



ANNO DECIMO OCTAVO & DECIMO NONO  
**VICTORIÆ REGINÆ.**

\*\*\*\*\*

*Cap. xcix.*

An Act to authorize Improvements in the Borough  
of *Newcastle-upon-Tyne*. [26th June 1855.]

**W**HEREAS the Mayor, Aldermen, and Burgesses of the Borough of *Newcastle-upon-Tyne* have the Control and Management of the Streets and Thoroughfares within such Borough: And whereas, in the Month of *October* One thousand eight hundred and fifty-four, numerous Houses and Buildings within the said Borough, situate in certain narrow Streets and Lanes adjoining and near to the public Quay, were destroyed by Fire, and it would be of public and local Advantage if the said Mayor, Aldermen, and Burgesses were authorized, upon the Sites of the said Houses and Buildings, and elsewhere in the said Borough, to form certain new Streets, and to alter, widen, extend, divert, and improve certain of the existing Streets and Thoroughfares, including such public Quay, and were enabled to exercise the other Powers herein-after contained: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. That in construing this Act the Words and Expressions following shall have the several Meanings hereby assigned them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpreta-  
tion of  
Terms.

[*Local.*]

16 Z

The

---

*The Newcastle-upon-Tyne Improvement Act, 1855.*

---

The Word "Person" or the Word "Persons," and Words applying to any Person or Individual, shall include and apply to Corporations, whether aggregate or sole:

The Expression "the Borough" shall mean the Borough of *Newcastle-upon-Tyne*:

The Expression "the Mayor, Aldermen, and Burgesses" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Newcastle-upon-Tyne*:

The Expression "the Mayor" shall mean the Mayor of the Borough of *Newcastle-upon-Tyne*:

The Expression "the Council" shall mean the Council of the Borough of *Newcastle-upon-Tyne*:

The Expression "the Corporation" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Newcastle-upon-Tyne* acting by the Council of the Borough:

The Word "Tenements" shall extend to Messuages, Buildings, Lands, Tenements, and Hereditaments of any Tenure or Description whatsoever:

The Word "Committee" shall mean any Committee appointed by the Council:

The Expression "the Town Clerk" shall mean the Town Clerk of the Borough of *Newcastle-upon-Tyne*:

The Expression "the Treasurer" shall mean the Treasurer of the Borough of *Newcastle-upon-Tyne*:

The Word "Owner," used with reference to any Lands or Buildings in respect of which any Work is required to be done or any Rate to be paid, under this Act, shall mean the Person for the Time being receiving or being entitled to receive, whether on his own Account or as Agent or Trustee for any other Person, the Rackrent of the Lands or Buildings in connexion with which the said Word is used, or who, if such Lands and Buildings were let to a Tenant at Rackrent, would be entitled to receive the Rackrent from the Occupier thereof, and when used in reference to the Purchase of any Lands, shall include all Persons enabled to sell Lands under the Provisions of "The Lands Clauses Consolidation Act, 1845."

Short Title.

II. That in citing this Act for any Purpose it shall be sufficient to use the Expression "*The Newcastle-upon-Tyne Improvement Act, 1855.*"

Council to carry the Act into execution.

III. That the Mayor, Aldermen, and Burgesses, by the Council, shall be and they are hereby empowered to carry this Act into execution.

Persons acting in the Execution of the Act not

IV. That no Matter or Thing done or Contract entered into by the Corporation, nor any Matter or Thing done by any Member thereof or of any Committee, or by the Town Clerk, Treasurer, Surveyor, or other



*The Newcastle-upon-Tyne Improvement Act, 1855.*

other Officer or Person whomsoever, acting under the Direction of the Corporation, shall, if the Matter or Thing were done or the Contract entered into *bonâ fide* for the Purpose of executing this Act, subject them or any of them personally to any Action, Liability, Claim, or Demand whatsoever; and any Expense incurred by the Corporation, Town Clerk, Treasurer, Surveyor, or other Officer or Person acting as last aforesaid shall be borne and repaid out of the Rates levied under the Authority of this Act.

to be personally liable.

V. That "The Lands Clauses Consolidation Act, 1845," except the Parts and Enactments of that Act with respect to the Recovery of Forfeitures, Penalties, and Costs, shall be and is hereby incorporated with this Act; and for the Purposes of this Act the Expression "the Promoters of the Undertaking," wherever used in "The Lands Clauses Consolidation Act, 1845," shall mean "the Corporation," and the Word "Secretary" shall mean "the Town Clerk;" and all Lands, Buildings, and Premises which shall be purchased by the Corporation shall be conveyed and assured to the Mayor, Aldermen, and Burgesses.

8 & 9 Vict. c. 18. incorporated.

VI. That it shall be lawful for the Corporation, when and in such Order as they shall think fit, to make the following new Streets, Improvements, and other Works in the Borough and County of *Newcastle-upon-Tyne*; (that is to say,)

Power to construct Works.

In the Parish, Township, or Parochial Chapelry of *All Saints* in the Parish of *Saint Nicholas*, a new Street commencing in, at, or near a Street called the *Side*, and terminating at or near a Street or Place called the *Milk Market* in *Sandgate*:

Three new Streets severally commencing at the said first-mentioned new Street, and severally terminating at or near a Street called the *Quayside*:

A new Street commencing at and on the North Side of the said first-mentioned new Street, and terminating at or near a Street called the *Butcher Bank*:

A new Street commencing in, at, or near a Street called *Pilgrim Street*, and terminating at or near the said Street called the *Quayside*:

A new Street commencing in, at, or near a Street or Place called *Pandon*, and terminating at or near a Street called *Trafalgar Street*:

A new Street commencing at the *Bath Lane* in the Parish, Township, or Parochial Chapelry of *Saint John* in the Parish of *Saint Nicholas*, and terminating at a Street or Place called *Strawberry Place*, in the Parish, Township, or Parochial Chapelry of *Saint Andrew* in the Parish of *Saint Nicholas*:

Also to alter, widen, divert, and improve the Streets called respectively the *Sandhill* and *Quayside*, the *Stock Bridge*, and so much of the Street called *Pilgrim Street* as extends from its Junction with *Mosley Street* to its Southern Termination:

Also



*The Newcastle-upon-Tyne Improvement Act, 1855.*

Also certain Streets called *Gallowgate* and *Percy Street* in the Parish, Township, or Parochial Chapelry of *Saint Andrew* in the Parish of *Saint Nicholas*:

To widen and enlarge the public Quay, and extend the same from a Place called the *Swirle* to the *Ouseburn*, being wholly within the said Parish, Township, or Parochial Chapelry of *All Saints* in the said Parish of *Saint Nicholas*.

Street, &c. to  
be made ac-  
cording to  
deposited  
Plans.

VII. And whereas Plans and Sections of the said Streets, Improvements, and other Works, showing the Line and Levels thereof respectively, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through, in, or upon which the same are respectively intended to be made, have been deposited with the Clerk of the Peace for the County of the Town of *Newcastle-upon-Tyne*: Therefore, subject to the Provisions of this Act, the said new Streets, Improvements, and other Works may be made in or upon the Lands delineated on the said Plans and described in the said Books of Reference, and within the Limits of lateral Deviation defined on the said Plans, and according to the Levels defined on the said Sections; and it shall be lawful for the Corporation to enter upon, take, use, and hold such of the said Lands as they may deem necessary for all or any of such Purposes, and for providing Space for the Erection of Houses and Buildings adjoining such Streets and Improvements: Provided always, that it shall be lawful for the Corporation in carrying the said Works into execution to deviate to any Extent not exceeding Five Feet from the Levels defined on the said Sections.

Additional  
Works at  
Union  
Street.

VIII. And whereas an additional Plan and Section of Parts of certain Streets called *Union Street* and *Groat Market* in the Parochial Chapelry of *Saint John* in the said Borough, and the Improvements and other Works intended to be made therein, showing the Line and Levels thereof respectively, and the Lands through, in, or upon which the same are respectively intended to be made, and also a Book of Reference containing the Names of the Owners, Lessees, or Occupiers of such Lands, have been deposited with the said Clerk of the Peace; and it is expedient that the Corporation should be enabled to make the said Improvements, and to take such additional Lands: Therefore it shall be lawful for the Corporation, if they shall think fit, to alter, widen, divert, and improve the said Streets called *Union Street* and *Groat Market* respectively, within the Limits of Deviation shown on such Plan, and according to the Levels defined on the said Section, and, subject to the Provisions of this Act, to enter upon, take, use, and hold such of the Lands described on the said last-mentioned Plan and in the said last-mentioned Book of Reference as they may deem necessary for all or any of such Purposes.

IX. That



*The Newcastle-upon-Tyne Improvement Act, 1855.*

IX. That if any Omission, Mis-statement, or wrong Description shall have been made of any Lands or Buildings, or of the Owners, Lessees, or Occupiers of any Lands or Buildings, described on the said Plans or mentioned in the said Books of Reference, the Corporation, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to any Two Justices for the Correction thereof, and if it appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate, with the other Documents to which it relates, shall be deposited with the said Clerk of the Peace, and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Plans or Books of Reference shall be deemed to be corrected according to such Certificate, and the Corporation may take any Lands in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Errors and Omissions in Books of Reference may be corrected by Justices, who shall certify the same.

Certificate to be deposited.

X. That true Copies of the said Plans, Sections, and Books of Reference, or of any Alteration or Correction thereof or Extract therefrom, certified by the Clerk of the Peace of the County of the Town of *Newcastle-upon-Tyne*, which Certificate such Clerk of the Peace shall give to all Parties interested when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Copies of Plans, &c. to be Evidence.

XI. That it shall be lawful for the Corporation, in or upon any Lands delineated on the said Plans and described in the said Books of Reference, to deposit and work Materials for the building or constructing of the said Streets, Improvements, and other Works, and to make any temporary Erections for the Purposes aforesaid or any of them, doing as little Damage as may be, and making Satisfaction for such Damage to the Owners, Lessees, and Occupiers of such Lands, in the Manner provided by "The Lands Clauses Consolidation Act, 1845."

Power to deposit and work Materials on Lands, making Satisfaction to Owners.

XII. That when and so soon and as often as any of the new or improved Streets shall in the Judgment of the Corporation be completed and ready for public Use, the Corporation shall declare the same respectively to be a Highway, and Notice in Writing of such Declaration shall be put up in some conspicuous Part in or near the Street therein referred to, and thereupon the same Street shall become and be a Highway, and be thenceforth paved, cleansed, lighted, watched, kept in repair, and regulated as the other public Streets and Highways in that Part of the Borough in which such new and improved Streets may be situated.

Streets when completed to be declared public.



*The Newcastle-upon-Tyne Improvement Act, 1855.*

Power to  
levy a New  
Street Rate.

XIII. That all the Expenses of carrying this Act into execution, including the Sums required for paying all Principal Moneys which may be borrowed by the Corporation under the Authority of this Act, and the Interest thereon, shall be defrayed by a Rate to be called "The New Streets Rate," which the Corporation is hereby authorized and empowered to levy from Time to Time upon the Occupiers or Owners of all Tenements within the Borough, in manner herein-after provided: Provided always, that such Rate do not exceed in any One Year the Sum of Sixpence in the Pound on the annual Value of such Tenements.

Certain Pro-  
visions of  
10 & 11 Vict.  
c. 34. incor-  
porated.

XIV. That the following Clauses of "The Towns Improvements Clauses Act, 1847," with respect to Recovery of Rates, namely, the Sections numbered in such Act 191, 192, 193, 195, 196, 197, and 198, shall be incorporated with and form Part of this Act, and shall extend to the Rates by this Act authorized to be raised.

Certain  
Parts of  
16 & 17 Vict.  
c. clxxxii. in-  
corporated.

XV. That the Fifty-fifth, Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, Sixty-first, Sixty-second, Sixty-third, Sixty-fourth, Sixty-fifth, and Sixty-sixth Sections of the *Newcastle-upon-Tyne Improvement Act, 1853*, shall be and the same are hereby incorporated with this Act, and shall be applicable to the said New Streets Rate.

Justice not  
disabled from  
acting by  
reason of his  
being a Mem-  
ber of the Coun-  
cil.

XVI. That no Justice shall be disabled to act as such Justice, in any Matter relative or referring to this Act, or any Act or Acts wholly or partially incorporated herewith, by reason of his being the Mayor or an Alderman or Councillor of the Borough, or a Member of any Committee of the Council.

Liability to  
Rates not to  
disqualify  
Justices, &c.

XVII. That no Person, although liable to the Payment of Money towards any Rate authorized to be raised under this Act, shall by reason thereof be disabled from acting as a Justice, Juror, Arbitrator, Umpire, Sheriff, or Under Sheriff in the Execution of this Act.

Power for the  
Corporation  
to borrow  
Money for  
the Purposes  
of the Act.

XVIII. That it shall be lawful for the Corporation from Time to Time to take up and borrow on Mortgage of the New Streets Rate herein-before authorized to be levied any Sum or Sums of Money not exceeding in the whole the Sum of Sixty thousand Pounds, for the Purposes for which the said New Streets Rate is applicable, and from Time to Time to reborrow for the Purpose of discharging previous Loans: Provided always, that the whole of the Sum or Sums borrowed under this Act, and the Interest accruing due from Time to Time, shall be repaid within Forty Years from the Time of borrowing the same, and for the Purposes aforesaid the several Sections in "The Commissioners Clauses Act, 1847," contained, with respect to the Mortgages to be executed by the Commissioners, (except the Eighty-fourth Section thereof,) shall be and the same are hereby incorporated with this Act, and shall be considered and construed as if the Word "Corporation" had



*The Newcastle-upon-Tyne Improvement Act, 1855.*

had been inserted therein instead of the Word "Commissioners," and as if the Words "Town Clerk" had been inserted therein instead of the Word "Clerk" or the Words "Clerk to the Commissioners," and that the Forms of Mortgage and Transfer of Mortgage may be according to the Forms respectively contained in the Schedules (B.) and (C.) to "The Commissioners Clauses Act, 1847," or to the like Effect.

XIX. That the Mortgagees under this Act may enforce the Payment of any Arrears of Interest, or of the Arrears of Principal and Interest, due to them, by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver the Amount owing to the Mortgagee or Mortgagees by whom Application for such Receiver shall be made shall not be less than Five thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

XX. That if the Corporation shall at any Time borrow or take up at Interest any Sum or Sums of Money for the Purpose of discharging previous Loans raised under this Act, the Money so borrowed shall be paid off within the same Period within which the Money originally borrowed would have been payable.

Regulations as to Money borrowed to pay off previous Loans.

XXI. That so long as the Principal Money borrowed on Mortgage under and by virtue of this Act shall remain unpaid, the Corporation, in order to discharge the same, shall every Year appropriate and set apart a Sum equal to not less than Two Pounds *per Centum* on the Amount of the Principal Money so borrowed by them, and shall apply such Sums from Time to Time as a Sinking Fund in paying off, so far as the same will extend, the Principal Moneys so borrowed, or shall from Time to Time cause such Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation, in the Way of Compound Interest or otherwise, until the same respectively shall be of sufficient Amount to pay off the Principal Debts to the Payment of which such Sinking Fund shall be applicable, or some Part thereof which the Corporation shall think ought then to be paid off, at which Times such accumulated Moneys, or an adequate Part thereof, shall be so applied in paying off such Principal Debts in the Manner mentioned in "The Commissioners Clauses Act, 1847."

Sinking Fund to be provided.

XXII. That in case the Corporation shall think it advisable or more advantageous to raise all or any Part of the Money to be borrowed under this Act by granting Annuities for Life instead of Mortgages, it shall be lawful for the Corporation, by Deed under their Common Seal, to grant an Annuity to any Person who shall contribute and pay to the Treasurer of the Borough any Sum of Money which to the Corporation shall seem right and proper for the absolute Purchase of any Annuity, to be paid and payable during the Life of every such Contributor, or the Life of such Person as shall be nominated by such Contributor,

Power to raise Money on Annuities.



*The Newcastle-upon-Tyne Improvement Act, 1855.*

Contributor, at the Time of Payment of his Contribution or Purchase Money, and such Grant may be according to the Form in Schedule to this Act annexed, or to the like Effect.

Register, &c.  
of Annuities.

XXIII. That the Provisions contained in "The Commissioners Clauses Act, 1847," with respect to the Register, Transfer, and Register of Transfer of Mortgages, shall be respectively applicable to the Register, Transfer, and Register of Transfer of Annuities granted by virtue of the Provisions herein-before contained; and the Form of Transfer of Annuities may, as near as practicable, be according to the Form of Transfer of Mortgages contained in Schedule (C.) to the said Act, or to the like Effect.

Application  
of Moneys  
raised.

XXIV. That all Moneys raised by the New Streets Rate, or borrowed on the Security thereof, shall be applied as follows:

Firstly, in Payment of the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto:

Secondly, in Payment (but not out of Money borrowed) of the Interest from Time to Time due and owing upon the Credit of the New Streets Rate and the Annuities charged thereon:

Thirdly, in providing (but not out of Money borrowed) the Sinking Fund in manner by this Act required, and in repaying Moneys borrowed on Mortgage on the New Streets Rate:

Lastly, in carrying the several Purposes of this Act into execution: And when and so soon as the several Objects and Purposes of this Act shall have been effected, and the Principal Moneys borrowed by the Corporation on the Credit of the New Streets Rate, and all Interest due thereon, and all Annuities granted by the Corporation, and all Expenses incurred by the Corporation for the Purposes of this Act, shall have been discharged, the New Streets Rate shall cease to be levied and be no longer payable.

All Money  
raised under  
Act to be  
expended ex-  
clusively in  
Improve-  
ments, and  
Corporation  
to carry out  
the same.

XXV. That all Money raised by or accruing to the Corporation by virtue of this Act, whether by Rates or by Mortgage of the Rates, or by the Sale of Annuities or Land, under the Powers of this Act, shall be applied to the Objects and Purposes of this Act, and for no other Purpose whatsoever; and, subject to the Limitation of raising Money by Mortgage and Annuity contained in this Act, the Corporation shall carry out the Works by this Act authorized to be made, and shall raise, if necessary, the Sum of Sixty thousand Pounds for that Purpose by this Act authorized to be raised.

Authentica-  
tion of No-  
tices, &c.

XXVI. That any Summons, Demand, Notice, Order, Declaration, or other such Document under this Act may be either in Writing or in Print, or partly in Writing and partly in Print, and if the same require Authentication by the Corporation, or by the Council or any Committee



*The Newcastle-upon-Tyne Improvement Act, 1855.*

mittee of the Council, the same shall be and be deemed sufficiently and legally authenticated if signed by the Mayor or Town Clerk, or any Person acting as or for the Town Clerk, and need not be under the Common Seal of the Borough.

XXVII. That any Summons, Notice, Writ, or other Proceeding at Law or in Equity required to be given or served on the Corporation or on the Council, or on any Committee thereof, may be given or served by delivering the same to the Town Clerk personally, or leaving the same at the Office of the Town Clerk, and Service in any of the Modes aforesaid shall be sufficient for all Purposes whatsoever.

Summons, Notices, &c. to be served on the Town Clerk.

XXVIII. That the Treasurer of the Borough shall, in a Book or Books to be kept for that Purpose, enter or cause to be entered true Accounts of all Sums of Money by him received and paid, and of the several Matters for which such Sums shall have been received and paid, under and by virtue of any of the Provisions of this Act; and such Books shall at all seasonable Times be open to the Inspection of any of the Aldermen or Councillors of the Borough; and all such Accounts, with all Vouchers and Papers relating thereto, shall be submitted by the Treasurer to the Auditors of the Borough, and such Accounts shall be audited in the same Manner as the Accounts of the Borough are directed to be audited under the Provisions of the Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*; and the Corporation may, if they think proper, make to the said Auditors (except the Auditor appointed by the Mayor) a reasonable Allowance or Compensation for their Trouble.

Accounts to be kept by Borough Treasurer, and audited in the same Manner as the Borough Accounts.

XXIX. That previous to or in the Month of *October* in every Year a full Abstract shall be made in Writing by the Treasurer of such Accounts for the preceding Year ending upon the Thirty-first Day of *August*, and a Copy thereof shall be deposited with the Town Clerk, and shall be open to the Inspection of all Persons interested, and shall be published in some One or more Newspaper or Newspapers circulating in the Borough, or in such other Manner as the Corporation may direct.

Accounts to be made out annually and published.

XXX. That nothing in this Act contained shall be held to alter any of the Powers, Privileges, and Authorities vested in the Mayor, Aldermen, and Burgesses by or in pursuance of any Act or Acts of Parliament now in force or which may be hereafter passed in relation to Municipal Corporations, or by or in pursuance of any other Act of Parliament relating to the Mayor, Aldermen, and Burgesses, and, except so far as is hereby otherwise provided or as shall be inconsistent therewith, the said Powers, Privileges, and Authorities of the

Reserving Powers conferred by Municipal Corporation and other Acts.



*The Newcastle-upon-Tyne Improvement Act, 1855.*

Acts relating to Municipal Corporations shall extend and apply to the Objects and Purposes of this Act, and may be exercised in the Execution of or otherwise in relation to such Purposes.

8 & 9 Vict.  
c. 20. incor-  
porated.

XXXI. That the Sections of "The Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, (except the One hundred and forty-third Section thereof,) and with respect to the Provision for affording Access to the Special Act by all Parties interested, shall be incorporated with and form Part of this Act; and in construing such Sections for the Purposes of this Act the following Words and Expressions shall have the several Meanings hereby assigned them; (that is to say,) the Expression "Special Act" shall mean this Act; the Word "Company" shall mean the Mayor, Aldermen, and Burgesses; the Words "Justice" and "Justices" shall have the Meaning assigned them respectively when occurring in this Act; the Expression "principal Place of Business of the Company" shall mean the Office of the Town Clerk; and the Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*; and the Expression "the Office of each of the Clerks of the Peace of the several Counties into which the Work shall extend" shall mean the Office of the Town Clerk of the Borough of *Newcastle-upon-Tyne*.

Property of  
the North-  
eastern Rail-  
way Com-  
pany not to  
be taken  
without Con-  
sent.

XXXII. That it shall not be lawful for the Corporation, or for any Person acting in the Execution of this Act, in any Manner, either temporarily or permanently, to enter upon, take, or use any of the Lands or Property now belonging to the *North-eastern Railway Company*, or in any Manner to alter, vary, or interfere with the Railway of the said Company, or the Arches or Viaducts thereof, or any of the Works appertaining thereto, except only with the written Consent of the said Company in each Case first obtained, and then only to the Extent of and in accordance with such Consent.

Saving  
Rights of the  
Tyne Im-  
provement  
Commis-  
sioners.

XXXIII. That nothing in this Act contained shall prejudice or affect the Rights, Powers, and Jurisdiction of the *Tyne Improvement Commissioners*, save as by this Act expressly enacted.

Plans of  
Works af-  
fecting tidal  
Waters to be  
approved by  
Admiralty.

XXXIV. That previously to commencing the River or Quay Wall, or the Works connected therewith, or any Work below High-water Mark at ordinary Spring Tides, hereby authorized, the Corporation shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said River or Quay, Wall or Works, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such River or  
Quay



*The Newcastle-upon-Tyne Improvement Act, 1855.*

Quay Wall and Works shall be constructed only in accordance with such Approval; and when any such River or Quay Wall or Work shall have been commenced or constructed it shall not be lawful for the Mayor, Aldermen, and Burgesses at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if such River or Quay Wall or any such Work shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Mayor, Aldermen, and Burgesses, and the Amount thereof shall be a Debt due from them to the Crown, and be recoverable accordingly, with Costs of Suit.

XXXV. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Corporation hereby authorized, or of the intended Site thereof, the Corporation shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Corporation, and, if not paid upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from them.

Power to Admiralty to order local Survey, at Expense of Company.

XXXVI. That if any Work to be constructed by the Corporation under the Authority of this Act shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Corporation, and the Amount thereof shall be a Debt due from them to the Crown, and be recoverable accordingly, with Costs of Suit.

If Works affecting tidal Waters are abandoned, they may be removed, or the Sites restored, at Expense of Company.

XXXVII. That nothing contained in this Act or in the Acts herein referred to shall extend to authorize the said Mayor, Aldermen, and Burgesses to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioner or Commissioners is and are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges,

Saving Rights of the Crown.



*The Newcastle-upon-Tyne Improvement Act, 1855.*

leges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Expenses of  
Act.

XXXVIII. That all the Costs, Charges, and Expenses of or preparatory to the passing or obtaining of this Act, or incident thereto, shall be borne by the Corporation, and shall be paid by the Corporation out of the New Streets Rate hereby authorized to be levied, or out of the Moneys raised on Security thereof.

---

SCHEDULE referred to in the foregoing Act.

---

*Form of Security for granting Annuity.*

By virtue of "The Newcastle-upon-Tyne Improvement Act, 1855," the Mayor, Aldermen, and Burgesses of the Borough of Newcastle-upon-Tyne, in consideration of the Sum of £  
paid to the Treasurer of the said Borough by *A.B.* of  
for the Purposes of the said Act, do hereby grant unto the said *A.B.* an Annuity of £  
out of the New Streets Rate or Rates arising or accruing by virtue of the said Act, which Annuity of £  
shall be paid to the said *A.B.* or his Assigns during the Term of his Life [*or* to the said *A.B.*, his Executors, Administrators, or Assigns, during the Life of *C.D.*, as the Case may be,] upon the  
Day of  
in every Year during the Life of him the said  
at  
, the first Payment thereof to be made on the  
Day of  
next ensuing the Date hereof [*or* by equal half-yearly or quarterly Payments, as the Case may be, on the  
respectively].  
Dated this  
Day of  
One thousand eight hundred and

(L.S.)

Common Seal of the Borough.

---

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1855.