



CHAP. x.

An Act to confer powers upon the Corporation of Grimsby as to the West Marshes, and the construction of a bridge over the Old Dock, and of other works at Grimsby; and for other purposes. A.D. 1869.
[13th May 1869.]

WHEREAS the borough of Grimsby (in this Act called the borough) is a municipal borough under the government of the mayor, aldermen, and burgesses of the borough (in this Act called the corporation), and is regulated by the Acts relating to municipal corporations in England:

And whereas the corporation by the council of the borough are the local board of health for the borough, and as such the corporation are in this Act designated the local board:

And whereas an Act was passed in the twelfth year of the reign of Her present Majesty, intituled "An Act for the management and disposal of the Freemen's Pastures in the parish of Great Grimsby, in the parts of Lindsey in the county of Lincoln, and for other purposes," and under the powers of that Act a large part of the said Freemen's Pastures has been built upon, and thereby and otherwise the town of Grimsby has greatly increased and is still increasing: 12 & 13 Vict.
c. xvi.

And whereas the increase has for the most part taken place in the northern and eastern parts of the town, but there is a large tract of land called the West Marshes, lying to the west of and immediately adjacent to the Old Dock, and belonging to the corporation, the greater part of which land might be with advantage built upon:

And whereas the appropriation of part of the said land as a public park would conduce to the comfort and enjoyment of the inhabitants of Grimsby:

And whereas the making of a bridge over the Old Dock at Grimsby, for carriage and other traffic, and of a foot bridge over the Manchester, Sheffield, and Lincolnshire Railway, from Market

A.D. 1869. Street to New Market Street, would afford great accommodation to the said inhabitants, and it is expedient that the corporation have power to erect such bridges, and in connection therewith, and the setting out the West Marshes for building purposes, to make the new roads, approaches, and other works shown upon the plans after mentioned :

And whereas plans and sections describing the lines, situations, and levels of the intended works, and a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands in the line of the proposed works, or within the limits of deviation as defined upon the plan, and describing those lands, have been deposited with the clerk of the peace for the parts of Lindsey in Lincolnshire, and with the town clerk of Grimsby, and are herein-after referred to as the deposited plans, sections, and book of reference :

And whereas the corporation are owners of certain properties at Clee and Great Grimsby, consisting of lands called the Clee Allotments, situate in Clee, and of a timber yard, and the said properties might with advantage to the town be sold, and the proceeds be applied by the corporation towards the expenses to be incurred by them under this Act; and a similar application might with advantage be made of monies payable to the corporation for land purchased from them by the Great Grimsby Gas Company :

And whereas since the passing, in one thousand eight hundred and thirty-five, of the Municipal Corporation Act, the population of Grimsby has greatly increased, and is still increasing, and it is expedient that if the borough be hereafter divided into wards the number of the councillors and aldermen of the borough be increased :

And whereas the several purposes aforesaid cannot be accomplished 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,)

Short title. 1. This Act may be cited as "The Grimsby Improvement Act, 1869."

8 & 9 Vict. c. 18.,
10 & 11 Vict. cc. 16. & 27.,
and
23 & 24 Vict. c. 106. in-
corporated. 2. The following Acts and parts of Acts (as far as they are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act; namely,

"The Lands Clauses Consolidation Act, 1845," "The Harbours, Docks, and Piers Clauses Act, 1847," and "The Lands Clauses Consolidation Acts Amendment Act, 1860."

The provisions of "The Commissioners Clauses Act, 1847," with respect to the "mortgages to be executed by the commissioners." A.D. 1869.

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

Terms to which meanings are assigned in the Acts incorporated wholly or in part with this Act, or which have therein special meanings, have in this Act the same respective meanings :

In this Act, and for the purposes of this Act in any Act incorporated wholly or in part with this Act, the term "superior court," or "court of competent jurisdiction," shall have effect as if the debt or demand with respect to which it is used was a common simple contract debt, and not a debt or demand created by statute :

The term "the commissioners" in the provisions of "The Commissioners Clauses Act, 1847," incorporated with this Act, shall for the purposes of this Act mean the corporation :

The term "the Public Health Acts" means "The Public Health Act, 1848," "The Local Government Act, 1858," and the Acts amending them :

The term "Municipal Corporation Acts" means the Act of the session of the fifth and sixth years of the reign of King William the Fourth (chapter seventy-six), "to provide for the regulation of municipal corporations in England and Wales," and all Acts for the time being in force amending the same, or otherwise relating to municipal corporations in England :

The term "railway company," wherever used in this Act, means the Manchester, Sheffield, and Lincolnshire Railway Company.

4. This Act, as far as it is expressed to relate to the powers of the local board, shall (subject to the express provisions of this Act) be executed by the corporation acting by the council as the local board with the powers and indemnities and according to the provisions of the Public Health Acts, which Acts shall in relation to the corporation and the purposes of this Act have effect as if the purposes and provisions of this Act were purposes and provisions of the Public Health Acts. Public Health Acts applied to this Act.

5. This Act, as far as it is expressed to relate to the powers of the corporation, shall be carried into execution by the corporation acting by the council, and according to the Municipal Corporation Acts and other laws for the time being affecting the corporation, and with all the authorities conferred by those Acts and laws on the corporation and on the council and committees of the council, and Municipal Corporation Acts applied to this Act.

A.D. 1869. the officers, agents, and servants of the corporation with respect to matters provided for by or comprised in the Municipal Corporation Acts, and as nearly as may be in all respects as if the powers, duties, and property vested in, imposed on, or enjoyed by the corporation, by or under this Act, were vested in, imposed on, or enjoyed by them by or under the Municipal Corporation Acts.

Power to appropriate the marsh lands for building purposes.

6. The corporation may from time to time appropriate the West Marsh lands or any part thereof for building purposes, and in order thereto lay out any part thereof as squares or other open spaces, roads, ways, sewers, drains, and watercourses, and other parts thereof as lots for building, and as a public park or pleasure grounds, or in such other manner in all respects as the corporation deem most advantageous.

Power to lease marsh lands for building purposes.

7. The corporation may from time to time lease all or any part of the West Marsh lands to any persons whomsoever for building purposes, in such manner, and on such terms and conditions, and with and subject to such covenants and agreements, as the corporation think fit; and any such lease may be for any term or number of years, either absolute or conditional, and either with or without fine: Provided always, that any such lease or other disposition shall take effect in possession only; and in every deed or lease by which any rent shall be granted or reserved there shall be granted or reserved and made payable the best yearly rent which can at the time of making or granting such deed or lease, or the contract or arrangement for the making or granting of the same, considering the amount of the gross sum or fine, if any, to be paid in respect thereof, and the nature and circumstances of the case, be reasonably obtained for the same, and the rent granted or reserved by any such deed or lease be made payable half-yearly or oftener; and the respective lessees shall execute counterparts of the respective deeds and leases by which any rents are granted or reserved: Provided also, that the first payment of the rent to be granted or reserved by any deed or lease may be made to commence and become payable on any day not exceeding two years and a half from the time of the making of the contract or arrangement for such deed or lease, and may be made to increase periodically, beginning with such proportion of the full rent to be ultimately payable as shall be thought advisable, and increasing up to the full rent as shall be found convenient or be thought proper, and as shall be expressed in such deed or lease, regard being had to the circumstances of the case.

Provisions in leases.

8. In every deed by which any yearly or other rent or reservation is reserved or granted, and in every lease respectively executed under the authority of this Act, there shall be contained, on the part of the lessee, a covenant for the due payment of the rent or

reservation thereby respectively granted or reserved, and also a proviso or condition that if the rent thereby granted or reserved, or any part thereof, be at any time in arrear for a period (to be therein specified) not exceeding one year, and be not paid within a further period (to be therein specified) not exceeding one year after the same shall be demanded by a notice in writing to be delivered to the purchaser or lessee, his heirs, executors, administrators, or assigns, or to be affixed on some conspicuous part of the premises comprised in such deed or lease, or left with any tenant or occupier of such premises, then and as often as the same shall happen the corporation may enter into and upon and repossess such premises.

A.D. 1869.

9. The certificate in writing of the mayor, countersigned by the town clerk, acknowledging that the corporation have received a counterpart of any such deed or lease, shall be full and complete evidence that such counterpart was duly made and executed.

Certificates of receipt of counterparts.

10. Every lease or letting of the West Marshes or any part thereof, or sale of the Clee allotments and timber yard, which shall be made under the authority of this Act, shall be made by public auction, of which auction one calendar month's notice shall be given by advertisement in one or more newspapers published in the county of Lincoln and circulated in the borough; and such auction shall be holden subject to such conditions, whether ordinary or special, and such reserved biddings, as the corporation think most advantageous for the purposes of this Act: Provided always, that nothing in this Act contained shall enable the corporation to alienate or encumber, without the consent of the Lords Commissioners of Her Majesty's Treasury, any hereditaments which could not have been alienated or encumbered before the passing of this Act without such consent.

Lease of West Marshes, &c. by auction.

11. Whenever any contract or agreement for leasing or letting under this Act of any land shall not be carried into effect, and whenever the possession of any land comprised or contracted or agreed to be comprised in any deed or lease to be executed or granted in pursuance of this Act shall be resumed or recovered by the corporation, the same may from time to time thereafter be dealt with and disposed of in pursuance of any of the provisions of this Act.

Pastures reverting to the corporation may be dealt with for any purposes of this Act.

12. All such monies as are from time to time received in respect of the marsh lands shall be paid to the treasurer for the time being of the borough, to the credit of the borough fund.

Application of rents of the marsh lands.

13. Subject to the provisions of this Act and of the Acts incorporated wholly or in part with this Act, the corporation are hereby empowered to execute and maintain, in the lines and situations and

Corporation empowered to construct bridges, &c.

A.D. 1869. according to the levels described on the deposited plans and sections, the works shown on the deposited plans, and herein-after described; (that is to say,)

A bridge over the dock at Grimsby, and approaches to such bridge :

A foot bridge over the Manchester, Sheffield, and Lincolnshire Railway from Market Street to New Market Street :

The new roads upon and in connection with the marsh lands :

And the corporation may enter upon, take, hold, and use such of the lands described in the deposited plans and book of reference as they require for any of the purposes of this Act; and when and so soon as the corporation commence the construction of the before-mentioned bridge over the Old Dock all rights of the freemen of the borough in and over Freeport Wharf shall cease and determine.

Correction
of errors,
omissions,
&c.

14. If any omission, mis-statement, or erroneous description is found to have been made of any lands, or of any owners, lessees, or occupiers of any lands, described or intended to be described in the deposited plans or book of reference, the corporation may apply to two justices, not being members of the corporation, for the correction thereof, after giving ten days notice to the owners of the lands affected by the proposed correction; and if it appears to such justices that the omission, mis-statement, or erroneous description arose from mistake, they shall certify the same accordingly, stating the particulars of the omission, mis-statement, or erroneous description; and such certificate shall be deposited with the clerk of the peace for the parts of Lindsey in Lincolnshire, and shall be kept by him with the other documents to which it relates, and subject and according to the same enactments and provisions as apply to those other documents, and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to the certificate, and the corporation may enter on, take, hold, and use those lands accordingly.

For protec-
tion of
Frederick
Tennyson,
esquire.

15. And whereas some of the works by this Act authorized will be made upon lands belonging to or claimed to belong to Frederick Tennyson, esquire (herein-after mentioned as Mr. Tennyson, which expression includes the owner or owners for the time being of the said lands): Therefore, for the protection of and with reference to the said lands, the following provisions shall be in force; that is to say,

1. The approach road on the west side of the Old Dock to the before-mentioned bridge over the said dock shall be not less than fifty feet wide, and (except with the previous consent in writing of Mr. Tennyson) it shall be made in the line and according to the levels shown upon the deposited plans and sections :

2. A right of frontage to such portions of the roads to be made under this Act as will pass through the before-mentioned lands shall be reserved to Mr. Tennyson; and an outfall drain shall be constructed by the corporation, at an uniform gradient, and at the lowest practicable depth in and under the said portions of road at the time when the same are made; and such drain shall be made to communicate with the New Cut, and Mr. Tennyson shall have a right to use the said outfall drain :
 3. Mr. Tennyson shall be at liberty to lay down across and on the level of the before-mentioned approach road lines of railway for the use of steam or other motive power, occupying not more than thirty-five feet in the whole width :
 4. The gates at such level crossing shall be kept closed across the rails, and not across the approach road; and the 47th section of "The Railways Clauses Consolidation Act, 1845," shall apply to such level crossing :
 5. The before-mentioned portions of road shall be fenced off by the corporation to the reasonable satisfaction of Mr. Tennyson, and the fences shall be made upon Mr. Tennyson's land, and shall be his property :
 6. Mr. Tennyson shall have the right of pre-emption of any land bought of him by the corporation, but which they may thereafter dispose of as superfluous lands :
 7. The road shown on the deposited plans, and by this Act authorized to be made between the points marked C and D thereon, shall be constructed by the corporation in such a direction and manner, within the limits of deviation shown on the said plans, as shall be previously approved in writing by Mr. Tennyson :
 8. The said road between the points C and D shall not be made by the corporation unless the bridge over the dock and the approach road thereto, from the point marked A on the deposited plans, shall have been previously made by the corporation :
 9. Any question which may arise under or with reference to this enactment shall be referred to and determined by an arbitrator, to be appointed, if necessary, upon the application of either party, by the Board of Trade.
16. In making any of the works by this Act authorized, the corporation, except where otherwise provided by this Act, may deviate to any extent not exceeding five feet from the levels thereof defined on the deposited sections, and may deviate from the lines thereof respectively in all cases within the limits of deviation defined on the deposited plans, and beyond those limits, with the consent of the

Power to deviate from levels, &c.

A.D. 1869. owners, lessees, and occupiers of the lands through which any such deviation is to be made, but not otherwise.

Stopping up
of footpaths,
&c.

17. The corporation may stop up and discontinue as thoroughfares, and appropriate for the purposes of this Act, the sites of any footpaths in and over the West Marshes, and also so much of West Marsh Lane as traverses the said marshes, when and so soon as the new roads by this Act authorized and shown upon the deposited plans have been made and opened to the public, but the road numbered 18 upon the deposited plans shall not be stopped up unless and until the corporation shall have extended the new road shown upon the said plans as terminating at the ditch forming the boundary between the West Marshes and land of William Angerstein, esquire, in Little Coates, over the said ditch into the said land, by the construction of a brick bridge of the same width as the said new road, and which said bridge shall be built and maintained by and at the expense of the corporation to the reasonable satisfaction of the surveyor for the time being of the said William Angerstein; and in case the footpath which now runs from the Haven Bridge northward through land of Mr. Tennyson shall not under this provision be stopped up, the corporation may and shall divert such footpath so that it shall pass through new roads to be made under this Act, or other public roads, instead of through lands of Mr. Tennyson.

Powers for
compulsory
purchases
limited.

18. The powers of the corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for
completion
of works.

19. If the works authorized by this Act be not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the corporation for executing the same or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as is then completed.

Protecting
Manchester,
Sheffield, and
Lincolnshire
Railway
Company.

20. The bridges by this Act authorized, and the approaches to such bridges, shall be made according to plans and specifications previously submitted to the engineer of the Manchester, Sheffield, and Lincolnshire Railway Company, and approved of by him, and shall be executed and for ever hereafter maintained at the expense of the corporation, under the superintendence and to the satisfaction of the said engineer, and according to the plans and specifications ultimately determined on.

As to work-
ing bridge
over the
Old Dock.

21. The said bridge over the Old Dock shall be constructed as a dock bridge to open and close, and the said railway company shall have the entire management and control as to the opening, closing, and working thereof, for all purposes whatsoever, and the said

bridge and the working thereof shall at all times be subject to such regulations as the said railway company shall from time to time make, order, or direct, and the said railway company shall also from time to time appoint one or more necessary and proper person or persons, as they in their discretion may think fit, to open, close, and work the said bridge, who shall be the servant or servants of the said railway company, and under their direction and control in all respects; and the said corporation shall from time to time pay to and reimburse the said railway company the wages of such person or persons so appointed and employed by them for the purpose aforesaid, and all other costs and expenses they may incur, sustain, or be put to in the opening, closing, and working of the said bridge.

22. It shall not be lawful for the corporation, or their contractors, agents, servants, or workmen, in constructing or repairing the bridges by this Act authorized over the said railway company's railway and dock, to obstruct or impede the traffic upon such railway, or to prevent or impede the convenient passage of engines, carriages, and waggons along the same, or to obstruct or impede the proper use or enjoyment of the said Old Dock by the said railway company and any other parties using the same; and if such traffic or passage of engines, carriages, or waggons, or the use and enjoyment of such dock, be obstructed or impeded, contrary to this enactment, the corporation shall forfeit and pay to the said railway company the sum of fifty pounds for every day, by way of ascertained damages, during which such obstruction shall continue.

Traffic on railway not to be interfered with.

23. Notwithstanding anything in this Act contained, the corporation shall be responsible for and make good to the railway company all losses, damages, and expenses which may be occasioned to the railway company, or to any of the docks, works, or property thereof, or their traffic thereon, or to any person or persons using the same, or otherwise, by reason of the execution or failure of the works by this Act authorized to be made, or of any act or omission of the corporation, or of any person or persons in their employ, or their contractors or others; and the corporation will effectually indemnify and hold harmless the railway company from all claims or demands upon or against them by reason of such execution or failure of any such act or omission.

Corporation to pay damages sustained by railway company.

24. Nothing in this Act contained shall extend or be deemed to extend to authorize or enable the corporation to take, enter upon, use, or interfere with, either permanently or temporarily, any part of the railway works or lands from time to time belonging to or in the possession of the railway company, further or otherwise than shall prove necessary for the purposes of making and maintaining the works by this Act authorized to be carried across the said railway and docks.

Restricting interference with lines and land of the railway company.

A.D. 1869.

Corporation to acquire only easements in lands of railway company.

Provision as to signals.

To provide for determining the value of lands belonging to corporation, and required by the railway company.

Bridge and approaches to be deemed part of the streets of the borough.

25. With respect to any land of the railway company which the corporation are by this Act authorized to use, enter upon, or interfere with, the corporation shall not, except with the consent of the railway company, purchase or take the same, but the corporation shall have, and the railway company may and shall grant accordingly, an easement or right of using the same for the purposes of this Act.

26. If by reason of the making of the works by this Act authorized it shall become necessary to add to or alter the signal or signals upon any of the lands or works of the railway company, the same shall be so added to or altered by the railway company, and the reasonable expense thereof shall be repaid them by the corporation.

27. And whereas the railway company are promoting in the present session of Parliament a bill, intituled "The Manchester, Sheffield, and Lincolnshire Railway (Additional Lands at Grimsby) Act, 1869," to acquire additional lands at Grimsby, a part of which lands belong to the corporation: And whereas it has been agreed between the said corporation and the said railway company that in case the said bill which the said railway company are now promoting shall pass into law, and the said railway company shall obtain compulsory powers to take the lands therein required belonging to the said corporation, the price and compensation to be paid for the same, in case the parties cannot agree, shall be determined by an arbitrator, to be appointed, at the request of either the said railway company or corporation, by the Board of Trade: Now therefore be it enacted, That in determining and assessing the price and compensation to be paid by the said railway company to the said corporation for any lands of them the said corporation which the railway company may, under the powers of the said bill if passed into an Act, obtain compulsory powers to take and use, the arbitrator shall not, in estimating the value of such lands, take into consideration any additional value which the powers granted by this Act might, except for this enactment, be considered to give to such land, but shall value and assess the same according to the existing value before the passing of this Act, and independently thereof, and without taking into consideration any compulsory powers which the railway company may have obtained for the purchase and taking thereof, or on any other basis of value than the present value of such lands unaffected by the construction of the said bridge.

28. The bridge and the approaches thereto shall, for the purposes of preventing nuisances, obstructions, and annoyances thereon, be deemed part of the streets of the borough, and the provisions of any Act for the prevention or removal of nuisances, obstructions, and annoyances shall be applicable to the bridge and the approaches thereto, and penalties and offences may be enforced and recovered in the same manner as penalties for offences in any public street in

the borough could be enforced and recovered, but nothing in this enactment contained shall interfere with the rights herein-before conferred upon Mr. Tennyson as to the laying down of rails upon the approach road.

A.D. 1869.

29. No tolls shall be taken by the corporation in respect of the said bridge or the said approaches.

Tolls not to be taken in respect of bridge, &c.
Limiting the weight to be carried over the bridge.

30. No waggon or other carriage shall, without the consent of the corporation, carry at any one time along or over the bridge over the dock (including the weight of such waggon or carriage) more than five tons.

31. The corporation may cause to be erected at or near the said bridge, or at such distance as they shall think expedient, one or more cranes or weighing machines proper for the weighing of waggons and other carriages conveying goods, wares, or other articles.

Power to erect weighing machines.

32. The keeper of any weighing machine shall or may require every driver or conductor of any waggon, cart, or other carriage or engine which shall come upon or pass along the said bridge, and which he shall suspect to be a greater weight than five tons, including the loading thereof, to be weighed at such crane or weighing machine as aforesaid; and if any such driver, conductor, or owner of such waggon, cart, or other carriage or engine shall refuse to allow the same to be weighed, every such owner, driver, or conductor shall forfeit to the corporation any sum not exceeding five pounds.

Toll keeper may weigh carriages, &c.

33. So much of the West Marshes as may be appropriated by the corporation as a public park or place of public recreation shall vest in the local board, and may be laid out by them for the purposes aforesaid in such manner as they think fit; and the expenses from time to time incurred by the local board in respect of such park or place of public recreation may be defrayed by them wholly or in part out of and shall be charged upon the general district rates which they are or may be authorized to levy, or out of the monies they are for the time being empowered to borrow.

As to appropriation of part of West Marshes for public park.

34. The corporation may from time to time, as they think fit, with the previous consent of the Lords Commissioners of Her Majesty's Treasury, sell the following properties belonging to them, or any of such properties; to wit, the Clee allotments, and the timber yard adjoining the Old Dock at Grimsby; and the corporation may apply the proceeds of every such sale, and any money coming to them in respect of land sold to the Great Grimsby Gas Company, and also any money coming to them in respect of any part of the West Marshes sold or to be sold to the Manchester, Sheffield, and Lincolnshire Railway Company, towards defraying any of the expenses to be incurred by the corporation under this Act, and any of the proceeds not so applied shall be carried to the credit of the borough fund.

Corporation may sell certain properties.

A.D. 1869.

Power to
borrow on
mortgage.

35. In addition to the monies which the corporation are already authorized to borrow on mortgage, the corporation may from time to time borrow on mortgage, for the purposes of this Act, on the security of the borough fund and borough rate of the borough, and of all lands and other property for the time being vested in them as part of their corporate estates, or of any such securities, either together or separately, any sums not exceeding in the whole twenty thousand pounds.

Application
of 10 & 11
Vict. c. 16.
to mortgages
by corpora-
tion.

36. For the purposes of such borrowing on mortgage as aforesaid, the provisions of "The Commissioners Clauses Act, 1847," incorporated with this Act, shall have effect.

Power to
corporation
to borrow for
paying off.

37. The corporation may from time to time borrow at interest on mortgage as aforesaid any money necessary for repaying any principal money borrowed as aforesaid, on the same becoming repayable, and so toties quoties.

Priority of
existing
mortgages.

38. All mortgages granted by the corporation before the passing of this Act shall, during the continuance thereof, have priority over all mortgages granted under this Act.

Increase of
councillors
if borough
hereafter
divided into
wards.

39. If, upon the petition of the council of the borough, under the powers of "The Municipal Corporation Act, 1859," the borough shall be hereafter divided into wards, each of the wards shall return and have six councillors and two assessors, and two aldermen shall be elected in respect of each such ward; and section 45. of 5 & 6 Will. 4. c. 76. shall extend to such division into wards.

Map of
wards to be
prepared.

40. The barrister who shall determine the boundaries of such wards shall cause a map to be prepared, upon which the names and boundaries of the wards as fixed by him shall be shown, and such map shall be signed by the barrister, and be thereupon deposited at the office of the town clerk of the borough.

Copy of map
or plan to
be evidence.

41. True copies of the said map or plan, or of any extract therefrom, certified by the said town clerk, which certificate the said town clerk shall give to all parties interested, when required, shall be received as evidence in all courts of justice or elsewhere as evidence of the contents thereof.

Expenses of
Act.

42. All the costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the corporation out of the borough fund and borough rate of the borough.