



CHAPTER xxxiii.

An Act to confer further powers on the Tyne Improvement Commissioners to amend the Acts relating to the Commissioners to make provision as to the maintenance and repair of the Swing Bridge over the Tyne and matters incidental thereto and for other purposes.

A.D. 1925.

[30th June 1925.]

WHEREAS by the Tyne Improvement Acts 1850 to 1920 the Tyne Improvement Commissioners (in this Act called "the Commissioners") were constituted and incorporated and empowered to execute extensive works for the improvement of the River Tyne within the limits of the port of Newcastle-upon-Tyne and to construct and maintain docks piers and other works and to borrow money :

And whereas the Commissioners in pursuance of provisions contained in the Tyne Improvement Act 1861 and the Tyne General Ferry Act 1862 have acquired from the North and South Shields Ferry Company their undertaking rights and powers including the ferries known respectively as the Market Place Ferry the Whitehill Point Ferry and the Direct Ferry :

And whereas by the Tyne Improvement Acts 1850 to 1920 the Commissioners are authorised to levy various dues rates tolls and charges and by the Tyne Improvement Act 1920 (inter alia) the amount of the tolls and charges in respect of the conveyance of passengers on the Commissioners' ferries was temporarily increased and

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And whereas it is expedient to amend the powers of the Commissioners with respect to the fixing of rates for towage and to provide for the revision of those rates from time to time :

And whereas it is expedient to confer powers on the Commissioners with respect to the licensing of dredging operations within the limits of their jurisdiction and to enact further provisions for the prevention of obstruction or injury to the port :

And whereas it is expedient to confer powers on the Commissioners with respect to the licensing of foyboatmen :

And whereas it is expedient to empower the Commissioners to make byelaws with respect to the loading of petroleum :

And whereas it is expedient to empower the Commissioners to sell lease or dispose of all or any part of their ferry undertaking as by this Act provided :

And whereas doubts have arisen as to the date for repayment of the $4\frac{1}{4}$ per cent. debenture stock issued by the Commissioners under the Tyne Improvement Act 1877 (of which the nominal amount of 100,570*l.* remains outstanding) and it is expedient to remove such doubts :

And whereas the ancient bridge over the Tyne (known as the Tyne Bridge) including the bridge as rebuilt in or shortly after the year 1779 was until the enlargement of the bridge under the Act next herein recited vested in and repairable by the mayor aldermen and burgesses of the borough of Newcastle-upon-Tyne (hereinafter called "the Corporation") as to two-thirds of the bridge and by the See of Durham as to the remaining one-third thereof :

And whereas by the Act 41 Geo. III. c. 67 certain trustees appointed under a previous Act were authorised to widen and enlarge the bridge and in order to keep the Corporation and the Bishop of Durham indemnified

against any increased charges in the repair and maintenance of the bridge due to the widening and enlargement thereof the trustees were authorised to levy certain tolls for a period of 21 years and were required to raise the sum of 1,000*l.* to be invested (together with the income accruing thereon) in the names of the Corporation and the Bishop of Durham and to be and remain a fund for the future maintenance support and repair of the widened portion of the bridge :

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And whereas by section 5 of the said Act of 1801 it was provided that after the expiration of the said term of twenty-one years during which the said tolls could be levied the Corporation and the Bishop of Durham or his successors should out of the said fund cause the widened portion of the bridge to be supported maintained and kept in repair in so far as such fund would enable them so to do but no farther and so as not to reduce the fund below the sum of 1,000*l.*

And whereas the Ecclesiastical Commissioners for England have acquired the estates of the See of Durham and the liabilities and obligations of the said See in respect of the bridge and the rights of the See in the said fund are now vested in the Ecclesiastical Commissioners :

And whereas by the Tyne Improvement Act 1861 the Commissioners were authorised to pull down the said bridge and to re-build the same with an opening span and by sections 69 and 72 of that Act it was enacted as follows :—

“ 69. It shall be lawful for the said Commis-
“ sioners, the Mayor Aldermen and Burgesses of
“ the Borough of Newcastle upon Tyne and the
“ Ecclesiastical Commissioners of England and
“ Wales, to appropriate and apply the interest
“ and dividends of any sum of money now
“ standing in the names of the said Mayor
“ Aldermen and Burgesses for the purpose of
“ protecting them, the said Mayor Aldermen
“ and Burgesses and the See of Durham, against
“ the charge of the repair of a part of the ancient
“ bridge of Newcastle upon Tyne, as they shall
“ think fit, to the purposes of repairing and
“ maintaining the new bridge to be erected by
“ authority of this Act, in place of the said

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“ ancient bridge; but not to any greater extent
“ than they were liable to contribute to the
“ maintenance and repair of the ancient bridge ”

“ 72. The Commissioners shall from time to
“ time maintain and repair all such machinery
“ as shall be necessary for the due and proper
“ working of the openings and moving platform
“ in the said new bridge of Newcastle upon Tyne,
“ and pay all expenses incurred in such mainten-
“ ance and repair, and in the working thereof :
“ Provided always, that, save as aforesaid, nothing
“ herein contained shall impose or extend any
“ liability of the Commissioners in and about
“ the maintenance and repair of the new bridge
“ or shall take from or diminish the liability
“ of the Mayor Aldermen and Burgesses of
“ Newcastle upon Tyne and the Ecclesiastical
“ Commissioners, or either of them, in and
“ about the maintenance and repair of the new
“ bridge when completed, but, save as aforesaid,
“ the new bridge and the approaches thereto, shall
“ be maintained and repaired in the same manner
“ and by the said parties and in the same
“ proportions as the existing bridge ” :

And whereas other provisions were enacted with reference to the re-built bridge by sections 57 58 and 59 of the Tyne Improvement Act 1865 and divers agreements have been entered into between the Commissioners the Corporation and the Ecclesiastical Commissioners or some of them with reference to the bridge :

And whereas in pursuance of the said Act of 1861 the Commissioners pulled down the old bridge and built in its place a new one with a moving or opening platform and this new bridge known as and hereinafter called “ the Swing Bridge ” was completed in 1876 :

And whereas the said sum of 1,000*l.* was invested and stands in the name of the Corporation alone and the said sum with the accumulations thereon (hereinafter called “ the said fund ”) is now represented by investments and cash of a present total value of about 9,500*l.* :

And whereas the Swing Bridge connects the city and county of Newcastle upon Tyne and the county borough of Gateshead and is much used by vehicles and pedestrians ;

And whereas disputes have arisen between the Commissioners the Corporation and the Ecclesiastical Commissioners as to the respective liabilities of those bodies under the aforesaid enactments and agreements with respect to the maintenance and repair of the Swing Bridge and the machinery for the working of the openings and moving platform thereof and as to the application of the said fund and it is expedient that provision be made as in this Act contained with reference to the maintenance and repair of the Swing Bridge and of the said machinery and the application of the said fund and that the Ecclesiastical Commissioners be entirely relieved from all such liabilities on the terms in this Act mentioned :

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And whereas it is expedient that further powers be conferred on the Commissioners as by this Act provided and that the other provisions of this Act be enacted :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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) :—

1.—(1) This Act may be cited as the Tyne Improvement Act 1925.

Short and collective titles.

(2) The Tyne Improvement Acts 1850 to 1920 and this Act may be cited together as the Tyne Improvement Acts 1850 to 1925.

2.—(1) The Harbours Docks and Piers Clauses Act 1847 (so far as the same is applicable for the purposes of this Act and not varied by or inconsistent with this Act or the existing Acts) is subject as hereinafter mentioned incorporated with and forms part of this Act and for the purposes of such incorporation the expression "special Act" used in the said Act of 1847 shall mean this Act.

Incorporation and application of Harbours Docks and Piers Clauses Act 1847.

(2) Notwithstanding anything in the existing Acts or this Act or the incorporation with those Acts or any of them of the Harbours Docks and Piers Clauses

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A.D. 1925. Act 1847 or any part thereof the following provisions shall have effect (namely):—

- (a) Sections 16 to 19 of the said Act of 1847 shall not be incorporated with the existing Acts or any of them or this Act or apply to the Commissioners unless and except only so far as the Commissioners shall be required by the Board of Trade to provide and maintain a lifeboat and tide and weather gauge;
- (b) In the application of the said Act of 1847 to the existing Acts or any of them or this Act the expressions "packet boat" and "Post Office packet" used in the first mentioned Act shall mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and the expression "Post Office bag of letters" shall mean a mail bag as defined by the same Act;
- (c) Nothing in the said Act of 1847 or in the existing Acts or this Act shall extend to exempt from rates or duties any such vessels as aforesaid if she also conveys passengers or goods for hire;
- (d) Section 23 of the said Act of 1847 shall in its application to the Commissioners have effect as if the proviso to that section were omitted therefrom; and
- (e) Section 50 of the said Act of 1847 shall in its application to the Commissioners have effect as if the words "three months" were therein inserted instead of the words "one month."

(3) The provisions of paragraphs (a) (b) and (c) of subsection (2) of this section shall supersede the proviso of section 70 of the Act of 1897 and the proviso to section 2 of the Act of 1907 and provisos (c) (d) and (e) to section 2 of the Act of 1920 all which said provisos are hereby repealed.

Incorporation and application of Commissioners Clauses Act 1847.

3.—(1) The provisions of the Commissioners Clauses Act 1847 hereinafter mentioned shall (subject to the provisions of the existing Acts and this Act and so far as not varied by or inconsistent with those Acts or any of them) apply to the Commissioners and be

deemed to be incorporated with each of the existing Acts and this Act so far as applicable to the provisions of those respective Acts For the purpose of such incorporation the expression "special Act" in the said Act of 1847 shall be deemed to mean and include each and every of the existing Acts and this Act. A.D. 1925.

The provisions of the said Act of 1847 above referred to are the provisions with respect to—

The qualification of Commissioners;

The meetings and other proceedings of the Commissioners and their liabilities except sections 36 40 48 and 54;

The contracts to be entered into and the deeds to be executed by the Commissioners;

The liabilities of the Commissioners and legal proceedings by or against the Commissioners;

The appointment and accountability of the officers of the Commissioners except section 68;

The mortgages to be executed by the Commissioners except so much of sections 75 and 77 as relates respectively to Schedule (B) and Schedule (C) annexed to the said Act of 1847 and sections 84 and 85;

The making of byelaws;

Giving notices and orders.

(2) The provisions of subsection (1) of this section shall supersede any provision of any of the existing Acts which incorporates or implies the incorporation therewith of the said Act of 1847 or any provisions of that Act and save as mentioned in subsection (1) of this section the provisions of the Commissioners Clauses Act 1847 shall not apply to the Commissioners or be or be deemed to be incorporated with any of the existing Acts or this Act.

4.—(1) In this Act unless the subject or context otherwise requires— Definitions.

Words and expressions to which meanings are assigned by the Harbours Docks and Piers Clauses Act 1847 have the same respective meanings except as otherwise in this Act expressly provided; and

"The Act of 1850" means the River Tyne Improvement Act 1850;

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“The Act of 1861” “the Act of 1865” “the Act of 1867” “the Act of 1872” “the Act of 1875” “the Act of 1877” “the Act of 1886” “the Act of 1890” “the Act of 1897” “the Act of 1907” and “the Act of 1920” respectively mean the Tyne Improvement Acts of those respective years;

“The existing Acts” means the Tyne Improvement Acts 1850 to 1920;

“The river” and “the Tyne” respectively mean the parts of the River Tyne within the jurisdiction of the Commissioners under the existing Acts;

“The secretary” means the secretary of the Commissioners;

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

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

“Owner” where used with reference to a vessel shall be deemed to include any charterer to whom the vessel is demised;

“Daily penalty” means a penalty for each day on which an offence is continued after conviction.

(2) In the existing Acts and this Act and in the application to the Commissioners of the Harbours Docks and Piers Clauses Act 1847—

“The port” means the port of Newcastle-upon-Tyne as defined by section 3 of the Act of 1850 and extended by the Act of 1861 the Act of 1867 the Act of 1872 and the Act of 1907;

“Vessel” means ship lighter keel hulk barge tug boat raft and craft of every kind;

“Shipped” and “unshipped” respectively mean loaded on or discharged from any vessel.

The meanings given in this subsection to the expressions and words aforesaid shall supersede any meanings given to the same expressions or words in any of the existing Acts so far as the last mentioned meanings are inconsistent therewith.

5.—(1) The Commissioners may in respect of every floating dock pontoon caisson or similar structure (all of which are in this section included in the expression “floating dock”) built on the banks of and launched or floated into the Tyne and in respect of machinery placed in or on and used for the working of any such floating dock demand collect and recover the like dues as they are for the time being authorised to demand collect and recover in respect of a vessel built and launched in the Tyne and propelling machinery put on board such a vessel.

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As to
floating
docks
pontoons
&c.

(2) In respect of every floating dock built on the banks of and launched or floated into the Tyne the builder shall within seven days after such launching or floating send or deliver to the secretary a statement giving (i) the size and tonnage of the floating dock (ii) the names of the builder and of the owner of the floating dock of the manufacturer of any machinery placed in or on the floating dock and of the contractor or other person who placed it in position and (iii) the weight of such machinery Any builder neglecting or refusing to give such statement or knowingly giving or signing a false statement shall be liable to a penalty not exceeding five pounds.

(3) The dues on any such floating dock and on any such machinery shall be payable to the Commissioners at any time after the delivery of the statement relating thereto on demand being made for the same by the collector of rates The dues on such floating dock shall be paid by the builder thereof and the dues on the machinery shall be paid by the manufacturer or owner of the machinery or by the contractor or other person who placed it in position in or on the floating dock as the Commissioners may determine.

For the purposes of the application to any floating dock so built and launched or floated as aforesaid and to any such machinery as aforesaid of any of the provisions of any of the existing Acts or of this Act or of any Act incorporated therewith respectively with respect to the enforcement collection or recovery of any due rate toll or charge which is payable by the master of any vessel in respect of the vessel or by the owner of any goods in respect of the goods the expression “the master” shall mean the builder of the floating dock and the expression “the owner” shall include the

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(4) The Commissioners may demand collect and recover in respect of every floating dock admitted into the port all such and the like dues rates tolls and charges in every respect as they are for the time being authorised to demand collect and recover in respect of a vessel entering being in or leaving the port as though the expression "vessel" or any like expression included a floating dock and every such due rate toll or charge shall be paid by the owner broker or consignee of the floating dock as the Commissioners may in each case determine.

For the purposes of the application to any floating dock so admitted into the port of any of the provisions of any of the existing Acts or of this Act or of any Act incorporated therewith respectively with respect to the enforcement collection or recovery of any due rate toll or charge which is payable by the master of a vessel in respect of the vessel the expression "the master" shall mean the owner broker and consignee of the floating dock.

(5) Where under the provisions of this section a due rate toll or charge is payable in respect of a floating dock and the due rate toll or charge would if the floating dock were a vessel be calculated on the tonnage (whether gross or register) of the vessel the due rate toll or charge shall be calculated on what would be the register tonnage of the floating dock if it were a vessel.

Tonnage
rates on
vessels to be
broken up.

6.—(1) The Commissioners may in respect of every vessel admitted into the port for the purpose of being broken up and every vessel which though not admitted for that purpose is after entry into the port permitted by the Commissioners to be broken up demand collect and recover on the admission of the vessel into the port or on such permission as aforesaid being given (as the case may be) a tonnage rate of not exceeding one shilling per ton on the gross tonnage of the vessel and if the breaking up of any such vessel shall not have been completed within the period of six months from the date of its admission into the port or from the date on which the Commissioners shall have given permission for its breaking up (as the case may be) the Commis-

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sioners may also at the commencement of each and every period of six months subsequent to the date aforesaid until the breaking up of the vessel shall have been completed demand collect and recover in respect of such vessel or of such part thereof as shall not at the time have been broken up the same rate as that payable on such admission or the giving of such permission as aforesaid.

(2) Every such rate as is authorised by subsection (1) of this section shall be payable by the owner or master of the vessel in respect of which the rate is demanded and shall be payable in addition to any other dues rates tolls or charges which the Commissioners may impose in respect of such vessel including any dues payable under section 8 of the Act of 1877 as amended by subsequent Acts Provided that if any vessel is admitted into the port for the purpose of being broken up and does not (subsequently to such admission) receive deliver or discharge any cargo the Commissioners shall not levy in respect of that vessel the dues authorised by section 8 of the Act of 1877 in addition to the rates authorised by subsection (1) of this section.

7.—(1) The Commissioners may demand collect and recover for taking any wagon or truck laden with coal coke culm or cinders from any railway at the point of junction with the Commissioners' railways and conveying the same to and unloading the same at any quay wharf jetty staith or other work of the Commissioners and returning the empty wagon or truck to the railway from which it was taken such dues or charges to be calculated on the contents of the wagon or truck as the Commissioners may from time to time determine but not exceeding the following—

Shipment
 dues on
 coal &c.

- For any coal contained in such wagon or truck - - - five pence per ton
- For any coke culm and cinders contained in such wagon or truck - - - eight pence per ton.

(2) The dues and charges authorised by this section shall be payable in the case of coal and culm by the owner of the colliery from which the coal and culm was despatched and in the case of coke and cinders by the manufacturer or producer thereof.

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(3) The dues and charges authorised by this section shall (subject as Parliament may hereafter determine) continue in force for the period of ten years from the passing of this Act and thereafter for such further period as Parliament may allow.

(4) Schedule F. to the Act of 1867 and so much of section 24 of that Act as relates to that schedule and section 15 of the Act of 1877 are hereby repealed.

Continu-
ance of in-
crease of
ferry
passenger
tolls &c.

8.—(1) The words “During the period of five years from the passing of this Act” in section 16 (Increase of passenger tolls and charges on ferries) of the Act of 1920 are hereby repealed and accordingly it shall be lawful for the Commissioners to continue to demand collect and recover in respect of the conveyance of passengers by any of their ferries the increased tolls and charges mentioned in that section.

(2) Provided that after the passing of this Act—

(i) The tolls and charges for the conveyance of passengers by the Market Place and Whitehill Point Ferries shall not (except as hereinafter provided) be levied in any year at higher rates than will in that year yield with the other revenue of the ferry undertaking of the Commissioners (hereinafter called “the undertaking”) a sum as nearly as practicable equal to but not less than the estimated cost for that year of working the undertaking calculated on the basis of the traffic of the preceding year and as hereinafter provided;

(ii) If the said tolls and charges and other revenue shall in any year have been less than the cost for that year of working the undertaking the Commissioners shall be entitled to increase such tolls and charges in the succeeding year to such an extent (not exceeding the maximum authorised by the Tyne Improvement Acts 1850 to 1925) that the revenue of the undertaking in that year on the basis aforesaid shall not be less than the said estimated cost for that year of working the undertaking;

(iii) If in any year the tolls and charges and other revenue of the undertaking shall have

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exceeded the cost for that year of working the undertaking the Commissioners shall in the succeeding year reduce the tolls and charges of the undertaking or some or one of them to such an extent that the revenue of the undertaking in that year on the basis aforesaid shall not be more than the said estimated cost for that year of working the undertaking but not so that the revenue of the undertaking in that year on the basis aforesaid will be less than will meet the estimated cost for that year of working the undertaking;

- (iv) The Commissioners shall keep separate accounts of the undertaking and in order to ascertain the cost of working the undertaking in each year the Commissioners shall as soon as practicable after every thirty-first day of December and not later than three months from that date prepare and submit to the Tynemouth Corporation and to the South Shields Corporation (1) a capital account of the undertaking as at the first day of January of the year in which the account is submitted and (2) a statement of the revenue receipts and the revenue expenditure of the undertaking for the preceding year;
- (v) In the first capital account to be prepared and submitted as aforesaid the figure for the capital of the undertaking shall be 91,655*l.* (being the balance of the amount of the capital expenditure of the undertaking as at the first day of January nineteen hundred and twenty-five) plus any further capital expenditure incurred in the year nineteen hundred and twenty-five and minus any capital sums written off in that year. In subsequent capital accounts (in addition to all other sums properly included therein) credit shall be given for the sums provided for depreciation subsequent to the year nineteen hundred and twenty-five;
- (vi) In arriving at the cost whether estimated or actual of working the undertaking during

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each year subsequent to the year nineteen hundred and twenty-five the Commissioners shall credit or debit as the case may be any surplus or deficiency on revenue account from the preceding year and shall during each year (including the year nineteen hundred and twenty-five) be entitled to include as part of such cost (in addition to all other sums usually charged as revenue expenditure) sums for interest on the capital account as aforesaid and for depreciation of the assets of the undertaking;

- (vii) In the event of any dispute between the Commissioners and the Tynemouth Corporation and the South Shields Corporation or either of them as to the sum for capital inserted in any capital account (except the first) to be prepared and submitted as hereinbefore in this section provided or as to the sums for interest or depreciation included in revenue expenditure as aforesaid such dispute shall be referred to an accountant to be agreed upon between the Commissioners and the said corporations or one of them as the case may be or failing agreement to an accountant to be nominated by the President of the Institute of Chartered Accountants and the decision of such accountant shall be final and binding upon the parties.

Enforcement and recovery of dues &c.

9. All the provisions of the existing Acts and of any Act incorporated with any of those Acts with respect to the enforcement collection and recovery of dues rates tolls or charges shall so far as appropriate apply and be available with respect to all dues rates tolls or charges which the Commissioners are by this Act authorised to demand collect and recover.

Towage rates.

10.—(1) The Commissioners after due inquiry may with the sanction of the Minister of Transport fix a schedule of maximum rates for the towage of vessels within the area which comprises the port and so much of the limits of sea towage defined in subsection (6) of this section as is not within the port and may from time to time as circumstances in their judgment require

with the like sanction vary any schedule for the time being in force under this section or substitute a new schedule therefor provided that any such schedule or variation thereof shall apply only to towage commencing and terminating within the area aforesaid. A.D. 1925.

(2) Before any proposed schedule or variation of an existing schedule fixed under this section shall come into force the Commissioners shall give public notice of the proposed schedule or variation by advertisement in two or more newspapers published in the counties of Northumberland or Durham or in the city and county of Newcastle-upon-Tyne and stating from whom particulars of the proposed schedule or variation may be obtained and that on payment of such sum as the Commissioners may think reasonable (not exceeding sixpence) the Commissioners shall deliver a copy of such particulars to every person requiring it and such advertisement shall also prescribe a date (not being less than fourteen days from the date of the notice) by which and the manner in which any parties objecting to the proposed schedule or variation may make representations thereon to the Minister of Transport.

(3) Before sanctioning any proposed schedule or variation of an existing schedule the Minister of Transport shall consider any representations duly sent to him and may if he thinks fit hold an inquiry into the matter and may sanction such schedule or variation with or without modification or refuse his sanction thereto as he may think fit and if he gives his sanction shall at the same time prescribe the date on which the schedule or variation shall come into force.

(4) The rates for any towage included in any schedule for the time being in force under subsections (1) to (3) of this section shall (without prejudice to any other remedy) be recoverable by the owner of the tug summarily as a civil debt.

(5) In this section "towage" shall be deemed to include the use of tugs at launches and trial trips and in attendances upon vessels but not in salvage services.

(6) "The limits of sea towage" referred to in this section mean the limits comprised within the following boundary lines viz. :—

On the south a line drawn east and west through Souter Point on the north a line drawn east and west through the Lighthouse on St. Mary's

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Island on the east a line drawn three miles out to sea parallel to the shore and on the west a line drawn across the river from the south end of the east groyne of the northern wave trap to the east end of the Commissioners' Tyne piers shipping staiths at South Shields.

(7) The provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section (4) the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the president or of one of the secretaries of the Board of Trade."

(8) As on and from the date on which a schedule of maximum rates for towage shall first come into force under this section the words "and fixing the limits of towage by steam tugs" contained in subsection (7) of section 53 and the whole of sections 55 and 56 and Schedule C. of the Act of 1865 and section 36 of the Act of 1872 shall be repealed.

Extension of time for completion of works.

11. The time limited by any of the existing Acts for the completion of any of the works authorised by any of those Acts is hereby extended until the expiration of ten years from the passing of this Act and the existing Acts shall be read and have effect accordingly.

Power to retain lease &c. lands.

12. The powers conferred on the Commissioners by section 11 (Power to retain lease &c. lands) of the Act of 1920 shall extend to and be exerciseable with respect to any lands for the time being belonging to or vested in the Commissioners which were acquired otherwise than by agreement as well as to lands which were acquired by agreement and accordingly the said section 11 shall have effect as if the words "by agreement" where those words first occur in that section were omitted therefrom.

Power to appropriate particular portions of docks &c.

13. The Commissioners may from time to time if they shall deem it expedient so to do and subject to such terms conditions restrictions and regulations and to the payment of such rents or other sums of money as they shall think proper set apart and appropriate any particular portion of any dock wharf quay warehouse shed or other work or building of the Commissioners

and any conveniences connected therewith or approaches leading thereto for the exclusive accommodation and use (either temporarily or permanently) of any company body firm or person engaged in carrying on any particular trade who shall be desirous of having such exclusive accommodation for the reception of the vessels and goods belonging to or employed or conveyed by them Provided that every company body firm or person to whom such exclusive accommodation as aforesaid shall be afforded and their vessels crews servants and other persons employed by them or under their control shall be subject to the general byelaws rules and regulations of the Commissioners applicable to their docks wharves quays sheds and other works and the vessels entering or using the same and the crews and other persons employed in and about such vessels.

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14.—(1) Except for the purpose of providing or maintaining access to any quay wharf jetty staith or other similar structure or to any lands or property abutting on or projecting into the port or to any highway leading to the Tyne or the outfall of any sewer no person shall at any time dredge dig or raise any sand gravel ballast shingle rock soil or other material from any part of the port without first having obtained the licence in writing of the Commissioners.

Prohibition
against
dredging
&c. without
licence.

(2) Any person who dredges digs or raises (except as aforesaid) any such material from any part of the port without having obtained a licence as aforesaid or who having obtained such a licence dredges digs or raises any such material from any part of the port or in any quantity or manner other than from the part specified in the licence or in excess of the quantity or in contravention of the manner permitted by such licence shall for each such offence be liable to a penalty not exceeding twenty pounds.

(3) The Commissioners shall not (except in the case of any part of the bed or foreshore of the river owned by them) be entitled to demand any payment for any such licence as aforesaid except the sum of five shillings for the issue of each licence or for any transfer or renewal thereof.

(4) The Commissioners shall not (except in the case of any part of the bed or foreshore of the river owned

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A.D. 1925. — by them) refuse to grant such a licence as aforesaid to any responsible person unless the Commissioners shall consider that work to be done under the licence would obstruct or prejudicially affect the navigation of the river or injure riparian property.

(5) The foregoing provisions of this section shall not apply to the Admiralty.

(6) The Commissioners may if they think fit keep a register of persons licensed under this section and any person interested shall be entitled to inspect the register during usual office hours on payment of a fee not exceeding one shilling.

Repair of
quays
wharves &c.

15.—(1) Whenever any quay wharf jetty staith or other similar structure abutting on or projecting into the port or any part thereof is out of repair or insecure so as to be dangerous to any vessel either moored alongside of or near to or passing by the same or so that materials or debris therefrom are likely to fall or be blown or washed into the port or so as to be in any other manner injurious or likely to be injurious to the port or to free navigation therein the Commissioners (by notice in writing given to the owner of such structure or if such owner cannot be found after diligent inquiry left upon or fixed to the structure) may require the owner of the structure to execute to the satisfaction of the Commissioners such reasonable repairs within such reasonable time as may be specified in such notice.

(2) If any materials or debris shall fall or be blown or washed from any such structure as aforesaid into the port so as to be in any manner injurious to the port or free navigation therein the Commissioners may by a notice similar to that mentioned in subsection (1) of this section require the owner of the structure to raise or remove from the port such materials or debris within such reasonable time as may be specified in the notice.

(3) Within seven days after the service of any notice under this section upon any owner that owner may if he thinks fit serve a requisition upon the Commissioners requiring that any question—

whether the structure referred to in the notice is
. so out of repair or insecure as aforesaid; or
whether the repairs required by the Commissioners
to the structure are reasonable; or

whether the materials or debris referred to in the notice are injurious to the port or free navigation therein; or

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whether the time specified by the Commissioners for complying with the notice is reasonable

shall be settled by arbitration and thereupon that question shall (unless otherwise agreed) be referred to an arbitrator to be appointed in default of agreement between the owner and the Commissioners by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply to the reference.

(4) In settling any question under this section the arbitrator shall either (a) confirm with or without amendment the requirements of such notice and in his award specify the work to be done by the owner in pursuance of the provisions of this section and the time within which it shall be done, or (b) declare such notice null and void.

(5) If the owner of any such structure makes default in complying with any requirement made by the Commissioners and (in case of any reference to arbitration) confirmed (with or without amendment) by the arbitrator under this section the Commissioners may themselves carry out the requirement and the expenses reasonably incurred by them in so doing shall be a debt due to the Commissioners from the owner of the structure and be recoverable accordingly and the owner of the structure shall also be liable to a daily penalty not exceeding five pounds.

If any question arises under this subsection as to the amount of any expenses incurred by the Commissioners such question shall be determined by arbitration in the manner provided by subsection (3) of this section.

(6) In this section the word "owner" has the same meaning as in the Public Health Act 1875.

16.—(1) If any seagoing vessel shall be left in any part of the port without a competent person as watchman or shipkeeper on board the Commissioners may employ and place on board of such vessel a competent person or persons as watchman or shipkeeper or watchmen or shipkeepers and recover from the owner or master of the vessel all expenses incurred by them in so doing.

Power to
appoint
watchmen
&c.

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(2) The Commissioners shall give notice in writing to the owner or master of any vessel on board of which they place any watchman or shipkeeper under the powers of this section and such notice shall be given as soon as practicable after the watchman or shipkeeper has been so placed on board.

(3) In this section the expression "seagoing vessel" shall mean any vessel which has been is or is intended to be used for sea voyages.

Power to
license foy-
boatmen.

17.—(1) On and after the first day of January nineteen hundred and twenty-six no person shall ply for hire as a foyboatman in the port (except as mentioned in subsection (6) hereof) unless licensed by the Commissioners for that purpose. Every such licence (unless cancelled under the provisions hereinafter mentioned) shall continue in force for such period (not exceeding one year from the date thereof) as the Commissioners may determine and specify in the licence but each such licence may be renewed from time to time for any period not exceeding one year as the Commissioners may determine.

(2) The Commissioners shall keep a register of all persons so licensed and shall be entitled to charge for the issue of such licence and for each renewal thereof such sum as they may consider reasonable not exceeding twenty shillings.

(3) Any person not being licensed in pursuance of this section who shall at any time after the date aforesaid act as a foyboatman in the port shall be liable to a penalty not exceeding forty shillings.

(4) If any foyboatman to whom a licence is granted in pursuance of this section is guilty of such misconduct or act of incompetency while working as a foyboatman as in the opinion of the Commissioners to disqualify him from holding such licence the Commissioners may after hearing what he has to urge in his defence endorse suspend or cancel any licence held by him.

(5) Any person aggrieved by the refusal of the Commissioners to grant any licence which they are empowered by the provisions of this section to grant or by the endorsement suspension or cancellation of any such licence may appeal to a petty sessional court who shall have the power to hear and determine such appeal and to make such order as they may think fit,

(6) Notwithstanding anything in this Act any person may ply for hire as a foyboatman in Tyne Dock or at Dunston Staiths or West Dunston Staiths or between the said staiths if he is licensed so to do by the London and North Eastern Railway Company notwithstanding that he is not licensed by the Commissioners under this section. A.D. 1925.

18.—(1) The Commissioners may frame and submit for confirmation to the Minister of Transport byelaws for regulating the place or places in the port at which vessels loading or carrying petroleum for exportation are to be moored and for regulating the time and mode of and the precautions to be taken on in and during such loading and after such loading while the vessels shall remain in the port. Byelaws as to vessels loading petroleum.

(2) The Commissioners shall publish the byelaws so framed with a notice of their intention to apply for the confirmation thereof. The Minister of Transport may confirm such byelaws with or without any omission addition or alteration agreed to by the Commissioners or may disallow the same.

(3) Every such byelaw when confirmed shall be published by the Commissioners and may from time to time be altered or repealed by a byelaw made in like manner.

(4) Byelaws under this section shall be published in such manner as the Minister of Transport may from time to time direct.

(5) If at any time it appears to the Minister of Transport that there is no byelaw for the time being in force under this section in the port the Minister may by notice require the Commissioners to frame and submit to them a byelaw for the purposes of this section and if the Commissioners make default in framing a byelaw and obtaining the confirmation thereof within the time limited by such notice the Minister may make a byelaw for the purposes of this section and such byelaw shall have the same effect as if it had been framed by the Commissioners and confirmed by the Minister.

(6) Where any vessel or cargo is moored or loaded or otherwise dealt with in contravention of any byelaw for the time being in force under this section in the port the owner and master of the vessel or the owner

A.D. 1925. of the cargo (as the case may be) shall each be liable to a penalty not exceeding fifty pounds and to a further penalty of fifty pounds for each day during which such contravention continues and it shall be lawful for the harbour master or any other person acting under the orders of the Commissioners to cause such vessel or cargo to be removed at the expense of the owner thereof to such place as may be in conformity with the said byelaw and all expenses incurred in such removal may be recovered in the same manner in which penalties are by this Act made recoverable.

(7) In this section "petroleum" means petroleum to which the Petroleum Acts 1871 and 1879 apply namely:—

Any rock oil Rangoon oil Burma oil oil made from petroleum coal schist shale peat or other bituminous substance and products of petroleum or any of the aforesaid oils which when tested in the manner set forth in the First Schedule to the Petroleum Act 1879 gives off an inflammable vapour at a temperature of less than seventy-three degrees of Fahrenheit's thermometer.

Power to
sell &c.
ferries.

19. Notwithstanding anything in the existing Acts the Commissioners may at any time and from time to time sell lease or otherwise dispose of to the Tynemouth Corporation and the South Shields Corporation or either of them on such terms and for such consideration as the Commissioners shall think fit their ferries or any of them or the whole or any part or parts of their ferry undertaking or the right to establish and work a service of ferry boats on any such ferries.

As to
rights of
way over
works
roads and
footpaths.

20. From and after the passing of this Act no right of way against the Commissioners shall be acquired by prescription or user over the North Pier or the South Pier of the Commissioners or over any road or footpath now or hereafter the property of the Commissioners and forming an access or approach to any dock or harbour premises of the Commissioners nor shall a dedication to the public of either such pier or any such road or footpath be presumed by reason of any user thereof by the public if and so long as the Commissioners maintain in some conspicuous position on such pier road or footpath a notice stating that the same is a private pier road or footpath:

Provided that no such notice shall be effective for the purposes of this section with respect to any road or footpath unless at least one month before it is first exhibited the Commissioners give notice in writing (accompanied by a copy of this section) to the town clerk of the borough or clerk to the urban or rural district in which the road or footpath to which the notice relates is situate and in addition where it is situate in a rural district to the parish council or chairman of the parish meeting of the parish in which such road or footpath is situate :

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Provided also that nothing in this section shall prejudice or affect any public right of way in existence prior to the first exhibition of any such notice as first aforesaid.

21. It shall not be necessary for the Commissioners to comply with the provisions of section 57 of the Commissioners Clauses Act 1847 with respect to contracts to the amount of one hundred pounds or upwards in any case of urgency or in any case where the Commissioners by resolution determine that in their opinion greater efficiency or economy will be obtained by not complying with those provisions.

Partial exemption of Commissioners from section 57 of Commissioners Clauses Act 1847.

22. Notwithstanding anything in the existing Acts or in any Act incorporated therewith the Commissioners may borrow money on temporary loan from their bankers by means of overdrafts or otherwise The powers of borrowing money conferred on the Commissioners by this section shall be in addition to any powers for the time being exerciseable by them under the existing Acts of borrowing money on the security of the Tyne Consolidated Fund Provided that the aggregate amount outstanding at any one time of the moneys borrowed under this section shall not exceed the sum of one hundred thousand pounds.

Commissioners may borrow temporarily from bankers.

23. The date for the repayment of all debenture stock issued by the Commissioners under the powers of the Act of 1877 and outstanding at the passing of this Act shall be deemed to be and always to have been the eighteenth day of July nineteen hundred and thirty-two.

Date for repayment of debenture stock issued under Act of 1877.

24. Any transfer by deed of any mortgage redeemable stock or debenture stock granted or issued by the Commissioners which shall at any time be submitted

Commissioners may retain transfers of mortgages and stock.

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A.D. 1925. — to the Commissioners for registration may be retained by the Commissioners if they think fit.

Place for
repayment of
borrowed
moneys and
payment of
interest.

25. Any moneys borrowed by the Commissioners before or after the passing of this Act shall be repaid and the interest on any such moneys shall be paid at the chief office for the time being of the Commissioners.

Increase of
contribu-
tions to
superannua-
tion fund.

26.—(1) Section 37 (Superannuation fund) of the Act of 1890 is hereby amended by the substitution of the words "the rate of five per centum" for the words "the rate of two pounds and ten shillings for each one hundred pounds" in the paragraph which commences "The percentage of their salaries."

(2) In addition to the contributions to be made by the Commissioners to the superannuation fund under section 40 (Commissioners may contribute to fund) of the Act of 1890 the Commissioners may make an initial contribution to that fund of such sum as they may think fit and this initial contribution may be made either subject or not subject to any terms and conditions as to the repayment of and as to payment of interest on the whole or any part of the contribution.

Power to
subscribe to
Harbour
Associations
&c.

27. The Commissioners may out of the Tyne Consolidated Fund pay subscriptions whether annual or otherwise to the funds of any association of harbour dock or port authorities or of their officers or of employers of labour in harbours docks or ports and formed for the purposes of consideration of their common interests and of discussion of matters relating to the administration of harbours docks and ports and may also pay any expenses of the attendance of any members or officers of the Commissioners at conferences and meetings of the said associations or any of them and of purchasing reports and contributing towards the expenses of any such conferences and meetings.

As to dis-
qualification
of and
casual
vacancies
among Com-
missioners.

28.—(1) The provisions of section 16 of the Commissioners Clauses Act 1847 shall apply to each and all of the Commissioners whether elected by payers of dues or appointed by a municipal corporation or the Board of Trade or the Minister of Transport as successor to that Board but if the Commissioners shall grant to any member of their body leave of absence from all meetings of the Commissioners for a period exceeding six months

such Commissioner shall not (notwithstanding anything in the said section 16) cease to be a Commissioner by reason of his absence from all meetings of the Commissioners during the period for which leave of absence is so granted.

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(2) When any Commissioner appointed by a municipal corporation dies resigns becomes disqualified or from any other cause ceases to be a Commissioner the municipal corporation by which he was appointed shall with all convenient speed appoint a qualified person to be a Commissioner in his place and the person so appointed a Commissioner by a municipal corporation under subsection (2) of this section shall continue in office only so long as the Commissioner in whose stead he is appointed would have been entitled to continue in office but shall then be eligible for re-appointment.

(3) If any extraordinary vacancy shall occur in the office of Commissioner through disqualification of any Commissioner (whether elected by payers of Tyne dues or appointed by a municipal corporation or the Board of Trade or the Minister of Transport as successor to that Board) the same Commissioner shall if he is duly qualified to be a Commissioner at the date of the election or appointment of a person to fill the vacancy be eligible for re-election or re-appointment.

(4) Section 20 (For supplying vacancies in commission) of the Act of 1850 and so much of section 23 of the Act of 1886 as relates to the said section 20 are hereby repealed.

29. In addition to any other provisions relating to the convening of special meetings of the Commissioners a special meeting shall be convened by the clerk on the written request of the chairman but subject thereto any such special meeting shall be convened in accordance with the provisions of the Commissioners Clauses Act 1847.

As to
special
meetings.

30.—(1) At the annual meeting of the Commissioners to be held in the year nineteen hundred and twenty-five and in every subsequent year the Commissioners present shall if they think fit elect one of their body as deputy-chairman of the Commissioners.

Appoint-
ment of
deputy-
chairman.

(2) The person elected as deputy-chairman of the Commissioners under the provisions of this section at

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any such annual meeting shall (subject to his continuing to be a Commissioner) continue in office as deputy-chairman until the next annual meeting of the Commissioners and shall then retire from office but be eligible for re-election.

(3) The person for the time being holding office as deputy-chairman of the Commissioners shall have and may exercise in the absence of the chairman of the Commissioners all the powers of the chairman.

(4) So much of section 37 of the Commissioners Clauses Act 1847 as relates to the filling up of vacancies in the office of chairman of the Commissioners shall extend and apply to vacancies in the office of deputy-chairman.

As to
chairman of
committees.

31. At any meeting of any committee of the Commissioners the committee may appoint a member of the committee to hold office as chairman of the committee until the dissolution of the committee.

As to
contracts.

32. Notwithstanding anything in any Act relating to the Commissioners any contract required to be in writing and not under seal may be signed on behalf of the Commissioners by the secretary or other person authorised by the Commissioners so to do.

Accounts to
be sent to
Minister of
Transport.

33. The Commissioners shall within three months after the date to which their accounts are made up send to the Minister of Transport a complete copy of their audited accounts and they shall as from the expiration of that period be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

As to
allowance of
byelaws.

34. Notwithstanding anything in the Harbours Docks and Piers Clauses Act 1847 or in any of the existing Acts or this Act no byelaw made by the Commissioners under the powers of any of those Acts after the passing of this Act shall come into operation until it has received the allowance and confirmation of the Minister of Transport and that allowance and confirmation shall be sufficient for all purposes and no byelaw so made shall require allowance or confirmation by a judge of the High Court or by justices at quarter sessions.

The provisions of this section shall not apply to byelaws made by the Commissioners under sections 96 to 98 of the Commissioners Clauses Act 1847 :

Provided that in the case of any byelaws which the Minister of Transport in consultation with the Board of Trade shall deem primarily to concern the interests of navigation the provisions of this section shall apply as if the Board were substituted for the Minister. A.D. 1925.
—

35.—(1) In this section the following expressions have the several meanings hereby assigned to them (that is to say):— As to Swing Bridge.

“The Ecclesiastical Commissioners” means the Ecclesiastical Commissioners for England;

“The corporation” means the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne;

“The bridge” means the bridge over the Tyne (known as “the Swing Bridge”) extending from the city and county of Newcastle-upon-Tyne to the county borough of Gateshead and includes the approaches thereto and the roadway and pavements thereon;

“The bridge fund” means the fund of one thousand pounds referred to in the Act 41 Geo. III. c. 67. and the accumulations thereof and the investments and cash from time to time representing the said fund and accumulations.

(2) From and after the passing of this Act the Corporation shall be exclusively responsible for and shall bear and pay the cost of the maintenance and repair of the bridge (except the machinery for the working of the openings and moving platform thereof) and in consideration of the payments to be made to the corporation as hereinafter provided the Commissioners and the Ecclesiastical Commissioners shall be and are hereby released and discharged from all liability (if any) with respect to the costs and expenses of and in connection with such maintenance and repair prior to the passing of this Act and (except as mentioned in subsection (3) hereof) from all liability to maintain and repair the bridge.

(3) The machinery for the working of the openings and moving platform of the bridge shall continue to be maintained and repaired by the Commissioners.

(4) The Ecclesiastical Commissioners and the Commissioners shall within six weeks from the passing of

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A.D. 1925. — this Act each pay to the corporation the sum of three thousand five hundred pounds.

(5) The Ecclesiastical Commissioners and the Commissioners shall respectively abandon all claims to the bridge fund which fund shall be applied by the corporation as hereinafter provided.

(6) The corporation shall apply the sum of three thousand six hundred and eighteen pounds out of the sums to be paid to them pursuant to subsection (4) of this section together with the sum of six thousand five hundred and ninety pounds (part of the bridge fund) in or towards the discharge of the costs and expenses of and in connection with the maintenance and repair of the bridge (except the machinery for the working of the openings and moving platform thereof) incurred prior to the passing of this Act.

(7) The balance of the bridge fund as existing on the first day of April nineteen hundred and twenty-five after deducting the sum of six thousand five hundred and ninety pounds shall be divided into two portions as follows :—

- (i) one-third part of such balance the income of which and of the sum of three thousand three hundred and eighty-two pounds part of the said sums to be paid to the corporation pursuant to subsection (4) of this section (which sum of three thousand three hundred and eighty-two pounds shall be carried to the credit of and form part of the bridge fund) shall be and shall be deemed always to have been applicable in or towards discharging one-third part of the costs and expenses incurred or to be incurred from time to time in connection with the maintenance and repair of the bridge pursuant to subsection (2) of this section;
- (ii) two-third parts of such balance the income of which shall be and shall be deemed always to have been applicable in or towards discharging two-thirds of such last-mentioned costs and expenses.

(8) All costs and expenses to be incurred by the corporation in connection with the maintenance and repair of the bridge pursuant to subsection (2) of this section which cannot be paid out of the income of the

portions of the bridge fund referred to in subsection (7) of this section and in the proportions mentioned in that subsection and so much of the costs and expenses referred to in subsection (6) of this section as is not discharged in the manner provided by that subsection shall be charged on and be payable out of the city fund and city rate of the city and county of Newcastle-upon-Tyne. A.D. 1925.

(9) The provisions of all Acts of Parliament and all agreements between the Commissioners the Ecclesiastical Commissioners and the corporation or any two of them relating to the bridge and the machinery for the working of the openings and moving platform thereof or the Tyne Bridge for which the bridge was substituted so far as those provisions are inconsistent with or contrary to the foregoing provisions of this section shall become and be by virtue of this Act repealed or cancelled and annulled.

36. Save as otherwise by the existing Acts and this Act expressly provided all offences against the existing Acts or this Act or any byelaw of the Commissioners made under the existing Acts or this Act or any incorporated enactment and for the time being in force and all penalties forfeitures costs and expenses imposed or recoverable under the existing Acts or this Act or any incorporated enactment or any such byelaw may be prosecuted and recovered in a summary manner Provided that all costs and expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered as civil debts. Recovery of penalties.

37. All powers rights and remedies given to the Commissioners by this Act shall except where otherwise expressly provided be deemed to be in addition to and not in derogation of any other powers rights and remedies conferred on them by Act of Parliament charter law or custom and the Commissioners may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence. Powers of Act cumulative.

38. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and Crown rights,

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A.D. 1925. — in particular nothing herein authorises the Commissioners to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Saving rights of corporation of Newcastle-upon-Tyne.

39. Except as is by this Act expressly provided nothing in this Act shall take away lessen prejudice alter or affect any of the estates lands property and effects of the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne or any of the tolls rates dues duties issues profits or other income whatsoever of or payable to that corporation or any of the powers authorities franchises customs usages immunities rights or privileges of that corporation.

For protection of Duke of Northumberland.

40. Except as is by this Act expressly provided nothing in this Act shall take away divest abridge lessen alter or in any manner affect or prejudice any property or royalties rights titles estates interests duties tolls payments customs powers authorities jurisdictions privileges liberties franchises emoluments or advantages whatsoever of or belonging to the Most Noble Alan Ian Duke of Northumberland his heirs assigns or successors in the barony of Alnwick and the manors of Tynemouth Warkworth and Alnmouth or any of them as lord or lords thereof respectively or as grantee or grantees of the Crown or otherwise or of any future lords or ladies thereof respectively or of the assigns of such grantee or grantees or of his or their officer or officers in their respective duties within the same or any estate right title or interest of the said Alan Ian Duke of Northumberland his heirs and assigns as such grantee or grantees as aforesaid or otherwise in or to the bed and soil banks and shores of the River Tyne or any part thereof but except as aforesaid all such property royalties rights titles estates interests duties tolls payments customs powers authorities jurisdictions privileges liberties franchises emoluments and advantages shall be exercised received and enjoyed and

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shall continue and be preserved whole and unimpaired as if this Act were not passed. A.D. 1925.

41. All money necessary for carrying this Act into effect and payable by the Commissioners and all the costs charges and expenses of and preliminary and incidental to the preparing obtaining and passing of this Act shall be provided and paid by the Commissioners out of the Tyne Consolidated Fund. Expenses of execution and costs of Act.

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