CHAPTER lvi.

An Act to authorise the construction of street works in the county borough of Newport to enlarge the powers of the mayor aldermen and burgesses of the borough with respect to their water electricity tramway and omnibus and markets undertakings to make further provision for the health local government and improvement of the borough to authorise the establishment of an insurance fund and for other purposes. [31st July 1925.]

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WHEREAS the county borough of Newport in the county of Monmouth is a municipal borough and under the government of the mayor aldermen and burgesses thereof (hereinafter called "the Corporation") and the Corporation acting by the council of the borough are the sanitary authority of the borough with the powers and obligations of an urban sanitary authority:

And whereas it is expedient to empower the Corporation to construct street works and to acquire lands for those purposes and for other purposes as in this Act mentioned:

And whereas it is expedient that further powers be conferred on the Corporation with reference to their water electricity tramway and omnibus and markets undertakings and their parks and recreation grounds:

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And whereas it is expedient that further and better provision be made with reference to infectious diseases and sanitary matters and otherwise for the local government health improvement and finance of the borough and that the powers of the Corporation in relation thereto be enlarged and extended:

And whereas it is expedient that further provision be made with respect to the levying of rates in the borough and that powers be conferred on the overseers of the parish of Newport and other parishes in the Newport Poor Law Union to require returns to be made containing particulars of properties:

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

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

	£
(*a*) For the purchase of lands for and in connection with the street works by this Act authorised - - -	176,750
(*b*) For the construction of street works and works connected therewith - - - - - -	19,850
(*c*) For the purchase of lands for educational purposes - - - -	5,800
(*d*) For the purchase of lands for recreation grounds - - - -	5,200
(*e*) For the purchase of additional motor omnibuses - - - - -	23,760
(*f*) For the provision of sheds and equipment in connection with the tramway and omnibus undertaking of the Corporation - - -	9,500

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

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

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And whereas plans and sections showing the lines and levels of the works authorised by this Act the plans showing also the lands liable to be taken compulsorily under the powers of this Act and a book of reference to the plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Monmouth and are in this Act respectively referred to as the deposited plans sections and book of reference:

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

Part I.

Preliminary.

Short title.

1. This Act may be cited as the Newport Corporation Act 1925.

Act divided into Parts.

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

Part I.—Preliminary.
Part II.—Lands.
Part III.—Street works.
Part IV.—Water.
Part V.—Electricity.
Part VI.—Omnibuses and tramways.
Part VII.—Markets.
Part VIII.—Streets and buildings.
Part IX.—Sanitary provisions food &c.
Part X.—Slaughter-houses.
Part XI.—Police and traffic.
Part XII.—Finance.
Part XIII.—Miscellaneous.

Incorporation of Acts.

3. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) so far as applicable for the purposes of and not inconsistent with the provisions

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of this Act are hereby incorporated with this Act Provided that the bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section.

Interpretation.

4.—(1) The several words and expressions to which by the Public Health Act 1875 or the Lands Clauses Acts meanings are assigned shall in this Act (except where otherwise expressly provided) have the same respective meanings unless there is something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires :—

"The borough" means the county borough of Newport ;

"The Corporation" means the mayor aldermen and burgesses of the borough ;

"The borough fund" "the borough rate" and "the general rate" respectively mean the borough fund the borough rate and the general rate of the borough ;

"The town clerk" "the borough engineer" "the surveyor" and "the treasurer" mean respectively the town clerk the borough engineer the surveyor and the treasurer of the borough and respectively include any person duly appointed by the Corporation to discharge temporarily the duties of any such officer ;

"The overseers" means the overseers of the parish of Newport ;

"The railway company" means the Great Western Railway Company ;

"The Act of 1889" means the Newport (Monmouthshire) Corporation Act 1889 ;

"The Act of 1892" "the Act of 1897" "the Act of 1900" "the Act of 1902" "the Act of 1906" "the Act of 1914" and "the Act of 1920" respectively mean the Newport Corporation Acts of those respective years ;

"The Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same ;

"The Lands Clauses Acts" means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919;

"The street works" means the works authorised by the section of this Act of which the marginal note is "Power to construct street works";

"The water undertaking" "the electricity undertaking" "the transporter bridge undertaking" "the markets undertaking" and "the tramway and omnibus undertaking" respectively mean the water undertaking the electricity undertaking the transporter bridge undertaking the markets undertaking and the tramway and omnibus undertaking of the Corporation as from time to time authorised;

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

"Road authority" means with reference to any road or part of a road the authority company or person charged with or liable to contribute to the maintenance of the road or part of a road;

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

"Omnibus" means (except as stated in Part XI. (Police and traffic) of this Act) any carriage for carrying passengers at separate fares and moved by animal power or by mechanical power (including in that expression petrol electric and every other motive power not being animal power) obtained from some internal source;

"The Corporation tramways" means the tramways for the time being belonging to the Corporation;

"Telegraphic line" has the same meaning as in the Telegraph Act 1878;

"Daily penalty" means a penalty for each day on which an offence is continued after conviction;

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

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rent-charges or securities transferable by delivery or any securities of the Corporation;

"Revenues of the Corporation" includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation.

Part II.

Lands.

Power to acquire lands.

5. The Corporation may (in so far as they are not already possessed of the same) enter upon take and use the lands and interests in lands in the borough hereinafter mentioned (that is to say):—

(*a*) For the purposes of the street works and for providing space for the erection of buildings

adjoining and near thereto respectively the lands shown on the deposited plans and described in the deposited book of reference in relation to the street works ;

(*b*) For the provision of further school accommodation a plot of land adjoining and on the south side of the municipal secondary school at Stow Hill and bounded on the west by Stow Hill on the north and east by the existing school premises and on the south by the lane between the properties Nos. 31 and 33 Stow Hill and including the site of that lane ;

(*c*) For the provision of further school accommodation so much as is situate within the borough of the lands and premises on the northern side of Lawrence Hill now leased to the Corporation and known as "Hatherleigh" and including the houses buildings and cottages situate thereon ;

(*d*) For the provision of recreation grounds the lands now leased to the Corporation on the western side of the Hereford and Newport Railway of the railway company comprising the playing field and grounds known as the St. Julian's Recreation Ground and the allotments at the northern and southern ends thereof :

Provided that notwithstanding anything on the deposited plans the Corporation shall not under the powers of this section acquire (otherwise than by agreement) any of the properties numbered on the deposited plans 18 to 35 (inclusive) and 40 to 60 (inclusive).

Period for compulsory purchase of lands.

6. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the thirty-first day of December nineteen hundred and twenty-five.

Application of sections of former Acts to lands.

7. The following sections of the Act of 1902 and the Act of 1914 shall so far as the same are applicable extend and apply to and with respect to any lands authorised to be acquired under this Act and to the Corporation

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in respect thereof in as full and complete a manner as if the said sections were re-enacted in this Act with reference thereto (that is to say):—

Act of 1902—

Section 24 (Power to take easements &c. by agreement);

Section 25 (Correction of errors &c. in deposited plans and books of reference);

Section 28 (Power to retain sell &c. lands);

Section 29 (Proceeds of sale of surplus lands).

Act of 1914—

Section 21 (Owners may be required to sell parts only of certain properties);

Section 25 (Power to Corporation to enter upon property for survey and valuation):

Provided that for the purposes of this Act section 21 of the Act of 1914 shall be deemed to refer to properties whereof the whole or part is described in the First Schedule to this Act:

Provided also that nothing in the said sections 28 and 29 of the Act of 1902 as extended and applied to the lands authorised to be acquired under this Act shall authorise the Corporation (except with the consent of the Board of Education) to dispose of the lands described in paragraphs (*b*) and (*c*) of the section of this Act of which the marginal note is "Power to acquire lands" or any part of those lands or to apply the proceeds of sale of those lands or any part thereof otherwise than subject to the provisions of section 115 of the Education Act 1921.

Extinction of private rights of way.

8.—(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily and over any street road or lane which may be stopped up under the powers of this Act shall as from the date of the acquisition of such lands by the Corporation or the stopping up of such street road or lane be extinguished.

(2) The Corporation shall make full compensation to all persons interested in respect of any rights so extinguished and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement. A.D. 1925.

Compensation limited in certain cases.

9. In determining any question as to disputed compensation payable in respect of lands taken under the powers of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected after the dates hereinafter mentioned if in the opinion of the tribunal the improvement alteration or building in respect of which the claim is made was made or erected with a view to obtaining or increasing compensation under this Act nor in the case of any estate or interest in the lands created after the said dates which in the opinion of the tribunal was created with a view to obtaining or increasing compensation shall any sum of money be awarded so as to increase the total amount of compensation which would otherwise have been required to be paid in respect of the acquisition by the Corporation of such lands.

The dates referred to in this section are :—

(*a*) With respect to the property numbered 4 on the deposited plans the nineteenth day of April nineteen hundred and twenty-four;

(*b*) With respect to any other lands and properties the first day of November nineteen hundred and twenty-four.

Benefits to be set off against compensation.

10. In estimating the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under this Part of this Act of any part of the lands of any person (being lands forming part of any of the properties described in the First Schedule to this Act) the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous with such adjoining lands arising out of the widening or improvement of any street or arising through such adjoining lands becoming lands fronting on such street shall be fairly estimated and shall be set off against the said compensation or purchase money.

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Further powers for the acquisition of lands.

11.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister of Health.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the borough fund and borough rate.

(3) The Corporation may so far as they consider necessary apply subject to the approval of the Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

(*a*) in or towards the extinguishment of any loan raised by them under the powers of this Act such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health; or

(*b*) in such other manner as may be approved by the Minister of Health.

(4) Nothing in this section shall allow the Corporation to erect any buildings on or to use any such lands in any manner which infringes any then existing legal rights of any owners lessees or occupiers of any adjoining lands.

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Power to develop lands &c.

12.—(1) The Corporation may lay out and develop and erect and maintain houses shops offices warehouses and other buildings and construct sewer pave flag channel and kerb streets roads and ways on any lands acquired by them under the powers of this Act for the purpose of the street works and not required for that purpose and may sell lease (for any period not exceeding ninety-nine years) exchange or otherwise dispose of any such houses shops offices warehouses or buildings upon and subject to such terms conditions and restrictions as they may think fit.

(2) The Corporation may also grant building leases of any such lands as aforesaid for any periods not exceeding in any case ninety-nine years subject to such restrictions and conditions as the Corporation may see fit to impose and may grant any easements rights or privileges in under or over such lands or any part or parts thereof and may use or dispose of the building or other materials of any houses and premises on any lands acquired or appropriated by them which they may deem it necessary or desirable to pull down.

(3) The Corporation in selling or disposing of any such lands may attach to the same and may convey the same subject to any conditions and restrictions upon the use thereof and as to the buildings to be erected thereon and as to the use to which such buildings may be put.

(4) The provisions of this section shall be in addition to and not in derogation of any other powers vested in or exerciseable by the Corporation.

(5) Nothing in this section shall allow the Corporation to lay out or develop or to erect any houses shops offices warehouses or other buildings on any such lands in any manner which infringes any then existing legal rights of any owners lessees or occupiers of any adjoining lands.

(6) The Corporation shall not make or impose under the powers of this section any term condition or restriction with respect to the form of light heat power or energy to be used in any house shop office warehouse or other building or on any lands or with respect to the taking from any particular local authority company body or person of any form of light heat power or energy.

Power to reinstate owners of property.

13. The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings

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which may be acquired under the provisions of this Act or which may be in the neighbourhood of the street works with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

Restrictions upon use of certain lands.

14. Nothing in the sections of this Act of which the marginal notes are respectively "Further powers for the acquisition of lands" and "Power to develop lands &c." shall authorise the Corporation—

(*a*) to create or permit any nuisance on any such lands as are referred to in those sections or either of them; or

(*b*) to appropriate or use or permit the appropriation or use of any such lands to or for any purpose other than purposes for which and subject to the conditions under which they are for the time being authorised by the said sections or either of them or by any other enactment to acquire and use lands.

For protection of Great Western Railway Company.

15. The following provisions for the protection and benefit of the railway company shall apply and have effect except so far as may be otherwise agreed in writing between the Corporation and the railway company:—

(1) As from the date of the acquisition by the Corporation of the lands referred to in paragraph (*d*) of the section of this Act of which the marginal note is "Power to acquire lands" the Corporation shall take over and relieve the railway company from all liability in respect of the maintenance of the roadway upon the bridge crossing the Great Western Railway which gives access to those lands and upon the approaches thereto:

Nothing in this Act shall enlarge any existing obligation upon the company in respect of the bridge nor prevent the company from lengthening the bridge for the purpose of widening their railway thereunder provided that the gradients of the approaches thereto are not increased:

(2) If the railway company desire at any future time to widen their railway on the western

side thereof adjoining the lands referred to in subsection (1) of this section the Corporation may and shall sell and convey to the railway company such portion of those lands as may be necessary for the purposes aforesaid at a price to be agreed between the Corporation and the railway company or failing agreement to be settled by arbitration as hereinafter provided which price shall include a sum to cover all expenses or damage which the Corporation may incur or be put to in consequence of the purchase by the railway company of such portion of lands:

(3) The Corporation shall not under the powers of this Act acquire compulsorily any greater portion of the lands of the railway company than may be necessary for the purposes of Works Nos. 6 8 and 10 by this Act authorised:

(4) The Corporation before commencing the construction of Work No. 8 shall pay to the railway company such sum as may be agreed between the Corporation and the railway company or in default of agreement settled by arbitration to enable the railway company to re-instate the buildings comprising the railwaymen's institute now existing upon the lands belonging to the railway company numbered on the deposited plans for Work No. 8 73 in the borough and the Corporation shall not enter upon take or use any of the said lands until the expiration of six calendar months from the date of the payment of the above-mentioned sum:

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

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For protection of John Henry Jenkins and John Jenkins Limited.

16. For the protection of John Henry Jenkins and John Jenkins Limited or other the owners or lessees for the time being of the premises known as No. 12 Clifton Road in the borough (all of whom are in this section referred to as and included in the expression "the owners") the following provisions shall unless otherwise agreed in writing between the owners and the Corporation have effect (that is to say):—

Notwithstanding anything in this Act contained or shown on the deposited plans the Corporation shall not enter upon take or use any part of the property numbered 194 on the said plans other than so much thereof as is required for the construction of the widening (Work No. 11) by this Act authorised and as is situate south-eastward of the line marked on the said plans "proposed frontage line of improvement."

Part III.

Street Works.

Power to construct street works.

17. Subject to the provisions of this Act the Corporation may in the lines and situations and according to the levels shown on the deposited plans and sections make and maintain the following street works in the borough (that is to say):—

Work No. 1 A widening of High Street on its eastern side between the Bunch of Grapes public house and Griffin Street;

Work No. 2 A widening of High Street on its western side between the Tredegar Arms Hotel (No. 54 High Street) and No. 52 High Street;

Work No. 3 A widening of Market Street on its northern side between High Street and a point about twenty-nine yards eastwards therefrom;

Work No. 6 A widening of Shaftesbury Street on its eastern side between the eastern abutment of the bridge of the railway company over Shaftesbury Street near Fisherman's Lane and a point about fifty-three yards northwards from the said abutment;

Work No. 7 The rounding off of the corner between Shaftesbury Street and Mill Street commencing on

the west side of Shaftesbury Street at a point about twenty-three yards northwards of the western abutment of the said bridge of the railway company and terminating on the east side of Mill Street at a point about nineteen yards northwards from the northern corner of the Eastern Valleys Inn;

Work No. 8 A widening of Shaftesbury Street on its western side between Mill Street and a point about fifty-one yards northwards from the Station Inn;

Work No. 9 A widening of Malpas Road on its south-western side and the rounding off of the corner between Malpas Road and Barrack Hill commencing in Malpas Road at the borough boundary and terminating in Barrack Hill at a point twenty-three yards westwards of the southern abutment of Gwasted Bridge;

Work No. 10 A widening of Malpas Road on its north-eastern side commencing at a point about seventeen yards southwards from Prospect Street and terminating at the eastern abutment of the bridge carrying the Monmouthshire (Eastern Valleys) Railway over Malpas Road;

Work No. 11 A widening of Stow Hill on its northern side and of Clifton Road on its north-western side between York Place and No. 11 Clifton Road;

Work No. 12 The rounding off of the corner between Devon Place and Pentonville commencing at a point on the north-western side of Devon Place about fourteen yards north-eastwards from No. 51 Devon Place and terminating at a point on the southern side of Pentonville about sixteen yards eastwards from the entrance to No. 3 Pentonville;

Work No. 13 The rounding off of the corner between Godfrey Road and Devon Place commencing at a point on the south-eastern side of Godfrey Road about seven yards southwards from the entrance drive to No. 36 Godfrey Road and terminating at a point on the north-western side

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of Devon Place about nineteen yards south-westwards from the back entrance from Devon Place to the property known as No. 2 Serpentine Road;

Work No. 14 A widening of Cardiff Road on its north-western side between Clytha Square and the entrance drive to Overton House.

Power to deviate.

18. In making the street works the Corporation may deviate from the lines and positions thereof respectively shown on the deposited plans to any extent within the limits of deviation shown on those plans and from the levels thereof respectively shown on the deposited sections to any extent not exceeding two feet upwards or downwards.

Time for completion of street works.

19. If the street works are not completed within seven years from the thirty-first day of December nineteen hundred and twenty-five then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as is then completed.

Application of road materials excavated in construction of works.

20.—(1) Any paving metalling or material excavated by the Corporation from any road under their jurisdiction and control in the construction of the street works and the works connected therewith by this Act authorised shall absolutely vest in and belong to the Corporation and may be dealt with removed and disposed of by them in such manner as they may think fit.

(2) In the exercise by the Corporation of the powers of section 17 of the Act of 1902 the Corporation shall at all times maintain reasonably sufficient access for both vehicular and pedestrian traffic to the stations and depôts of the railway company.

Application of sections of Act of 1902 to street works.

21. Subject to the provisions of this Act the following sections of the Act of 1902 shall so far as the same are applicable extend and apply to the street works and to the Corporation with respect thereto in as full and complete a manner as if the said sections were re-enacted in this Act with the substitution of the words "the street works" for the words "the bridge and street widenings and improvements authorised by this Act" wherever the last-mentioned words occur in those sections,

The sections above referred to are—

Section 17 (Power to stop up ways during execution of works);

Section 18 (Power to make subsidiary works in connection with street works);

Section 19 (Power to alter drains pipes &c.);

Section 21 (Corporation empowered or may be required to underpin or otherwise strengthen houses near works).

As to alteration of telegraphic lines.

22. Notwithstanding anything in this Part of this Act the Corporation shall not alter divert or otherwise interfere with any telegraphic line of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

As to works of electric undertakers.

23. Nothing in this Part of this Act shall extend to or authorise any interference with any works of any authorised undertakers as defined in the Electricity (Supply) Act 1919 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section and the provisions of the schedule to the Electric Lighting (Clauses) Act 1899.

Works below high-water mark to be subject to approval of Board of Trade.

24.—(1) Subject to the provisions of this Act any work authorised by this Act shall only be constructed so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Board of Trade under the hand of one of the secretaries or assistant secretaries of the Board of Trade and subject to such restrictions and regulations as the said Board may prescribe before such work is begun.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Corporation and the amount of such cost shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

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Power to stop up Union Court.

25.—(1) The Corporation may stop up and discontinue for public traffic of every description the street or lane known as Union Court leading from Llanarth Street to the Corporation's generating station and on the stopping up thereof all public rights of way and rights other than rights of way in over or affecting the said street or lane shall be by virtue of this Act extinguished Provided that—

(i) The stopping up of the said street or lane shall be effected by the erection by the Corporation across the said street or lane at a point not less than seventeen yards north-westwards of the point marked "Z" on sheet No. 12 of the deposited plans of gates which shall be so constructed and maintained by the Corporation as not in any way (except by the construction and maintenance of the necessary gate posts for such gates) to limit the width of the access to the said street or lane from Llanarth Street aforesaid as existing immediately before the passing of this Act;

(ii) The said gates shall at all times hereafter be under the joint control of the Corporation and of Thos. H. Howell Limited (whose premises comprising warehouses and offices number 25 to 31 in Llanarth Street aforesaid face the entrance to the said street or lane) and of the successors in title of the said Thos. H. Howell Limited or of any future occupiers of the said premises or of any part thereof;

(iii) The said Thos. H. Howell Limited and their successors in title and the occupiers of the said premises or any part thereof may from time to time (whether by day or night) temporarily open the said gates and temporarily unstop and use the said street or lane and have the free access to or from the said street or lane from or to Llanarth Street whenever necessary for the purposes of manipulating freely and without restriction traffic of all kinds going into or out of the said premises; and

(iv) For the purpose of affording such joint control of such gates as aforesaid the Corporation shall

provide and at all times keep a good and sufficient lock for the said gates with two keys for opening the said gates one of which shall be kept and used by the Corporation and the other kept and used by Thos. H. Howell Limited or their successors in title or occupiers for the time being of the said premises or any part thereof and the Corporation shall not at any time hereafter place or permit to be placed in the said street or lane any obstruction which will interfere with or delay or hinder the said free and unrestricted manipulation of traffic other than such gates as aforesaid. A.D. 1925.

(2) At any time after the stopping up of the said street or lane under the powers of this section the Corporation may if they think fit take up and remove any pipes wires or other apparatus (other than apparatus of the Newport (Monmouthshire) Gas Company) situate under the street or lane and utilise or dispose of the same in such manner as they may determine Provided that before utilising or disposing of any such apparatus they shall publish notice of their intention so to do in some daily newspaper circulating in the borough and if within one week from the publication of the notice the owner of any such apparatus shall give notice to the Corporation of his desire to retain possession of such apparatus the Corporation shall deliver the same to the owner.

Extension of time for completion of works of 1914.

26. The period limited by section 7 of the Act of 1914 as extended by section 75 of the Act of 1920 for the completion of the bridge and street works authorised by Part II. of the Act of 1914 is hereby further extended until the thirty-first day of July nineteen hundred and twenty-nine.

Part IV.

Water.

Part IV. to extend to Corporation's water limits.

27. The provisions of this Part of this Act shall extend to and be in force throughout the whole of the limits within which the Corporation are for the time being authorised to distribute water.

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Variation of section 35 of Waterworks Clauses Act 1847.

28. The provisions of section 35 of the Waterworks Clauses Act 1847 shall in their application to the Corporation be read and construed as if the one-tenth part of the expense of providing and laying down pipes mentioned in that section were one-sixth part of such expense and as if the period of three years mentioned in that section were five years.

Penalty for closing valves and apparatus.

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

As to rateable value of two or more houses in one occupation.

30. Where two or more houses or buildings or parts of one or more houses or buildings connected by any internal means of communication or by any bridge subway yard or passage not being a public highway are in the occupation of one and the same company body firm or person they shall be deemed for the purposes of determining the amount of the water rate chargeable by the Corporation in respect of any supply of water for domestic purposes furnished by the Corporation to such houses or buildings or parts thereof (being in such single occupation as aforesaid) to be one tenement having a rateable value equal to the aggregate rateable values of the separate houses or buildings or parts of houses or buildings so occupied.

Part V.

Electricity.

Part V. to extend to Corporation's electricity limits.

31. The provisions of this Part of this Act shall extend to and be in force throughout the whole of the area in which the Corporation are for the time being authorised to supply electricity.

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As to maximum power which may be demanded.

32.—(1) The maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of electricity taken on extraordinary occasions or as a stand-by supply unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for his premises the sum to be so paid to be determined in default of agreement by arbitration in the manner provided by section 28 of the Electric Lighting Act 1882.

(2) The provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

Provisions as to supply of electricity by agreement.

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

Period of error in defective meters.

34. In the event of a meter of a construction and pattern approved by the Board of Trade or Minister of Transport used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

Entry upon premises Penalty for obstruction.

35.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or of that section as extended by section 16 of the

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Electric Lighting Act 1909 or from exercising the powers contained in those sections shall be liable to a penalty not exceeding five pounds.

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

Notice to discontinue supply of electricity.

36.—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left at the office of or sent by post to the Corporation or be given by the consumer personally at the office of the Corporation.

(2) Notice of the effect of this section shall be endorsed upon any demand note for charges for electricity.

Power to recover charge for reconnection.

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

Part VI.

Omnibuses and Tramways.

Further powers of running omnibuses.

38.—(1) In addition to the powers conferred on the Corporation by Part V. (Motor omnibuses) of the Act of 1914 of running omnibuses outside the borough on the routes in the parish of St. Woollos described in section 35 of that Act the Corporation may provide and maintain (but not manufacture) and may run omnibuses with the consent of the Minister of Transport and the local authority of the district along any other route outside the borough Provided that the consent of a local authority to the running of omnibuses by the Corporation within two miles from the present boundary of the

borough shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport. A.D. 1925.

(2) In the case of any application under the provisions of this section for the consent of the Minister of Transport the Corporation shall give notice in writing of their proposals to the road authority (where it is not also the local authority) and shall publish notice of such proposals in the London Gazette and in such other manner as the Minister of Transport shall direct stating the manner in which and the time within which any persons affected by such proposals may object thereto and if any objection shall be made by any such person or the consent of the local authority to the running of omnibuses by the Corporation within two miles from the present boundary of the borough is withheld the Minister of Transport may direct an inquiry to be held.

(3) Subsections (6) (7) and (9) of section 35 of the Act of 1914 shall extend and apply to and with respect to any omnibuses provided and run under the powers of this section and to the Corporation with respect thereto as though the said subsections were re-enacted in this Act with the substitution of the expression "omnibus" for the expression "motor omnibus."

(4) The provisions of section 51 (Penalty on passengers practising frauds on the promoters) and section 56 (Recovery of tolls penalties &c.) of the Tramways Act 1870 shall apply to and in relation to the omnibuses of the Corporation (whether provided under the Act of 1914 or this Act) as if they were carriages used on tramways.

(5) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in or upon such omnibuses or in or against any premises held by the Corporation in connection therewith.

(6) Subsection (5) of section 35 of the Act of 1914 is hereby repealed.

39. Notwithstanding anything in this Act the Corporation shall not run omnibuses upon so much of the Western Valleys Main Road as lies to the north-west of the road leading to the Cefn Smithy at the Cefn Rogerstone so long as a service of omnibuses is run on that

For protection of Lewis and James Limited.

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portion of the said road by Lewis and James Limited or their successors or assigns except with the consent in writing of Lewis and James Limited or their successors or assigns.

For protection of South Wales Commercial Motors Limited.

40. Notwithstanding anything in this Act the Corporation shall not run any omnibuses on the main road between Newport and Chepstow beyond the inn in the parish of Llangstone known as the New Inn.

Amending definition of motor omnibus in Act of 1914.

41. After the passing of this Act the expression "motor omnibus" in the Act of 1914 shall have the same meaning as the word "omnibus" in this Part of this Act Subsection (8) of section 35 of the Act of 1914 is hereby repealed.

Provision as to adaptation of roads &c.

42.—(1) (*a*) Before the Corporation commence to run omnibuses under the powers of this Part of this Act over any road or part of a road it shall be determined by agreement between the Corporation and the road authority (where it is not the Corporation) or failing agreement by the Minister of Transport whether it is necessary (in order to provide for the running under the powers of this Part of this Act of an omnibus service over any such road or part of a road) to adapt alter or re-construct such road or part of a road or to strengthen any county bridge or district bridge and if so what sum of money (if any) per mile of road so to be adapted altered o re-constructed or what sum of money (if any) in respect of any such bridge shall be payable by the Corporation to the road authority by way of contribution towards the cost incurred in such adaptation alteration re-construction or strengthening.

(*b*) Within six months after the date upon which all questions to be agreed or determined in pursuance of paragraph (*a*) of this subsection have been so agreed or determined the Corporation shall give notice in writing to the road authority as to whether they intend to run omnibuses over the road or part of a road or bridge in question.

(*c*) If the Corporation give notice in writing to the road authority that they intend to run omnibuses over the road or part of a road or bridge in question and if it shall have been agreed or determined that the Corporation are to make any payment to the road authority under the provisions of paragraph (*a*) of this subsection

the Corporation shall on receipt of any certificate which may from time to time be issued by the engineer in charge of the work of adaptation alteration or re-construction of such road or part of a road or of strengthening such bridge pay to the road authority such proportion of the total amount of the contribution agreed or determined to be payable by the Corporation as the amount so certified to have been expended upon such work bears to the total amount estimated to be expended by the road authority on such work Provided that the aggregate amount to be so paid by the Corporation shall not exceed the amount of the contribution agreed or determined to be payable by them as aforesaid.

(*d*) Notwithstanding anything in this subsection the Corporation shall not be required to pay any sum in respect of any work towards or in respect of the adaptation alteration or re-construction of any such road or part of a road or the strengthening of any bridge which is not executed within three years from the date on which the Corporation shall commence to run omnibuses over the road or part of a road to be adapted altered or re-constructed or over the bridge to be strengthened.

(*e*) Not more than one payment or (in the case of a payment by instalments in accordance with paragraph (*c*) of this subsection) one series of payments shall be made in respect of any such road or part of a road so adapted altered or re-constructed or of any such bridge so strengthened.

(*f*) For the purposes of this subsection the expression "county bridge" shall include every bridge maintainable by a county council and in respect of such bridge the county council shall be deemed to be the road authority and the expression "district bridge" shall include every bridge maintainable by a district council and in respect of such bridge the district council shall be deemed to be the road authority.

(2) Any payment made to a road authority under this section in respect of any main road retained by them under subsection (2) of section 11 of the Local Government Act 1888 or maintained by them under subsection (4) of that section shall be credited to the county council in ascertaining the amount payable by them under either of the said subsections of the Local Government Act 1888.

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(3) If any such adaptation alteration re-construction or strengthening as aforesaid shall involve an alteration of any telegraphic line belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration and the road authority shall be deemed to be "undertakers" within the meaning of the said Act.

(4) The road authority shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any highway by the omnibuses of the Corporation.

(5) An agreement under this section with respect to any main road maintained by a local authority at the expense of any county council shall not be made except with the concurrence of that county council.

As to bridges of railway and canal companies.

43. Nothing in this Part of this Act shall impose any obligation upon or enlarge any obligation of any railway or canal company to strengthen adapt alter or re-construct any bridge or road maintainable by them.

Fares and charges &c.

44.—(1) Subject to the provisions of this section the Corporation may demand and take for passengers and parcels carried on the omnibuses of the Corporation (whether provided under the Act of 1914 or this Act) fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport.

Any application for a revision of such maximum fares or charges may be made by the Corporation or by the local authority of any district in which such omnibuses are run.

Before approving any maximum fares or charges or any revision thereof under this section the Minister of Transport may direct an inquiry to be held.

Where the Minister of Transport causes any such inquiry as aforesaid to be held all expenses incurred by the Minister in relation to that inquiry shall be paid as the Minister may by order direct either by the Corporation or by any of the parties on whose representations the inquiry is held or partly by the Corporation and partly by any of such parties and the Minister may

certify the amount of the expenses so incurred and any sum so certified and directed by the Minister to be paid shall be a debt due to the Crown. A.D. 1925.

(2) Every passenger travelling on the omnibuses of the Corporation may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat required for a passenger nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit convey on the omnibuses small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

(4) The fares and charges for the time being authorised under the provisions of this Act shall be paid to such persons and in such manner as the Corporation may by notice annexed to the list of fares and charges appoint.

(5) Subsection (2) of section 35 of the Act of 1914 is hereby repealed.

Working and other agreements.

45.—(1) The Corporation and any local authority empowered to run omnibuses in any borough or urban or rural district adjacent to the borough or adjacent to any borough or urban or rural district in which any route over which the Corporation are for the time being empowered to run omnibuses is situate may enter into and carry into effect agreements for the working user management and maintenance of all or any of the omnibus services which the contracting parties are empowered to provide subject to the provisions of any Act or Acts under which such omnibus services are respectively authorised.

(2) The Corporation and any company body or person may enter into and carry into effect agreements for the working user management and maintenance subject to the provisions of this Act of any omnibus services within the borough or on any route over which the Corporation are for the time being empowered to run omnibuses.

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(3) The Corporation and any such local authority company body or person as aforesaid may also enter into and carry into effect agreements for all or any of the following purposes (that is to say):—

(*a*) The working user management and maintenance of any omnibuses lands depôts buildings sheds and property provided in connection with any such omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such services;

(*b*) The supply by any of the contracting parties under and during the continuance of any such agreement under this section of omnibuses and conveniences in connection therewith necessary for the purposes of such agreement and the employment of officers and servants;

(*c*) The interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any omnibus service of either of the contracting parties;

(*d*) The payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus service as aforesaid.

(4) The Corporation shall not enter into or carry into effect any agreement under the provisions of this section in relation to any omnibus service lands depôts buildings sheds or property beyond the borough otherwise than with the consent of the local authority of the district within which such omnibus service lands depôts buildings sheds or property are situate Provided that on complaint being made to the Minister of Transport that such consent is unreasonably withheld the Minister may if he thinks fit by order dispense with such consent.

Cesser of powers.

46.—(1) The powers of running omnibuses under the provisions of this Part of this Act on any road or part of a road outside the borough may at the expiration of ten years from the date upon which such running commences and at the expiration of any subsequent period of ten years be determined by the Minister of Transport on the application of the local authority of

the district in which such road or part of a road is situate upon such terms as the said Minister may determine.

(2) Before issuing an order to determine the said powers the Minister of Transport shall hold a local inquiry at which opportunity shall be afforded to any person interested to object to the continuance or cesser of such powers.

Determination of powers in certain events.

47. If the Corporation do not within three years from the giving of the consent of the Minister of Transport to the running by the Corporation of omnibuses on any route outside the borough provide a service of omnibuses on such route or having provided shall discontinue any such service the Minister of Transport may on the application of any local authority within whose district the route or any part of the route is situate and after considering any representation which may be made on behalf of the Corporation by order declare that unless a service of omnibuses be provided within such period as the Minister of Transport may by such order prescribe the powers of the Corporation under this Part of this Act in respect of the provision and running of omnibuses on such route or part of such route shall determine and if within the prescribed period such service be not provided as from the expiration of such period the powers of the Corporation under this Part of this Act in relation to the provision and running of omnibuses on such route or part of a route shall cease :

Provided that this section shall not apply or have effect in the event of the failure of the Corporation to provide a service of omnibuses on any route being due to strikes unforeseen accident or circumstances beyond the control of the Corporation.

Power to reserve cars for special purposes.

48.—(1) Notwithstanding anything in this or any other Act to the contrary the Corporation may on any occasion run and reserve cars on any of the Corporation tramways or omnibuses on any route on which the Corporation are for the time being authorised to run omnibuses for any special purpose which the Corporation may consider necessary or desirable Provided that such special cars and omnibuses shall be distinguished from other cars and omnibuses in such

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manner as the Corporation may direct and that during the running of such special cars or omnibuses the Corporation shall maintain a reasonably sufficient ordinary service of cars or omnibuses as the case may be.

(2) The Corporation may make byelaws and regulations for prohibiting the use of any such cars or omnibuses by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions in this or any other Act of the Corporation as to fares rates or charges for passengers shall not extend to any special cars or omnibuses run as aforesaid and in respect thereof the Corporation may demand and take such fares rates or charges as they shall think fit.

Dwelling-houses for persons in Corporation's employment and other buildings.

49. The Corporation may purchase or take on lease dwelling-houses for persons employed by them for the purposes of the tramway and omnibus undertaking and car sheds offices and other buildings for the purposes of that undertaking and may erect maintain and let dwelling-houses for such persons and offices and other buildings for the said purposes upon any lands for the time being belonging to the Corporation for the purposes of the said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for the purposes of the said undertaking.

Shelters &c.

50. Section 58 (Shelters or waiting rooms) of the Act of 1914 shall have effect as if the words "sheds shelters or waiting rooms and gangways" were inserted therein in lieu of the words "shelters or waiting rooms."

Cloak-rooms &c.

51. The Corporation may provide cloakrooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by them in connection with the tramway and omnibus undertaking and at any places on the routes of the Corporation tramways or any omnibus route of the Corporation and the Corporation may make charges for the use of such cloakrooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein but shall not use for the purpose any part of the highway.

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Attachment of signs indicating stopping places to lamp-posts &c.

52.—(1) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the Corporation tramways or of the omnibuses of the Corporation signs or directions indicating the position of stopping-places for tramway cars and omnibuses Provided that if the Corporation are not the owners of such lamp-post pole standard or similar erection they shall give to the owner thereof notice in writing of their intention to attach thereto any such sign or direction and shall make compensation to the said owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Corporation shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) The Corporation shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing or belonging to the railway company except with their consent in writing.

Corporation may appoint stopping and starting places.

53. The Corporation may appoint the stations and places from which the omnibuses of the Corporation shall start or at which they may stop for the purpose of taking up or setting down passengers and may fix the time during which such omnibuses shall be allowed to remain at any such place but any such appointment and fixing of time shall (as respects any station or place outside the borough) be subject to the consent of the local authority of the district within which that station or place is appointed which consent shall not be unreasonably withheld and any question as to whether or not any such consent is unreasonably withheld shall be determined by the Minister of Transport.

For further protection of Great Western Railway Company.

54.—(1) The Corporation shall not under the powers of the sections of this Act of which the marginal notes respectively are "Cloakrooms &c." and "Corporation may appoint stopping and starting places" (except with the consent in writing of the railway company

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under the hand of their secretary or general manager) erect maintain or provide any cloakroom room or shed or appoint any starting or stopping station or place so as to cause interference with or render less convenient the access to or exit from any station depôt or property belonging to the railway company nor shall any such cloakroom room or shed be erected maintained or provided on any bridge carrying any street or road over the railways of the railway company or on the approaches to any such bridge.

(2) Section 63 (For protection of Great Western Railway Company) of the Act of 1914 shall have effect as if in subsection (7) thereof the words "shed shelter waiting room or gangway" were substituted for the words "shelter or waiting room."

As to byelaws &c. under Part VI. of Act.

55. Any byelaws and regulations made by the Corporation under the provisions of this Part of this Act shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

Accounts to be sent to Minister of Transport.

56. The Corporation shall every year within three months after the closing of their financial year or such longer period as the Minister of Transport may allow send to the Minister of Transport a copy of the annual accounts of the tramway and omnibus undertaking.

Part VII.

Markets.

Erection of offices shops &c.

57. The Corporation may erect or provide offices shops stores warehouses and other tenements or buildings for the purposes of or in connection with any of their markets but nothing in this section shall allow the Corporation to erect any office shop store warehouse or other tenement or building in such manner as to infringe any existing legal rights of any owners lessees or occupiers of any lands or property in the vicinity thereof.

Power to lease stalls shops &c. in markets.

58. The Corporation may grant to any person or firm a lease for any term not exceeding three years (with the right if they think fit of assigning the same with their consent) or a weekly or other tenancy of

any of the stalls standing places benches cellars or other conveniences in any market belonging to them or under their control and may also grant to any person or firm a lease for any term not exceeding twenty-one years (with a similar right) or a weekly or other tenancy of any office shop store warehouse tenement or building situate in any of their markets or forming part of or acquired or erected in connection with their market undertaking.

Power to take possession of stalls &c. for non-payment of charges.

59. If any tenant stall-holder or occupier shall not after any tolls or charges have become due and payable to the Corporation in respect of any stall standing place bench cellar or other convenience in any market belonging to the Corporation or under their control and after demand has subsequently been made therefor pay the same within three days of the demand the Corporation may enter upon and take possession of such stall standing place bench cellar or other convenience and re-let the same without prejudice to any other remedy for the recovery of such tolls or charges.

Part VIII.

Streets and Buildings.

As to repair of hoardings.

60. The Corporation may by notice in writing require the owner of any hoarding to maintain the same in good order and condition and if any paper or other material affixed thereto for advertising purposes becomes detached forthwith to remove and clear away such paper or other material If any owner shall neglect or refuse to comply with any such notice the Corporation may carry out the requirements thereof and recover from the owner any expense incurred by them in so doing.

Crossings for horses or vehicles over footways.

61.—(1) Where the owner or occupier of any premises fronting or abutting on any street repairable by the inhabitants at large uses or permits to be used any kerbed or paved footway in such street as a crossing for any horse or vehicle in passing to and from such premises the Corporation may either—

(*a*) require the construction across such footway of a carriage-crossing for the purpose aforesaid

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constructed of such materials and in such manner as they may prescribe; or

(*b*) allow the use of the footway for the purpose aforesaid subject to the condition that the footway is strengthened or adapted in such manner as the Corporation may prescribe or subject to such other reasonable conditions (if any) as they may impose.

(2) If the Corporation require the construction of any carriage-crossing across the footway or allow the use of the footway subject to a condition that it is strengthened or adapted they may execute such works as may be necessary to secure compliance with such requirement or condition and may recover the expenses of so doing from the owner or occupier in a summary manner.

(3) If the Corporation allow the use of the footway as a crossing for any horse or vehicle subject to any condition other than the strengthening or adaptation of the footway any person who uses or permits to be used the footway as a crossing as aforesaid in contravention of the said condition shall be liable to a penalty not exceeding five pounds.

(4) Nothing in this section shall impose on the owner or occupier any obligation to maintain any crossing constructed or footway strengthened or adapted in pursuance of a requirement of or condition imposed by the Corporation under this section.

Drainage of land unbuilt upon in certain cases.

62.—(1) Where land within the borough (*a*) abuts on a street which is sewered and (*b*) is unbuilt upon and the Corporation is satisfied on report of the surveyor that—

(i) detriment or inconvenience is caused or likely to be caused to the public using such street or to the occupiers of adjoining premises; or

(ii) injury (whether to health or otherwise) is caused or likely to be caused to children passing through or frequenting or loitering in such street

through water accumulating upon such land or overflowing from such land on to the street or on to such adjoining premises the Corporation may by notice in

writing require the owner of such land to construct to the reasonable approval of the Corporation a covered drain sufficient for the drainage of such land and emptying into the sewer under the street.

(2) Any person to whom any such notice has been given may within twenty-one days after the receipt of the notice appeal in a summary manner against the same to a court of summary jurisdiction for the borough and the court may annul or confirm the notice appealed against or vary the requirements therein contained and the notice as issued shall have effect accordingly.

(3) Any person who fails or neglects to comply with a notice from the Corporation under this section or any such notice so varied or confirmed as aforesaid shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding forty shillings.

(4) Nothing in this section shall prejudice or affect the right of an owner or occupier respectively to recover from the other of them under the terms of any lease or agreement or other contract then in force the amount of any expenses incurred by him in complying with any notice under this section.

Power to require culverting of water-courses on building land.

63.—(1) If any watercourse or ditch situate in any land laid out for building or on which any such land abuts requires in the opinion of the Corporation to be wholly or partially filled up or covered over the Corporation may by notice in writing require the owner or owners of such land to substitute for such water-course or ditch a pipe drain or culvert with all necessary gullies pipes and means of conveying surface water thereinto :

Provided that nothing in this section shall authorise the Corporation to require any owner to execute any works except on land which belongs to him or on which he has the right to execute such works.

(2) Any person who fails to comply with a requirement of the Corporation under this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) If within fourteen days after the service of any requisition by the Corporation under this section any owner on whom it is served gives notice to the

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Corporation alleging that the expense of complying with such requisition will be increased by reason of a failure of the Corporation to carry out their duties as commissioners of sewers then (before any works are executed for the purpose of complying with such requisition) the amount of such additional expense as aforesaid shall be agreed between the owner and the Corporation or failing agreement be determined by a court of summary jurisdiction whose decision shall be final and within one month after the completion to the satisfaction of the borough engineer of the works necessary for complying with such requisition the Corporation shall pay to the owner the amount of such additional expense as agreed or determined as aforesaid.

Part IX.

Sanitary Provisions Food &c.

Street orderly bins.

64.—(1) The Corporation may provide and maintain orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper and the storage of sand grit or shingle in upon or under any public street of such dimensions and in such positions as the Corporation may from time to time determine.

(2) Provided that the Corporation shall not place or maintain any bin or receptacle in such a position as to interfere with or render less convenient the access to or exit from any station or depôt of the railway company nor except with the consent in writing of that company on any bridge carrying any street or road over any railway or canal of such company or under any bridge carrying such railway or canal over any street or road or within ten feet of the abutments of such bridge.

Power to prohibit tents vans &c.

65.—(1) If any person dwelling in a tent van shed or other similar structure used for human habitation occupies land within three hundred yards of any dwelling-house and the occupation of such land by him is a nuisance or injurious to health a court of summary jurisdiction may on complaint by the Corporation make an order prohibiting (either absolutely or subject to conditions) the further occupation of such

land or any other land within a radius of one thousand yards thereof by such person and if the order be not complied with the squatter gipsy or other person shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(2) The Corporation before making any complaint shall give to the owner or lessee of the land so occupied or to the person who has suffered the land to be so occupied not less than seven days' notice in writing of their intention so to complain and shall at the same time give a similar notice to the person with regard to whom the complaint is intended to be made.

(3) This section shall not apply to any person dwelling in a tent or van or other similar structure who is a roundabout proprietor travelling showman or stallholder (not being a pedlar or hawker).

Rag and bone dealers not to sell food bladders balloons or whistles.

66.—(1) It shall not be lawful for any collector of or dealer in rags or bones or similar articles or any person carrying on the business of rag and bone merchant or any person acting on behalf of any such person as aforesaid to sell or distribute any article of food or any bladder or balloon inflated or capable of inflation by human breath or any whistle from any cart barrow or other vehicle used for the collection of rags bones or similar articles or in or from any shop or premises used for or in connection with the business of rag and bone merchants.

(2) Every person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

Byelaws as to food.

67.—(1) The Corporation may make byelaws for promoting sanitary and cleanly conditions in the manufacture preparation storage transport or exposure for sale of any article intended to be sold for the food of man.

(2) The word "food" in this section shall include every article used for food or drink by man other than drugs or water and any article which ordinarily enters into or is used in the composition or preparation of human food and shall also include flavouring matter and condiments.

(3) Before confirming any byelaws made under this section as regards any business carried on in any factory or workshop to which the Factory and Workshop Acts

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1901 to 1920 apply the Minister of Health shall consult the Secretary of State.

(4) At least one month before applying to the Minister of Health for confirmation of any byelaws made under this section applicable to the storage or transport by a railway company or to or from any station or depôt of such company of any article intended for the food of man the Corporation shall give notice to the company of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws and such company shall be entitled to make representations to the Minister of Health with regard thereto.

Discontinuance of certain offensive trades.

68.—(1) In any case where premises are being used for the carrying on of the business of tripe-boiling or offal-cleaning or any other business of a similar kind which is an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 and in the opinion of the Corporation it is inexpedient in the interests of public health that such business should be carried on in such premises the owner or occupier of the same may be required after six months' notice in writing by the Corporation under the hand of the town clerk to cease to use such premises for the carrying on of such business.

Such notice shall be deemed to be a requirement of the Corporation within the meaning of section 52 (As to appeal) of the Act of 1906 and the owner or occupier (as the case may be) may appeal accordingly.

(2) Any person who fails or neglects to comply with the provisions of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) If the Corporation require any person to cease to use such premises for the carrying on of any such business as aforesaid they shall pay to such person such compensation for any loss sustained by him in consequence of the action of the Corporation as may be agreed between the Corporation and such person or as failing agreement shall be determined by arbitration under the provisions of the Arbitration Act 1889.

(4) The powers of this section shall be in addition to and not in derogation of the existing powers of the Corporation with reference to offensive trades.

Part X.

Slaughter-houses.

Provision of public slaughter-houses and prohibition of private slaughter-houses thereafter.

69.—(1) At any time after the passing of this Act the Corporation may :—

(*a*) Acquire by agreement any premises within the borough used for the purpose of slaughtering animals intended for the food of man (hereinafter referred to as a "slaughter-house") and the interest or interests of any owner lessee or occupier of such premises ;

(*b*) Agree with the owner lessee and occupier of any slaughter-house for the abolition of slaughtering therein on such terms and conditions as may be arranged between the parties.

(2) At any time after the expiration of three years from the passing of this Act and after the Corporation have provided adequate slaughter-house accommodation on the site approved by the Minister of Health and after the expiration of six months from the date of publication by the Corporation in a local newspaper circulating in the borough of notice to that effect no person shall slaughter in the way of trade any animals intended for the food of man except in a slaughter-house provided by the Corporation but this restriction shall not apply to the slaughtering on premises by the owner lessee or occupier thereof of any animals belonging to him and not slaughtered for the purpose of trade or by a farmer on premises occupied by him for agricultural purposes only and if any person acts in contravention of this section he shall be liable for each offence to a penalty not exceeding five pounds.

(3) The Corporation shall pay or tender compensation to the owner and occupier of any slaughter-house registered before the passing of the Public Health Act 1875 and of any slaughter-house the licence in respect of which is not required to be renewed periodically if such slaughter-house is closed under the provisions of this section and the amount of such compensation shall in case of difference be settled as cases of disputed compensation are settled under the Lands Clauses Acts and the provisions of those Acts shall apply accordingly Provided always that in the case of a slaughter-house

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which is defective or otherwise open to objection on sanitary grounds the arbitrator shall have regard thereto in settling the amount of compensation (if any) which shall be awarded in respect of the closing of such slaughter-house.

(4) The fees and charges to be demanded and received by the Corporation in respect of the use of any slaughter-house provided by them or of any convenience connected therewith shall be regulated by byelaws to be approved by the Minister of Health and the Corporation may make byelaws accordingly Provided that the Corporation shall have power to charge for any slaughter-house let at a weekly monthly or other rent such sum as may be agreed upon by the Corporation and the renters.

(5) Nothing in this section shall interfere with the operation or effect of the Diseases of Animals Act 1894 or of any order or licence of the Minister of Agriculture and Fisheries made or granted thereunder.

Power to close slaughter-houses if injurious to public health.

70.—(1) (*a*) The Corporation may by written notice to the owner and occupier of any registered slaughter-house within the borough which from its situation or construction is in the opinion of the Corporation injurious or dangerous to the public health require that the premises shall cease to be used as a slaughter-house on and after such date (not being less than six months from the service of such notice) as may be specified in the notice and no person shall after such date slaughter in the way of trade any cattle horse sheep or pig on the said premises.

(*b*) Provided that not less than three months before making any such requirement in the case of any slaughter-house which from its construction is in their opinion injurious or dangerous to the public health the Corporation shall give notice in writing to the owner or occupier thereof specifying the respects in which such slaughter-house is in their opinion so injurious or dangerous and also specifying their requirements in regard thereto and if within the said period of three months the owner and occupier of such slaughter-house or either of them shall have removed the grounds of objection thereto no such written notice as is first above mentioned shall be given to them by the Corporation.

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(c) Provided also that any such owner or occupier may within one month after receiving any such notice in writing from the Corporation object thereto on the ground that the requirements contained therein are unreasonable and unnecessary in the interests of public health and any such objection shall failing agreement between the Corporation and the owner or occupier making the same be determined on appeal to the Minister of Health by that Minister and unless and until that Minister shall have determined that the said requirements are reasonable and necessary no such written notice as is first above mentioned shall be given to the owner or occupier of the slaughter-house in question.

(2) The Corporation shall make compensation to the owner and occupier of any registered slaughter-house who shall be injuriously affected by any requirement of the Corporation under subsection (1) of this section such compensation in case of difference to be settled in manner provided by the Public Health Act 1875 Provided always that in the case of a slaughter-house which is defective or otherwise open to objection on sanitary grounds the arbitrator shall have regard thereto in settling the amount of compensation (if any) which shall be awarded in pursuance of this section.

(3) If any person acts in contravention of the provisions of subsection (1) of this section he shall be liable for each offence to a penalty not exceeding five pounds.

Part XI.

Police and Traffic.

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

71.—(1) For the better regulation of persons desiring to travel in carriages used on tramways and omnibuses the Corporation may make byelaws applicable within the borough or any part thereof requiring persons waiting to enter such carriages or omnibuses at any stopping place or terminus to wait in lines or queues and to enter the carriage or omnibus in which they respectively desire to travel in the order in which they stood in such lines or queues and in the event of the Corporation making any such byelaws they may erect and maintain barriers and posts at any stopping place or terminus :

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Provided always that the Corporation shall not erect or maintain any gangway barrier or post or require persons waiting to enter omnibuses or tramcars to wait in any line or queue so as to interfere with or render less convenient the access to or exit from any station or depôt of the railway company.

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

Notice of processions to be given.

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

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

No person to have care of more than one cart.

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

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

As to public vehicles taken at railway stations.

74. The provisions of the Town Police Clauses Act 1847 and the byelaws of the Corporation with respect to hackney carriages shall be as fully applicable in all respects to hackney carriages standing or plying for hire at any railway station or railway premises within the

borough as if such railway station or railway premises were a stand for hackney carriages or a street : A.D. 1925.

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

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

Tests for drivers of hackney carriages and omnibuses.

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

Power to stop traffic on occasions of emergency.

76. It shall be lawful for the Corporation at all times of public processions rejoicings or illuminations or on other emergencies to cause barricades to be erected in or across any of the streets of the borough and to continue the same for such time as may be deemed reasonably necessary and any person who wilfully removes any such barricade shall be liable to a penalty not exceeding forty shillings.

As to control of traffic by police.

77. Where a police constable in uniform in pursuance of any instructions general or special is regulating the traffic at any junction or crossing in any street any person driving or propelling any vehicle who wilfully neglects or refuses to stop the vehicle or to make it proceed or to make it keep to a particular line of traffic when so directed (by word of mouth or sign) by any such police constable in execution of his duty shall on summary conviction be liable in respect of each offence to a fine not exceeding forty shillings or in the case of a second or subsequent conviction to a fine not exceeding five pounds.

Provision of parking places.

78.—(1) Subject to the provisions of this Act the Corporation may provide suitable places within the borough (hereinafter called "parking places") on any land not forming part of a street repairable by the inhabitants at large at which vehicles or vehicles of any

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specified class or description may wait and may take such steps as may be necessary to adapt any such place for use as a parking place.

(2) The Corporation may make regulations imposing conditions subject to which vehicles may be admitted into any parking place provided under this section and may by regulations prescribe a table of reasonable charges to be taken by them for the use of any such parking place and for the services of any attendant provided by them thereat and may prescribe different charges for different classes or descriptions of vehicle.

(3) Land may be acquired by the Corporation for the purposes of this section as if those purposes were purposes of the Public Health Act 1875 and the provisions of sections 175 to 177 of that Act which relate to the purchase taking on lease sale letting or exchange of lands (except such of those provisions as relate to the acquisition of land otherwise than by agreement) shall accordingly extend to the purpose of this section.

(4) Subject to the consent of the Minister of Health and to such conditions as he may impose the Corporation may appropriate for the purpose of this section any land vested in them and acquired by them for purposes other than those of this section.

(5) The expenses incurred by the Corporation in the exercise of their powers under this section shall be defrayed as part of the expenses of the execution of the Public Health Acts and for that purpose money may be borrowed by the Corporation in the like manner and subject to the like conditions as for the purposes of those Acts.

Parking of vehicles in streets.

79.—(1) Subject to the provisions of this Act the Corporation may by order determine that any part of any street within the borough repairable by the inhabitants at large shall be set apart as a parking place at which vehicles or vehicles of any specified class or description may wait and any such order may be varied or rescinded by a subsequent order.

(2) The Corporation may make regulations with respect to the use by persons of any such parking place and the use of the street by any person in accordance with those regulations shall not be deemed to be unlawful.

(3) An exercise by the Corporation of their powers under this section shall not render them subject to any

liability in respect of loss of or damage to any vehicle while using a parking place or the fittings or contents of any such vehicle.

(4) Nothing in this section shall authorise the Corporation to set apart or maintain as a parking place any part of a street where the use of such part for that purpose would obstruct the reasonable flow of traffic along the street or unreasonably interfere with the user of the street by the public at large or prevent reasonable access to any premises or land abutting on or adjoining the street or cause a nuisance to any occupier of such premises or land.

Provision of attendance and publication of regulations.

80.—(1) The Corporation may appoint with or without remuneration such officers as may be necessary for the superintendence of any parking place provided or set apart under this Act and for securing the observance of any regulations relating thereto.

(2) A copy of any regulations made under this Act and applying to a parking place shall be exhibited on or as nearly as may be adjacent to the parking place to which they relate.

Notice and appeal.

81.—(1) Where the Corporation propose—

(*a*) to acquire or appropriate land for the purposes of the section of this Act the marginal note whereof is "Provision of parking places"; or

(*b*) to make an order setting apart a part of a street as a parking place under the section of this Act the marginal note whereof is "Parking of vehicles in streets";

notice of the proposal or of the intended order shall be published in at least one newspaper circulating within the borough and shall be posted for not less than fourteen days on the land proposed to be acquired or at each end of the part of the street proposed to be set apart as a parking place.

(2) Every such notice shall contain—

(*a*) a description of the area proposed to be acquired or appropriated or set apart as a parking place;

(*b*) a statement of the date (not being less than twenty-eight days from the date of the

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notice) by which any person affected by the proposal may make objections or representations to the Corporation thereon in writing; and

(*c*) an intimation that an appeal to a court of summary jurisdiction may be made against the proposed acquisition or appropriation of the land or the intended order as the case may be by any person thereby aggrieved.

(3) The Corporation shall consider any objection or representation duly made to them as aforesaid and shall notify their decision to the person making the same.

(4) Any person deeming himself aggrieved by the decision of the Corporation so notified to him may within twenty-one days after the receipt of such notification appeal to a court of summary jurisdiction who may make such order in the matter and may attach such conditions thereto as they deem proper and may make such order as to costs as they think fit and any such costs shall be recoverable as a civil debt.

Definition of vehicle and limitation of powers.

82.—(1) In the foregoing sections of this Act relating to parking places the word "vehicle" does not include any hackney carriage or omnibus licensed to ply for hire within the borough.

(2) The powers conferred by the sections aforesaid shall only be exercised where such exercise is reasonably required for the purpose of relieving congestion or facilitating traffic in the borough.

Definition of omnibus for Part XI. of Act.

83. In this Part of this Act the word "omnibus" has the same meaning as in the Town Police Clauses Act 1889.

Part XII.

Finance.

Power to borrow.

84.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all moneys so borrowed within the

respective period (each of which is in this Act referred to as "the prescribed period") mentioned in the third column thereof (namely):—

1	2	3
Purpose.	Amount.	Period for repayment (from date or dates of borrowing except where otherwise stated.)
	£	
(*a*) For the purchase of lands for and in connection with street works.	176,750	Sixty years.
(*b*) For the construction of street works and works connected therewith.	19,850	Fifty years.
(*c*) For the purchase of lands for educational purposes.	5,800	Sixty years.
(*d*) For the purchase of lands for recreation grounds.	5,200	Sixty years.
(*e*) For the purchase of additional motor omnibuses.	23,760	Eight years.
(*f*) For the provision of sheds and equipment in connection with the tramway and omnibus undertaking of the Corporation.	9,500	Eight years.
(*g*) For payment of the costs charges and expenses referred to in the final section of this Act.	The sum requisite.	Five years from the passing of this Act.

In order to secure the repayment of any moneys borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

(2) (*a*) The Corporation may also borrow such further money as may be necessary for any purposes of this Act with the consent of the Electricity Commissioners in the case of electricity purposes the consent of the Minister of Transport in the case of omnibus and tramway purposes and the consent of the Minister of Health in the case of any other purposes The purposes of this Act for which this power of borrowing shall be available shall include the provision of working capital for the water undertaking the electricity undertaking the markets undertaking and the tramway and omnibus undertaking and to meet expenses from time to time incurred on the borough fund.

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(*b*) In order to secure the repayment of any money borrowed under this Act with the consent of the Electricity Commissioners the Minister of Transport or the Minister of Health and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

(*c*) Any money borrowed under this Act with the consent of the Electricity Commissioners the Minister of Transport or the Minister of Health shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Commissioners or Minister with whose consent it is borrowed.

Application of financial provisions of Acts of 1906 and 1914.

85. The provisions of the Act of 1906 and the Act of 1914 hereinafter mentioned with any necessary modifications shall extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act:—

Act of 1906—

Section 39 (Protection of lenders from inquiry);
Section 45 (Application of money borrowed);
Section 46 (Corporation not to regard trusts).

Act of 1914—

Section 50 (Certain provisions of Public Health Acts not to apply);
Section 52 (Mode of payment off of money borrowed).

Mode of raising money.

86. The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or by the issue of Corporation stock under and subject to the provisions of the Act of 1889 as amended by the Newport (Monmouth) Order 1909 (confirmed by the Local Government Board's Confirmation (No. 3) Act 1909) or (with the consent of the Minister of Health under section 52 (Issue of stock) of the Public Health Acts Amendment Act 1890) by the creation and issue of stock under and subject to the provisions of the said Public Health Acts Amendment Act 1890 or partly in one way and partly in another or others.

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Provisions of Public Health Act 1875 as to mortgages to apply.

87. Subject to the provisions of the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes" the following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):—

Section 236 (Form of mortgage);
Section 237 (Register of mortgages);
Section 238 (Transfer of mortgages);
Section 239 (Receiver may be appointed in certain cases).

Sinking fund.

88.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed after the passing of this Act by virtue of any statutory borrowing power such sinking fund shall be formed and maintained either—

(*a*) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

(*b*) By payment to the fund throughout the prescribed period of—

(i) such equal annual sums as will with accumulations at a rate not exceeding three and a half per centum per annum or such higher rate as the Minister of Health may from time to time approve be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed; and

(ii) such annual sums as are equivalent to interest on the amount from time to time in the fund at the rate per centum per annum on which the annual payments to the fund under paragraph (i) hereof are based.

A sinking fund so formed is hereinafter called an "accumulating sinking fund."

(2) Every sum paid to a sinking fund shall (subject to the provisions of this Act and of section 56 of the Act of 1914) unless applied in repayment of the loan in respect

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of which the sinking fund is formed be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

(3) All interest on the investments of a sinking fund shall be carried by the Corporation to the credit of the borough fund and shown in the accounts of the Corporation under the separate heading or division in respect of the particular undertaking or department against which the annual payments to the fund under subsection (1) of this section are chargeable.

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the sinking fund is formed Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year during the residue of the prescribed period a sum equal to the interest which would have been produced in that year by such sinking fund or part thereof so applied if invested and accumulated at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments provided for by this Act.

(6) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose and if it appears to the Minister of Health that any such increase is necessary the Corporation shall increase the payments to such extent as that Minister may direct.

(7) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be more than

sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(8) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be sufficient to repay the moneys in respect of which the sinking fund is formed within the prescribed period the Corporation may with the consent of that Minister discontinue the annual payments to such sinking fund until the Minister of Health shall otherwise direct.

(9) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Minister of Health may determine.

(10) The foregoing provisions of this section shall also apply with respect to any sinking fund formed by the Corporation for the repayment of any moneys borrowed before the passing of this Act under any statutory borrowing power and the Corporation shall make such adjustments of any existing sinking funds and of their books and accounts relating thereto as the Minister of Health may sanction or require and the said provisions shall accordingly supersede any provisions in any former Act relating to the Corporation with respect to the formation of sinking funds and in particular the following provisions (viz.) :—

The Newport (Monmouthshire) Improvement Act 1876 section 76 subsection (3);

The Newport (Monmouthshire) Corporation Water Act 1888 section 63;

The Act of 1889 section 148;

The Act of 1892 section 51;

The Act of 1897 section 58;

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The Act of 1900 section 85;

The Act of 1902 section 36;

The Act of 1906 section 41;

So much of section 53 of the Act of 1914 and of section 46 of the Newport Light Railway Order 1917 and of section 64 of the Act of 1920 as relates to section 41 of the Act of 1906.

As to consolidated loans fund and stock redemption fund.

89.—(1) If and so far as any moneys are raised by the Corporation after the passing of this Act by the issue of Newport Corporation redeemable stock under the Act of 1889 or of stock under the Public Health Acts Amendment Act 1890 the following provisions shall apply with respect to the Newport Corporation consolidated loans fund and any stock redemption fund so far as it concerns any stock so issued notwithstanding anything to the contrary in sections 160 165 and 171 of the Act of 1889 and section 66 of the Act of 1897 and Articles II. III. and V. of the Newport (Monmouth) Order 1909 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1909 or any other enactment or in any regulation of the Ministry of Health made under Part V. of the said Act of 1890 or otherwise (that is to say):—

(*a*) All interest on the investments from time to time representing moneys standing in the said loans fund or stock redemption fund in respect of any such stock and all interest on any investments representing moneys raised by the issue of any such stock and not for the time being applied to the purposes for which they are raised shall be carried by the Corporation to the credit of the borough fund and shown in the accounts of the Corporation under the separate heading or division in respect of the particular undertaking or department against which the annual contributions of the Corporation for extinction of the stock and the interest payments under paragraph (*b*) of this subsection are chargeable:

(*b*) The Corporation shall pay to the said loans fund (in addition to the annual contributions prescribed by Article I. of the said Newport (Monmouth) Order 1909) or to the stock redemption

fund such annual sums as are equivalent to interest on the amount from time to time in the said loans fund or stock redemption fund in respect of such stock at the rate per centum per annum on which the annual contributions to the fund are based.

(2) The foregoing provisions of the section shall also apply with respect to the said loans fund and any such stock redemption fund so far as it concerns all stock issued by the Corporation before the passing of this Act under any statutory borrowing power and the Corporation shall make such adjustments of the said loans fund or stock redemption fund (as existing at the passing of this Act) and of their books and accounts relating thereto as the Minister of Health may sanction or require.

Rate of accumulation of payments to sinking fund.

90. Notwithstanding anything in any Act relating to the Corporation or in any regulations governing the same the rate of accumulation of the annual payments to any accumulating sinking fund which has been or may be formed by the Corporation for any purpose shall be such rate not exceeding three and a half per centum per annum as the Corporation may determine or such higher rate as the Minister of Health may from time to time approve.

Use of moneys forming part of sinking and other funds.

91. The Corporation may use for the purpose of any statutory borrowing power possessed by them any moneys forming part of any sinking fund loans fund redemption fund insurance fund superannuation fund or reserve fund of the Corporation (in this section respectively referred to as "the lending fund") and not for the time being required subject to the following conditions:—

(*a*) The moneys so used shall be repaid to the lending fund as and when required or determined by the Corporation and if not earlier repaid as aforesaid by equal yearly or half-yearly instalments of principal or of principal and interest combined within the period and out of the fund rate or revenue within and out of which a loan raised under the statutory borrowing power would be repayable:

(*b*) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid

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to the fund Such interest shall be calculated at a rate per centum per annum to be determined by the Corporation and to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power :

(*c*) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to the re-borrowing of sums raised under the statutory borrowing powers shall apply thereto.

Return to Minister of Health with respect to repayment of debt.

92.—(1) The treasurer or other the chief accounting officer of the Corporation shall if and when he is requested by the Minister of Health so to do send to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation in pursuance of any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Corporation and shall be sent within one month after the making of the request and in the event of his failing to make such return the treasurer or other officer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or

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sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) The following enactments are hereby repealed (namely) :—

The Act of 1906 section 42 (Return respecting sinking fund to Local Government Board);

The Act of 1914 section 57 (Returns to Local Government Board as to sinking funds);

So much of section 46 of the Newport Light Railway Order 1917 and of section 64 of the Act of 1920 as extends or applies to or for the purposes of such Order or Act the provisions of the said section 57 of the Act of 1914.

Amendment of section 66 of Act of 1897.

93. From and after the passing of this Act section 66 (Power to Corporation to lend to school board and guardians) of the Act of 1897 shall have effect as if the following subsection were substituted for subsection (7) of that section viz. :—

(7) The treasurer or other the chief accounting officer of the Corporation shall if and when he is requested by the Minister of Health so to do send to the Minister a return showing the provision made for the repayment of any moneys lent by the Corporation to the borrowing authority and raised otherwise than by the issue of stock The return shall show such particulars and be made up to such date and in such form as the Minister may require and shall (if so required by him) be verified by statutory declaration of the treasurer or other chief accounting officer of the Corporation and shall be sent within one month after the making of the request If the treasurer or other chief

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accounting officer fails to make such return he shall be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

Borough treasurer or chief accounting officer to make returns to Minister of Health.

94. From and after the passing of this Act the treasurer or other the chief accounting officer of the Corporation shall make to the Minister of Health any financial return which by any Act relating to the Corporation or by any public Act the town clerk is required to make and any provision relating to the making of such return in any such Act shall be read and have effect as if the treasurer or other the chief accounting officer of the Corporation were mentioned therein in lieu of the town clerk.

Security for loans.

95.—(1) Any moneys borrowed or to be borrowed by the Corporation under any statutory borrowing power (including borrowing powers under this Act) shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(2) The interest from time to time payable on any such moneys shall rank equally with the interest or dividends on all other securities of the Corporation created or granted in pursuance of any statutory borrowing power and all such interest and dividends shall be the first charge on all the revenues aforesaid.

Power to use one form of mortgage for all purposes.

96.—(1) Notwithstanding anything in any other Act relating to the Corporation where the Corporation have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the corporate seal of the Corporation and may be made in the form contained in the Second Schedule to this Act or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason

of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities granted by the Corporation at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(5) Nothing in this section shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods within which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this section.

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

Every such register shall be open to inspection by any mortgagee or other person entitled to any mortgage granted under this section during office hours at the said office without fee or reward and the treasurer or other the person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his rights and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the Second Schedule to this Act or to the like effect.

(9) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every

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deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the treasurer who shall on payment to him of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his rights and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

(11) If the treasurer or other the person having the custody of the register wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a penalty not exceeding twenty pounds.

Provisions as to transfers of mortgages.

97.—(1) Every deed of transfer of any mortgage of the Corporation whether granted under the immediately preceding section of this Act or otherwise shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever.

(2) The deed of transfer when duly executed and stamped shall be delivered to and kept by the Corporation and the treasurer shall enter a memorial thereof in the appropriate register of the Corporation and shall endorse a notice of that entry on the deed of transfer and also on the transferred mortgage.

(3) Until the deed of transfer has been so delivered to the Corporation the Corporation shall not be affected thereby and the transferee of the mortgage shall not be entitled to receive any interest thereon or to repayment thereof.

(4) The Corporation before registering any transfer of any mortgage may if the circumstances of the case appear to them to make it expedient require evidence of the title of any person claiming a right to make the transfer.

(5) That evidence shall be a statutory declaration of one or more competent persons or of such other nature as the Corporation may require.

(6) It shall not be obligatory on the Corporation or the treasurer to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any mortgage except upon the production to and temporary deposit with the treasurer of the mortgage for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a new mortgage and in the case of the issue of a new mortgage for the purpose of cancellation of the mortgage so deposited.

Receipt in case of persons not sui juris.

98. If any money is payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

Interest on mortgages held jointly.

99. Where more persons than one are registered as joint holders of any mortgage of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation or the treasurer by any other of them.

Period for repayment of loans under Municipal Corporations Act 1882.

100. Notwithstanding anything in the Municipal Corporations Act 1882 any money borrowed or to be borrowed by the Corporation in pursuance of that Act shall be repaid within such period not exceeding sixty years as the Minister of Health shall in each case prescribe.

Amendment of section 155 of Act of 1889.

101. The proviso to subsection (1) of section 155 (Creation of Corporation stock) of the Act of 1889 is hereby repealed.

Consolidated rate to be called general rate.

102.—(1) The poor rate of the parish of Newport (inclusive of the contributions to the borough fund levied as part thereof in pursuance of Part VII. (Consolidation of rates) of the Act of 1920) shall after the passing of this Act be called "the general rate" and not "the consolidated rate" of the parish and borough of Newport and is in this Act referred to as "the general rate" but except as expressly provided by the said Part VII. of the Act of 1920 or this Part of this Act the general

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rate shall continue to be subject to all Acts passed and to be passed relating to the poor rate and to be made assessed levied recovered and enforced as the poor rate.

(2) Section 68 (Poor rate to be called consolidated rate) of the Act of 1920 is hereby repealed and the Act of 1920 shall have effect as though the words "general rate" were substituted for the words "consolidated rate" wherever the latter words are used in that Act.

Borough rate may be raised for prospective or retrospective expenses.

103. The Corporation may order any borough rate to be made prospectively in order to raise money to pay charges and expenses to be incurred thereafter or retrospectively in order to raise money to pay charges and expenses already incurred.

Certain sections of Public Health Act 1875 to apply.

104.—(1) Section 220 (Description of owner or occupier in rates) and section 221 (Rates may be amended) of the Public Health Act 1875 shall apply to the borough in respect of the general rate as if the overseers were an urban authority and the rate therein mentioned were the general rate and the said section 221 shall extend to enable the overseers to amend any rate made by them in pursuance of this Act so as to make the assessment to such rate accord with any new or supplementary valuation list made during the currency of such rate.

(2) Section 72 (Amendment of rate) of the Act of 1920 is hereby repealed.

Payment of general rate by instalments.

105. The overseers if so required by the Corporation shall in pursuance of the provisions of section 15 (Overseers may make poor rate payable by instalments) of the Poor Rate Assessment and Collection Act 1869 declare that any general rate made by them for a period exceeding three months shall be paid by instalments at such times as shall have been previously specified by the Corporation.

Borough rate may include working balance.

106. The purposes to which the borough fund is applicable shall include the provision of a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is charged on the borough fund and the Corporation may (in estimating the amount sufficient for those purposes and in ordering the borough rate to be made) include such a sum as they may consider to be necessary for the provision of such working balance.

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Service of demands for rates and charges.

107. The provisions of section 267 of the Public Health Act 1875 shall apply to demand notes for the general rate and to demand notes for charges and payments in connection with the water undertaking and the electricity undertaking.

Insurance fund.

108.—(1) The Corporation may if they think fit establish a fund to be called "the insurance fund" with a view of providing a sum of money which shall be available for making good all losses damages costs and expenses to which the Corporation may be subjected in consequence of the whole or any part of all or any of the following risks (that is to say):—

(i) Risk of fire in respect of buildings works premises and the contents thereof and other property whether belonging or on loan to or under the care custody or control of the Corporation;

(ii) Risk of accident and claims by third parties in respect of tramways omnibuses scavenging vehicles motor cars and motor transport vehicles;

(iii) Risk of explosion in respect of boilers;

(iv) Risks under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1906 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of accidents to the officers servants or workmen of the Corporation or to third parties;

(v) Risks of injuries to school children through accident caused by the negligence of a teacher attendant or other person or defect in any school premises of or leased to the Corporation;

(vi) Risks of mechanical or electrical breakdown at or in connection with any of the electricity works of the Corporation;

(vii) Risks of loss due to infidelity of officials of the Corporation;

(viii) Any other risks against which in the absence of such an insurance fund the Corporation would ordinarily insure.

(2) The establishment of an insurance fund under this section shall not prevent the Corporation from insuring in one or more insurance offices of good repute against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide.

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(3) In each year after the establishment of the insurance fund the Corporation shall pay into that fund either—

(*a*) such a sum as shall in their opinion be equal to the aggregate amount of the premiums which would be payable if the Corporation fully insured in some insurance office of good repute against the several risks for which the insurance fund is intended to provide; or

(*b*) if the Corporation partly insure in some insurance office of good repute against the whole or any part of the several risks for which the insurance fund is intended to provide such sum as will together with the premiums paid for the last mentioned insurance be equal to the aggregate amount aforesaid.

(4) When the insurance fund shall amount to one hundred and fifty thousand pounds the Corporation may if they think fit discontinue the yearly payments to the fund but if the fund is at any time reduced below one hundred and fifty thousand pounds the Corporation shall recommence and continue the yearly payments to that fund in accordance with subsection (3) of this section until the fund be restored to the sum of one hundred and fifty thousand pounds.

(5) The Corporation shall provide the yearly payments aforesaid by contributions from the borough fund and shall show the same in their accounts under the separate heading or division in respect of the particular undertaking or department of the Corporation which if the risks were insured against in an insurance office would be properly chargeable with the payment of the premiums of such insurance.

(6) Except so far as the insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses damages costs and expenses in consequence of risks for which the fund is intended to provide all moneys for the time being standing to the credit of the fund shall (subject to the provisions of this Act) be invested in statutory securities and the interest and annual proceeds arising from those securities shall be invested and accumulated until the fund amounts to the sum of one hundred and fifty thousand pounds and when and so long as the fund

amounts to that sum the interest and annual proceeds of the securities shall be carried to the credit of the borough fund.

(7) For the purposes of this section the Corporation may if they deem it expedient and by arrangement with the managers of any public elementary school or the governing body of any college secondary school institute or hostel not provided by the Corporation as the local education authority include in the risks insured under paragraph (iv) of subsection (1) of this section risks of accident to any teacher employed in any such school college institute or hostel.

(8) The insurance fund shall be applied to meet any losses damages costs or expenses sustained by the Corporation in consequence of risks for which it is intended to provide in the order of the dates on which such losses damages costs or expenses become ascertained and if at any time and from time to time the insurance fund shall be insufficient to make good any such losses damages costs or expenses the Corporation may with the sanction of the Minister of Health and on such security as that Minister may prescribe borrow at interest under and subject to the provisions of this Act such sums of money as will be necessary to make up the deficiency The amounts of the annual charges in respect of interest on and repayment of principal of any sums so borrowed and the amounts of any such deficiencies as aforesaid not made up by borrowing shall be paid out of the borough fund and charged in the accounts of the Corporation under the separate headings or divisions in respect of such undertakings or departments of the Corporation and in such proportions as the Minister of Health may direct having regard to the risks through which such deficiencies arise.

Revenue and expenses of trading undertakings.

109. As from the first day of April nineteen hundred and twenty-six all money received by the Corporation on account of the revenue of the following undertakings (namely):—

(1) the water undertaking;

(2) the tramway and omnibus undertaking;

(3) the electricity undertaking;

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(4) the transporter bridge undertaking; and

(5) the markets undertaking;

shall be carried to and shall form part of the borough fund and all payments and expenses made and incurred in respect of those undertakings shall be paid out of that fund.

Separate accounts in respect of trading undertakings.

110.—(1) As from the first day of April nineteen hundred and twenty-six the Corporation shall keep their accounts so as to distinguish capital from revenue and as regards the revenue accounts to show under a separate heading or division in respect of each of the following undertakings (that is to say) the water undertaking the tramway and omnibus undertaking the electricity undertaking the transporter bridge undertaking and the markets undertaking (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say):—

(*a*) The working and establishment expenses and cost of maintenance of the undertaking;

(*b*) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;

(*c*) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;

(*d*) All other expenses (if any) of maintaining the undertaking;

(*e*) The amount (if any) paid to a reserve fund which the Corporation are hereby authorised to maintain (if the Corporation think fit) in respect of the undertaking by setting aside such an amount as they may from time to time think reasonable and (subject to the provisions of this Act) investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund

so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding (except in the case of the tramway and omnibus undertaking) a sum equal to one-fifth in the case of the electricity undertaking and one-tenth in the case of the other undertakings of the aggregate capital expended for the time being by the Corporation upon the undertaking which fund shall be applicable to meet any deficiency at any time happening in the income of the undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing any part of the works forming part thereof or for any extension of the said works or otherwise for the benefit of the undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(2) Any reserve fund which has been formed for the purpose of the undertaking and which is in existence at the said first day of April shall be deemed to have been formed under this section.

(3) Resort may be had to a reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

Separate accounts to show proper financial position.

111. Notwithstanding anything in this Act the Corporation shall show in their accounts relating to any undertaking or purpose all items (including payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

Apportionment of receipts and payments between separate accounts.

112. In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time it appears to them ought to be so apportioned or carried.

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Repeal.

113. The following enactments are hereby repealed:—

The Act 7 George IV. c. 6 intituled "An Act for "lighting watching paving cleansing and improv- "ing the streets highways and places within the "town and borough of Newport in the county "of Monmouth" section 15 (Books of account to be kept by clerks);

The Newport (Monmouthshire) Corporation Water Act 1888 section 70 (Separate water accounts to be kept Order of application of water revenue);

Article 52 (Application of revenue) of the Newport (Mon.) Electric Lighting Order 1891 confirmed by the Electric Lighting Orders Confirmation (No. 11) Act 1891 so far as the same is not already repealed by the Newport (Monmouthshire) Electricity Extension Special Order 1922;

The Act of 1892 section 59 (Expenses relating to tramway undertaking);

Sub-clause (1) of clause 7 (Application of money received by local authority as undertakers) of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with the said Special Order of 1922;

The Act of 1900 section 92 (Expenses relating to bridge).

Part XIII.

Miscellaneous.

Corporation may contribute to Royal Agricultural Show.

114. The Corporation may in any year in which the annual show of the Royal Agricultural Society of England is held in the borough or within five miles thereof pay out of the borough fund and borough rate as a contribution towards the expenses of holding the show such sum as they may think fit but not exceeding one thousand pounds except with the consent of the Minister of Health.

As to stopping up of footpaths during Royal

115. If in any year arrangements shall be made with the assistance or approval of the Corporation for the holding of the annual show of the Royal Agricultural Society of England in Tredegar Park in the parish of

Bassalleg in the rural district of St. Mellons the Corporation may with the consent of the owner of the said park and of the trustees of the Tredegar Settled Estates stop up all or any footpaths and rights of way across the said park during the holding of the show and for a period not exceeding two months before and a period not exceeding one month after the holding of the show and provide maintain and guard any necessary barriers for that purpose.

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Agricultural Show in Tredegar Park.

116.—(1) The Corporation may in any park garden recreation ground or open space belonging to or controlled by them provide lay out set apart enclose and maintain places for dancing and may provide in connection therewith platforms and other conveniences.

Corporation may provide dancing places in parks gardens and open spaces.

(2) The Corporation may employ such persons as may be required for any of the purposes of this section and may make such reasonable charges as they may think fit in respect of the use of dancing places or conveniences provided as aforesaid and may make and enforce conditions or regulations and do all such other acts as they may consider necessary with respect to such dancing places and conveniences and the use thereof and the conduct of persons resorting thereto.

117. Any property found and handed to a police constable of the borough shall be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed by the owner within three months after the finding thereof the Corporation shall give notice in writing to the finder and if such property be not claimed by the owner or the finder within a further period of three months it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof shall be carried to the borough fund.

Lost property.

118.—(1) The overseers may by notice in writing require the owner or occupier or reputed owner or occupier of any hereditament in the parish of Newport (other than land used as arable meadow or pasture ground only or as woodlands) to send to them a return in writing in the form set forth in the Third Schedule to this Act or to the like effect and containing the particulars therein mentioned or referred to or such of them as the overseers may require:

Overseers may require returns.

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Provided that (except for purposes connected with the preparation of and preliminary to a general revaluation for rating) the powers conferred by this section shall only be exercised—

(*a*) upon any change in the occupation or ownership of any hereditament; or

(*b*) upon any change in the nature or use of any hereditament whether by way of addition to or adaptation of premises or otherwise such as may affect the value of the hereditament; or

(*c*) in the case of any hereditament in respect of which the overseers are of the opinion that special circumstances exist which make it desirable that a return should be rendered in accordance with the provisions of this section.

(2) Any person who wilfully refuses or neglects to make a return lawfully required under this section within twenty-one days after the service of the notice shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds and any person who wilfully makes or causes to be made a false return shall be liable to a penalty not exceeding ten pounds.

(3) The overseers shall whenever required by the assessment committee of the Newport Poor Law Union permit the duly authorised officer of such committee to have access to the returns or any of them obtained by the overseers under the provisions of this section for the purpose of inspecting the same and making copies thereof.

(4) The overseers of each parish in the said union other than the parish of Newport shall have the like powers as are conferred on the overseers under subsection (1) of this section if and when the overseers of such parish have passed a resolution adopting such powers and that resolution has been confirmed by an order of the Minister of Health and in that event the provisions of subsections (2) and (3) of this section shall apply to any return required or obtained by the overseers of such parish.

(5) Nothing in this section shall require a railway company to include in any returns which they may be required to send to the overseers particulars with respect to their running lines sidings or stations.

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Appointment of assistants to overseers &c.

119.—(1) The Corporation may appoint and remove such officers as they deem necessary to assist in the discharge of the duties of overseers and may fix the remuneration to be paid to such officers.

(2) (*a*) Any assistant overseer appointed by the Corporation and all officers appointed or to be appointed by the Corporation to assist in the discharge of the duties of overseers shall give such security to the Corporation for the due performance of their duties as may be required by the Corporation and such securities shall be deposited with the Corporation.

(*b*) Assistant overseers appointed by the Corporation shall not be required to give security to the guardians of the Newport Poor Law Union under section 61 of the Poor Law Amendment Act 1844.

(3) If any security required under paragraph (*a*) of subsection (2) of this section is given in the form of a fidelity guarantee policy and the Corporation undertake liability for payment of the premiums on such policy the overseers shall refund to the Corporation on demand all sums paid by the Corporation from time to time in respect of such premiums.

General provisions as to byelaws.

120. Save as otherwise in this Act expressly provided the provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under the powers of any Part other than Part VI. (Omnibuses and tramways) and Part XI. (Police and traffic) of this Act.

Expenses incurred by Corporation.

121. All expenses incurred by the Corporation in carrying into execution the provisions of this Act except such of those expenses as are to be paid out of borrowed moneys or are otherwise provided for shall be paid out of the revenues of the Corporation.

Incorporation of general sections of Acts of 1906 and 1914.

122. The following sections of the Act of 1906 and the Act of 1914 are incorporated with this Act and shall apply as if the same with all necessary modifications were set out in this Act namely :—

Act of 1906—

Section 50 (Informations by whom to be laid);

Section 52 (As to appeal);

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Section 54 (Damages and charges to be settled by justices);

Section 55 (Penalties to be paid to treasurer);

Section 56 (Recovery of penalties);

Section 57 (Compensation &c. how to be determined);

Section 58 (Saving for indictment);

Section 59 (Judges &c. not disqualified);

Section 60 (Inquiries by Local Government Board);

Section 61 (Powers of Act cumulative).

Act of 1914—

Section 68 (Recovery of demands):

Provided that for the purposes of this Act section 60 of the Act of 1906 shall have effect as though the words "five guineas" were substituted therein for the words "three guineas."

Inquiries by Minister of Transport.

123. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or Order of the Corporation the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act 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."

For protection of Newport (Monmouthshire) Gas Company.

124. For the protection of the Newport (Monmouthshire) Gas Company (in this section called "the company") the following provisions shall notwithstanding anything in this Act and unless otherwise agreed between the Corporation and the company apply and have effect (that is to say):—

(1) In this section "apparatus" means and includes all or any mains pipes syphons tubes fittings or other apparatus belonging to the company and "authorised work" means any work authorised by this Act and includes the erection and maintenance under the powers of this Act of sheds shelters or waiting rooms and gangways and the

provision of cloakrooms and rooms or sheds for the storage of bicycles tricycles and other vehicles :

(2) Before commencing to execute any authorised work in any road within twenty feet of any apparatus the Corporation (whether they contemplate altering the position of any such apparatus or not) shall (except in emergency) give twenty-eight days' notice to the company of their intention to execute such work and of the date when it is proposed to commence such work and at the same time deliver plans and sections and a description of the work so proposed to be executed describing the proposed manner of executing the same The Corporation shall also upon being required to do so by the company give them any such further information in relation to the proposed work as they may desire If it should appear to the company that the execution of such work as proposed would interfere with or endanger any such apparatus or interfere with the access thereto or impede the supply of gas the company may give notice to the Corporation to alter the position of such apparatus in such manner as may be necessary and all alterations to be made under this section shall save as hereinafter provided be made by and at the expense of the Corporation with as little detriment and inconvenience to the company or to the consumers of gas supplied by the company as the circumstances will admit and to the reasonable satisfaction of the engineer of the company and under his superintendence if he think fit to attend after receiving not less than three days' notice for that purpose which notice the Corporation are hereby required to give :

(3) If the plans sections or descriptions so delivered to the company as aforesaid are not objected to within twenty-eight days from the receipt thereof they shall be deemed to have been approved by the company If within the said twenty-eight days the said plans sections and descriptions are objected to they shall failing

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subsequent agreement be submitted for settlement to an arbitrator The work to which the said plans sections and descriptions respectively relate shall not be executed except in strict accordance with the plans sections and descriptions as approved by the company or settled by the arbitrator:

(4) The Corporation in executing any authorised work shall not remove or displace any apparatus or do anything to endanger such apparatus or impede the passage of gas into or through any apparatus or interfere with the access thereto until good and sufficient apparatus and other works necessary or proper for continuing the supply of gas at least as sufficiently as the same was supplied by the apparatus proposed to be removed or displaced shall at the expense of the Corporation have been first completed in lieu thereof and shall have been tested and certified by the engineer of the company to be gastight and satisfactorily carrying the necessary supplies of gas:

(5) Wherever by reason of the exercise by the Corporation of the powers of this Act any replacement of old apparatus by new apparatus or any addition to existing apparatus shall be rendered necessary or expedient the Corporation at their own expense shall provide all such apparatus of a quality at least equal to that replaced or added to and lay and connect the same in such position as may be required by the company to the reasonable satisfaction of the engineer of the company and in such manner as not to cause any avoidable interruption in the supply of gas through or by means of such apparatus:

(6) The expense of all repairs or renewals of any apparatus or any works in connection therewith which may at any time hereafter be rendered necessary by reason of the exercise by the Corporation of the powers conferred upon them by this Act or by the acts or defaults of the Corporation their contractors agents workmen or servants or any person in the employ of them or

any or either of them in connection with or in relation to the exercise of such powers or by reason of any subsidence resulting from any authorised work whether during the construction of the same or at any time thereafter shall be borne and paid by the Corporation :

(7) The company may if they deem fit employ inspectors to inspect the authorised works during their construction repair or renewal so far as any apparatus will be interfered with or affected and the reasonable wages of such inspectors shall be borne by the Corporation and be paid by them to the company :

(8) Wherever the Corporation shall in widening or altering any street or road under the powers of this Act add to the roadway any portion of the footway in which there shall be any apparatus the Corporation at their own expense shall alter the position of such apparatus to such a depth below the surface of the roadway or to such other position as may be reasonably required by the company or shall provide in such position as may be reasonably approved by the company apparatus equally suitable in lieu thereof under the superintendence and to the reasonable satisfaction of the engineer of the company and in such manner as not to cause any avoidable interruption in the supply of gas and shall pay to the company the reasonable cost of and incidental to the cutting off of any such apparatus as is first referred to in this subsection from any other apparatus of the company and of and incidental to any other work or things rendered necessary or expedient in consequence of the alteration of the position of any such apparatus :

(9) The Corporation in executing any authorised work shall make good all damage done by them their contractors agents workmen or servants or any person in the employ of them or any or either of them to any apparatus and shall make full compensation to the company for any loss damage costs or expenses which they may sustain by reason of any interference with such

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apparatus or the access thereto or with the service pipes through which any of the company's consumers may be supplied with gas :

(10) If in the construction or repair of any authorised work any interruption in the supply of gas by the company shall be in any way occasioned by the Corporation or by the act of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Corporation shall compensate the company for and indemnify them against all damages losses claims or expenses caused to or reasonably incurred by them by or by reason or in consequence of such interruption :

(11) The amount of any compensation payable by the Corporation under the two preceding sub-sections shall failing agreement be settled by arbitration as hereinafter provided :

(12) If the company shall desire to execute the works connected with any alteration of position or removal or displacement or renewal of or necessary additions to any apparatus or to provide any new or additional apparatus which the Corporation may be required under this section to execute or provide and shall give notice in writing thereof to the Corporation before the commencement of the authorised works the company may and shall with all reasonable dispatch themselves carry out such works and provide such new or additional apparatus and all reasonable costs expenses and charges incurred by them in so doing shall be repaid to them by the Corporation and be recoverable summarily as a civil debt :

(13) The foregoing provisions of this section shall be in addition to and not in substitution for or derogation from any other powers rights or privileges whether statutory or otherwise of the company :

(14) If any difference shall arise with respect to any matter under the foregoing provisions of this section between the Corporation and the company or their respective engineers or concerning

any plans sections or descriptions to be delivered to the company under those provisions the matter in difference shall be referred to and settled by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party (after notice thereof in writing to the other) by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply to any such settlement by arbitration In settling any question under this section an arbitrator shall have regard to any duties or obligations which the company may be under in respect of their apparatus and may if he thinks fit require the Corporation to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the company's apparatus is used:

(15) In the application to the company of sections 6 to 12 inclusive of the Gasworks Clauses Act 1847 Union Court shall be deemed to continue to be a street dedicated to public use.

Crown rights.

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

Costs of Act.

126. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund and borough rate or out of money to be borrowed under this Act for that purpose.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Properties whereof Portions only may be Taken.

Numbers on Deposited Plan.	Description of Property.
14 - - - - -	Restaurant yard and premises.
64 - - - - -	Shop garage yard and premises.
65 - - - - -	Shop house yard and premises.
66 - - - - -	Yard and buildings over.
67 - - - - -	Shop house and premises.
68 - - - - -	Shop clubrooms cellars and premises.
72 - - - - -	Goods yard and retaining wall.
92 - - - - -	Yard and occupation road.
93 94 95 96 97 98 99 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125	Forecourt.
126 - - - - -	Forecourt (Presbyterian Church).
127 128 - - - -	Forecourt.
129 - - - - -	Forecourt (Constitutional Club).
130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 - -	Forecourt.
152 - - - - -	Yard cartshed garage stonemason's shop office and premises.
155 156 157 158 159 160 161 162 163 164 165 166 167 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 191 200 201 204 205 206 - -	Forecourt.

THE SECOND SCHEDULE.

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Form of Mortgage.

County Borough of Newport.

By virtue of the Newport Corporation Act 1925 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the county borough of Newport (hereinafter referred to as "the Corporation") in consideration of the sum of pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation (which expression includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation) as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of per centum per annum from the day of one thousand nine hundred and until payment of the principal sum such interest to be paid half-yearly on the day of and the day of in each year And it is hereby agreed that the principal sum shall be repaid at the town hall in the said borough [(subject as hereinafter provided) on the day of one thousand nine hundred and] [by]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Corporation and the mortgagee and mentioned in an endorsement to be made hereon under the hand of the mayor or the town clerk of the borough for the time being and that upon any such endorsement being made whether relating to extension

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of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this day of one thousand nine hundred and .

Mayor

Town Clerk.

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named consenting the within-mentioned time for repayment of the within-mentioned principal sum of is hereby extended to the day of one thousand nine hundred and [and the interest to be paid thereon on and from the day of one thousand nine hundred and is hereby declared to be at the rate of per centum per annum].

Dated this day of one thousand nine hundred and .

FORM OF TRANSFER OF MORTGAGE.

I [the within-named] [of] in consideration of the sum of pounds paid to me by of (hereinafter referred to as "the transferee") do hereby transfer to the transferee (his) executors administrators and assigns [the within-written security] [the mortgage number of the revenues of the mayor aldermen and burgesses of the county borough of Newport bearing date the day of] and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Date this day of one thousand nine hundred and .

THE THIRD SCHEDULE.

Return of Rent or Annual Value and of other Particulars to be rendered under the Newport Corporation Act 1925.

1. Name of the street or road &c. in which the property is situate - Number of the house - - - (If not numbered state the name by which known.) Whether occupied with or without garage stables or other premises as part of the same property - The quantity of land (if any) and how used.	
2. Full Christian names and surname of occupier - - - -	
3. Name and address of owner or immediate lessor - - - (If not known state the name and address of the agent or person to whom the rent is paid.)	
4. Whether the property is occupied— (*a*) Wholly as a private residence - - - - -	(*a*)
or (*b*) Partly as a dwelling-house and partly for trade or business purposes - - -	(*b*)
or (*c*) Solely for trade or business purposes with no person residing on the premises other than a caretaker - - (Number of rooms set apart for the use of the caretaker (if any) and on which floor.)	(*c*)
(*d*) Nature of the business (if any) -	(*d*)

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5. If the occupation is in respect of part only of a house or premises state the extent and on which floor or floors - - - -	
6. Amount of rent - - - -	£ per
or if ground rent only is paid state its amount - - - -	£ per
7. Whether the property is held under lease or agreement for a period of years - - - - -	
or by the year quarter month or week - - - - - -	
8. (*a*) Date of commencement of term of lease or agreement - -	(*a*)
(*b*) Term of years for which granted	(*b*)
(*c*) Whether granted for any consideration in money in addition to the rent or upon any condition as to laying out money in building rebuilding or improvements - - - - (If none insert "None.")	(*c*) Amount paid for lease £
9. If the occupier is the owner or has purchased the lease the full annual value should be stated *i.e.* the amount at which the property is worth to be let by the year the owner keeping it in repair - - - - -	Annual value £
10. (*a*) Amount of land tax (if any) -	(*a*) £ . Borne by the
(*b*) Amount of tithe rentcharge or of any rate or assessment in lieu of tithes paid in the year 19 (State in each case whether borne by the landlord or tenant.)	(*b*) £ . Borne by the

11. Whether all usual tenant's rates and taxes are paid and borne by the occupier in addition to the rent - - - - -	
12. Whether the landlord or the tenant undertakes to bear the cost of repairs insurance and other expenses necessary to maintain the property - - - - (If each undertakes to bear part only of the cost of repairs state particulars.)	

Declaration.

I declare that the foregoing particulars are in every respect fully and truly stated to the best of my judgment and belief.

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