as if the same were re-enacted in this Act namely:—

- Section 148 (Confirmation of byelaws);
- Section 149 (Consent of Corporation to be in writing);
- Section 151 (Evidence of appointments authority &c.);
- Section 153 (Penalty on occupiers refusing execution of Act);
- Section 154 (Persons acting in execution of Act not to be personally liable);
- Section 157 (Application of Arbitration Act 1889);
- Section 159 (Compensation how to be determined);
- Section 161 (Informations by whom to be laid);
- Section 162 (Judges not disqualified);
- Section 163 (Recovery of penalties &c.);
- Section 164 (Penalties to be paid over to treasurer);
- Section 165 (As to appeal);
- Section 166 (Saving for indictments &c.);

Section 167 (Inquiries by Local Government Board); A.D. 1924.

Section 168 (Powers of Act cumulative):

Provided that for the purposes of this Act the said section 153 shall only apply to or in respect of any requirement of the Corporation under the provisions of Part V. (Streets buildings sewers and drains) Part VI. (Human food) or Part VII. (Sanitary and infectious diseases) of this Act or any byelaw made under any of those provisions. Provided also that for the same purposes subsection (2) of the said section 167 shall be read and have effect as if in lieu of the words "three guineas" the words "five guineas" had been inserted therein.

75.—(1) Nothing contained in this Act or any Act incorporated herewith shall in any way affect lessen or interfere with the powers of the river police of the Tyne Improvement Commissioners (in this section called "the commissioners") and all such powers may be exercised in the same manner and to the same extent as if this Act and the said byelaws had not been passed or made. For protection of Tyne Improvement Commissioners.

(2) Notwithstanding anything in this Act contained the Corporation shall not erect or maintain or authorise any company or person to erect or maintain any barriers or posts or require persons waiting to enter omnibuses to wait in any line or queue so as to interfere with the proper working of or render less convenient the access to or exit from any ferry landing or landings belonging to the commissioners.

(3) Notwithstanding anything in this Act contained the Corporation shall not construct any works or do any act or thing under the powers of this Act which will in any way obstruct lessen or interfere with the visibility to mariners of the commissioners' high and low light-houses at North Shields or of any light therefrom or with the access to or egress from the said low lighthouse or the commissioners' groynes at the northern wave trap.

(4) Save as in this Act provided nothing in this Act contained shall in any manner prejudice diminish alter or take away any of the rights or privileges or any power jurisdiction or authority now vested in or enjoyed by the commissioners but all such rights and privileges and every such power jurisdiction or authority shall save as

A.D. 1924. — aforesaid continue and be in force as if this Act had not been passed.

Crown
rights.

76. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of
Act.

77. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the water revenue or the borough fund and borough rate and the district fund and general district rate in equal proportions or out of moneys to be borrowed under this Act for that purpose.

The SCHEDULE referred to in the foregoing Act. A.D. 1924.

DUES ON VESSELS.

Herring boats (steam motor and sailing drifters)—

	£	s.	d.
Season's dues—Any number of landings between 1st May and the next 30th September (both days inclusive) - - - - -	1	19	0
First 13 landings with herrings in any season per landing	0	3	0
Any additional landing with herrings by the same vessel in the same season free.			
Occasional herring boats - - - per landing	0	3	0
Herring yawls and cobbles - - - per landing	0	0	9
Trawlers and line boats—			
Steam—First four landings in each week by a vessel of—			
50 tons nett registered tonnage or over per landing	0	5	0
Under 50 tons nett registered tonnage per landing	0	4	0
Sailing—First four landings in each week per landing	0	4	0
Any additional landings by the same boat (steam or sail) in the same week free.			
Refuge boats (not being herring boats which have paid season's dues) - - - per entry	0	3	0
Trawling and line cobbles if landed at the quays per landing	0	1	6
Trawling and line cobbles if landed at the steps or beach per landing	0	0	9
Salmon fishing craft using the fish quays for the purpose only of shipping or discharging their nets gear &c. each time - - - - -	0	0	2
For every vessel moored at the fish quays and not being engaged in the fish trade - per registered ton per day or part of a day	0	0	0 $\frac{1}{4}$

(The above charges are exclusive of general charges
upon all fish landed See below.)

Description.	Wharfage only.		Wharfage and crannage together.		A.D. 1924.
	s.	d.	s.	d.	
China glass and ware per crate not exceeding 1 cwt. - - - - -	0	4	0	9	
Crate wood per 120 pieces not exceeding 1 cwt. - - - - -	0	9	1	2	
Crate rods per 12 bundles not exceeding 1 cwt. - - - - -	0	6	1	0	
Flour - - - - - per ton	0	6	1	6	
Fireclay - - - - - "	0	4	0	9	
Fish or herrings (fresh) per box or barrel (import) not exceeding 2 cwts. - - -	0	3	0	4	
Fish or herrings (fresh) per box or barrel (export) not exceeding 2 cwts. - - -	0	1	0	2	
Fish or herrings (cured) per barrel not exceeding 26 $\frac{2}{3}$ gallons - - - - -	0	1 $\frac{1}{2}$	0	2	
Flint stone - - - - - per ton	0	4	0	9	
Felspar glaze - - - - - "	0	4	0	9	
Grain or seeds - - - - - "	0	4	1	0	
Ice - - - - - "	0	4	0	9	
Kerb and paving stones - - - - - "	0	6	1	0	
Lathwood - - - - - "	0	4	0	10	
Manufactured iron - - - - - "	0	4	1	3	
Old rope and rags - - - - - "	0	6	1	6	
Paving flags - - - - - "	0	6	1	0	
Soda - - - - - "	0	6	1	3	
Scrap iron - - - - - "	0	6	1	0	
Salt - - - - - "	0	6	1	0	
Sand - - - - - "	0	6	1	0	
Slag - - - - - "	0	6	1	0	
Whiting - - - - - "	0	6	1	0	
All goods not enumerated above "	0	6	1	0	

TIMBER.

All timber except deals not exceeding 3 tons - - - - - per ton	0	4	1	6
Above 3 tons and not exceeding 4 tons - - - - - "	0	4	2	6
Deals- - - - - "	0	4	0	9
All fir and other timber not being high-class hardwood to be charged at 50 cubic feet to the ton.				
All hardwood such as oak and mahogany to be charged at 40 cubic feet to the ton.				

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Description.	Wharfage only.		Cranage only.	
	s.	d.	s.	d.
Every (butt) 108 gallons of ale - - -	0	9	0	9
Every (hogshead) 54 gallons of ale - - -	0	4	0	4
Every (barrel) 36 gallons of ale - - -	0	3	0	3
Every ($\frac{1}{2}$ barrel) 18 gallons of ale - - -	0	2	0	2
Oil in casks upwards of 10 cwts. - - -	0	9	0	9
Oil in casks under 10 cwts. - - -	0	6	0	6
Oil in casks under 5 cwts. - - -	0	4	0	4
Spirits wines and cordials in bottles per 6 gallons or part thereof - - -	0	2	0	3
Spirits wines and cordials otherwise than in bottles per cask barrel or receptacle of any kind containing :—				
Less than 10 gallons - - -	0	4	0	3
10 gallons or more but under 63 gallons	0	9	0	5
63 gallons or more but under 84 gallons	1	0	0	6
84 gallons or more but under 126 gal- lons - - -	1	6	1	2
126 gallons or more but under 252 gal- lons - - -	2	3	1	6
252 gallons or more - - -	4	6	3	0

CRANAGE RATES ONLY.

ELECTRIC AND STEAM CRANE.

The cranage rate for every cask box bag or piece of merchandise not enumerated in the foregoing list :—

	s.	d.
If not exceeding 5 cwt. - - -	0	3
Exceeding 5 cwt. and not exceeding 10 cwt. - -	0	6
Exceeding 10 cwt. and not exceeding 1 ton - -	1	0
Exceeding 1 ton and not exceeding $1\frac{1}{2}$ tons - -	1	6
Exceeding $1\frac{1}{2}$ tons and not exceeding 2 tons per ton or part of a ton	2	3
Exceeding 2 tons and not exceeding 3 tons per ton or part of a ton	3	9
Exceeding 3 tons and not exceeding 4 tons per ton or part of a ton	5	0
Exceeding 4 tons and not exceeding 5 tons per ton or part of a ton	7	6
Exceeding 5 tons such reasonable sum as the Corporation may from time to time prescribe.		

These charges for cranage include only the lifting from the river or vessel to the fish quays or cart if ready. If no cart or conveyance is ready the lifting a second time to be subject to an additional charge of one-half of the scale charge for the first lifting.

WEIGHAGE CHARGES.

A.D. 1924.

	<i>s.</i>	<i>d.</i>	—
For all goods not exceeding 1 ton in weight per weigh	0	4	
Exceeding 1 ton and not exceeding 2 tons in weight per weigh	0	6	
Exceeding 2 tons and not exceeding 5 tons in weight per weigh	1	6	
Exceeding 5 tons and not exceeding 10 tons in weight per weigh	3	0	
Exceeding 10 tons such reasonable sum as the Corporation may from time to time prescribe.			

In each case the charge shall be made and be payable on the gross weight but no charge shall be made for the weighage of vehicles weighed for the purpose of tare.

RATES ON PASSENGERS AND THEIR LUGGAGE LANDING OR EMBARKING AT THE FISH QUAYS.

PASSENGERS.

	<i>s.</i>	<i>d.</i>
For each person not being a member of the crew of a vessel lying at the quays - - - - -	0	1½

LUGGAGE.

For every 28 lbs. or part thereof exceeding 1 cwt. -	0	1½
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FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of
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