



CHAPTER lxxxviii.

An Act to empower the mayor aldermen and burgesses of the borough of Newport to construct a bridge over the River Usk and tramways and other works and for other purposes. A.D. 1914
[31st July 1914.]

WHEREAS the borough of Newport in the county of Monmouth is a municipal borough and under the government of the mayor aldermen and burgesses thereof (herein-after called "the Corporation") and is a county borough under the Local Government Acts 1888 and 1894 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 authority:

And whereas it is expedient that the Corporation be empowered to rebuild Newport Bridge and to construct the bridge and street works and tramways by this Act authorised and to run motor omnibuses as by this Act provided:

And whereas it is expedient that further provision be made with reference to the water undertaking of the Corporation and the Corporation be empowered to expend money in preserving their sources of supply from pollution:

And whereas it is expedient that further powers be conferred upon the Corporation for the regulation of streets and buildings and sanitary matters and otherwise in relation to the good government of the borough:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

A.D. 1914.

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

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(A) For the purchase of lands for and for the construction of the bridge works by this Act authorised - - - -	87,723
(B) For the purchase of lands for the street works by this Act authorised - - - -	21,766
(C) For the construction of the street works by this Act authorised - - - -	1,000
(D) For the construction of the tramways by this Act authorised - - - -	7,250
(E) For the purchase of motor omnibuses and the provision of sheds and equipment in connexion therewith - - - -	6,000
(F) For the purchase of lands for and the construction of works for preserving the Corporation's sources of water supply -	5,000

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 Local Government Board has been obtained:

And whereas plans and sections showing the lines and levels of the works authorised by this Act such plans showing also the lands liable to be taken compulsorily under the powers of this Act and a book of reference 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:— A.D. 1914.

PART I.

PRELIMINARY.

1. This Act may be cited as the Newport Corporation Act 1914. Short title.

2. This Act is divided into Parts as follows (that is to say):— Act divided into Parts.

Part I.—Preliminary.

Part II.—Bridge and Street Works.

Part III.—Lands.

Part IV.—Tramways.

Part V.—Motor Omnibuses.

Part VI.—Water.

Part VII.—Streets Buildings and Sanitary Provisions.

Part VIII.—Finance.

Part IX.—Miscellaneous.

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

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

Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870:

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof but such provisions shall apply only to the construction of the bridge works and shall be read as if the term "railway" meant the bridge works and the expression "the centre of the railway" meant the bridge (Work No. 1) or the temporary bridge and approaches (Work No. 3) by this Act authorised as the case may be.

A.D. 1914.
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Interpreta-
tion.

4. The several words and expressions to which by the Public Health Act 1875 or the Acts wholly or partially incorporated with this Act 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 And in this Act unless the subject or context otherwise requires—

“The borough” means the county borough of Newport;

“The Corporation” and “the council” mean respectively the mayor aldermen and burgesses and the town council of the borough;

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

“Town clerk” “borough surveyor” and “borough treasurer” mean respectively the town clerk borough surveyor and borough treasurer of the borough;

“Lord Tredegar” means the Right Honourable Courtenay Charles Evan Lord Tredegar and his sequels in estate or other the owner or owners for the time being of the Tredegar Settled Estates;

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

“The tribunal” means the jury arbitrators umpire or other authority to whom any question of disputed purchase money or compensation under this Act is referred;

“The Act of 1892” “the Act of 1897” “the Act of 1900” “the Act of 1902” and “the Act of 1906” respectively mean the Newport Corporation Act 1892 the Newport Corporation Act 1897 the Newport Corporation Act 1900 the Newport Corporation Act 1902 and the Newport Corporation Act 1906;

“The bridge works” means the bridge (Work No. 1) and the temporary bridge and approaches (Work No. 3) by this Act authorised;

“The street works” means the new street (Work No. 2) and the widening of Chepstow Road (Work No. 4) by this Act authorised;

“The bridge and street works” includes the bridge works and the street works; A.D. 1914.

“The tramways” means the tramways by this Act authorised;

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

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

“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 rentcharges or securities transferable by delivery or any securities of the Corporation.

PART II.

BRIDGE AND STREET WORKS.

5. 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 bridge and street works herein-after described (that is to say):— Power to construct works.

Work No. 1.—A bridge over the River Usk in substitution for Newport Bridge commencing at a point in High Street 41 yards or thereabouts eastwards of the junction of Screw Packet Road with High Street and terminating

A.D. 1914.
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at a point in Clarence Place eight yards or thereabouts westwards of the junction of Artillery Place with Clarence Place:

Work No. 2.—A new street commencing by a junction with Shaftesbury Street at a point in that street 57 yards or thereabouts southwards of the junction of Fisherman's Lane with Shaftesbury Street and terminating by a junction with High Street at a point on the northern side of that street three yards or thereabouts westwards of the river wall:

Work No. 3.—A temporary bridge over the River Usk with approaches thereto commencing by a junction with High Street at a point 10 yards or thereabouts eastwards of the junction of Screw Packet Road with High Street and terminating by a junction with Clarence Place at a point 30 yards or thereabouts eastwards of the junction of Artillery Place with Clarence Place:

Work No. 4.—A widening of Chepstow Road on its south side from Harrow Road to a point nine yards or thereabouts eastwards therefrom:

And the Corporation in connexion with such works or any of them may on any lands included within the limits of deviation of such works shown on the deposited plans or belonging to the Corporation erect make and maintain all such carriageways footways approaches steps drains fences retaining walls piers arches works and conveniences as they may deem necessary or proper and may take down the existing bridge over the River Usk known as Newport Bridge and remove all the materials thereof.

Power to deviate.

6. In making the bridge and street works the Corporation may deviate from the lines and position thereof respectively to any extent within the limits of deviation shown on the deposited plans and from the levels thereof respectively shown on the deposited sections to any extent not exceeding in the case of the bridge works five feet upwards or downwards and in the case of the street works two feet upwards or downwards and subject as aforesaid the Corporation may alter the mode of construction of the bridge (Work No. 1) by this Act authorised as indicated on the deposited sections by constructing the same over or across the River Usk with a less number of spans than the number shown on such sections.

7. If the bridge and street works are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as is then completed.

A.D. 1914.
Time for completion of bridge and street works.

8. 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 bridge and 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 bridge and street works" for the words "the bridge and street widenings and improvements by this Act authorised" wherever such words occur in such sections.

Application of sections of Act of 1902 to bridge and street works.

The sections so incorporated are—

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

Section 18 (Power to make subsidiary works in connexion 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).

9. Subject to the provisions of this Act and for the purposes of the bridge works the Corporation may within the limits of deviation shown on the deposited plans in connexion with the bridge works dredge and deepen the bed of the River Usk and alter and interfere with the banks bed and shore of the said river and may erect and maintain on in over or under the said banks bed and shore all such permanent or temporary piers arches coffer-dams piles fenders booms dolphins pontoons caissons stagings anchorages cables mooring posts jetties platforms groins sluices fences drains culverts approaches engines machinery apparatus works and conveniences as they may deem proper or may find necessary or convenient Provided that no materials excavated or dredged under the provisions of this section shall be deposited below high-water mark otherwise than in such position and under such restrictions as may be fixed by the Board of Trade.

Powers in respect of River Usk.

A.D. 1914.

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

10. Any works to be constructed under the powers of this Act on in over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only according to such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade Any alteration or extension of any such works shall be subject to the like approval 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 as a Crown debt or summarily.

For accommodation of telegraphic lines.

11. The Corporation shall in constructing the bridge works provide for the accommodation of telegraphic lines of the Postmaster General---

- (1) A space one foot six inches deep (or as near thereto as circumstances admit) below the wood paving and five feet wide under the roadway adjoining the kerb on the south side of the bridge (Work No. 1) authorised by this Act; and
- (2) A space sufficient in depth and one foot wide under the roadway of the temporary bridge (Work No. 3) by this Act authorised.

The space shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the Postmaster General Provided that if within one month of the receipt of the said plans sections and particulars the Postmaster General shall not have intimated to the Corporation his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same Provided also that the Postmaster-General shall lay any telegraphic lines which he desires to lay in the space so provided forthwith after receiving reasonable notice from the surveyor that such space has been constructed in accordance with this section and is ready for the laying of such telegraphic lines.

Survey of works by Board of Trade.

12. If at any time the Board of Trade deem it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Corporation on in over through

or across tidal lands or tidal water or of the intended site of any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Corporation to the Crown and be recoverable as a Crown debt or summarily. A.D. 1914.
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13. If a work constructed by the Corporation on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and be recoverable as a Crown debt or summarily. Abatement
of work
abandoned
or decayed.

14. The Corporation shall at or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve. Lights on
works dur-
ing con-
struction.

If the Corporation fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

15. The Corporation shall at the outer extremity of their works below high-water mark exhibit and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct. Permanent
lights on
works.

If the Corporation fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

16. For the protection of the Newport Harbour Commissioners (in this section called "the commissioners") the following provisions shall unless otherwise agreed in writing between the commissioners and the Corporation apply and have effect (that is to say):— For pro-
tection of
Newport
Harbour
Commis-
sioners.

- (1) Nothing in this Act contained shall be deemed to authorise the Corporation either during the execution of the bridge works or afterwards without the consent

A.D. 1914.

in writing of the commissioners first had and obtained to make or construct any permanent work in the River Usk other than and except the works which are shown and defined on the deposited plans as intended to be constructed in such river and any necessary subsidiary works in connexion with the works so shown and defined and such subsidiary works (if any) shall not unduly interfere with the navigation of the said river:

- (2) In the construction of the bridge works the Corporation shall not without the consent in writing of the commissioners deviate (A) laterally so that the southern side of the bridge (Work No. 1) or the temporary bridge (Work No. 3) by this Act authorised is more than thirty-two feet southwards from the line marked on the deposited plans "Intended southern side of bridge" or (B) vertically downwards from the levels of the bridge works as shown on the deposited sections to a greater extent than two feet:
- (3) The Corporation shall in the construction of the temporary bridge (Work No. 3) if required by the commissioners increase the width of the centre span of such bridge to forty feet:
- (4) All works constructed in the River Usk under the powers of this Act shall be constructed to the reasonable satisfaction of the commissioners:
- (5) If in or by reason of the execution of the powers of this Act the depth of water in the tideway of the River Usk shall be materially diminished the Corporation shall forthwith at their own expense by dredging or otherwise to the reasonable satisfaction of the commissioners restore so far as may be practicable the depth of water in such tideway:
- (6) Nothing in this Act contained shall affect any lawful byelaws rules and regulations made or ordained or to be made or ordained by the commissioners and nothing in this Act contained shall extend to prejudice or derogate from any of the rights and privileges of the commissioners excepting so far as by this Act is expressly provided:

(7) Any consent of the commissioners which is referred to in this section shall not be unreasonably withheld and if at any time hereafter any difference shall arise between the Corporation and the commissioners with respect to the withholding of any such consent or with respect to any of the provisions of this section or any matter or thing therein contained such difference shall be referred to the decision of an arbitrator to be agreed upon between the Corporation and the commissioners or if they cannot agree then of an arbitrator to be appointed by the Board of Trade upon the application of either party and subject as aforesaid in accordance with the provisions of the Arbitration Act 1889. A.D. 1914.

17. During the construction of any of the works by this Part of this Act authorised the Corporation shall do nothing unreasonably to impede or render unsafe the passage of any vessel boat barge or other craft on the River Usk to and from the Crindau works of the Newport (Monmouthshire) Gas Company. Traffic to and from Crindau gasworks not to be unreasonably interfered with.

PART III.

LANDS.

18. The Corporation may enter upon take and use all or any of the lands shown on the deposited plans and described in the deposited book of reference in connexion with the bridge and street works and required for the purposes thereof and of providing space for the erection of buildings adjoining and near thereto respectively. Lands.

19. 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 passing of this Act. Period for compulsory purchase of lands.

20. Notwithstanding anything contained in this Act or shown on the deposited plans the Corporation shall not be required to purchase or acquire any part of the River Usk or of the banks foreshore or bed thereof or to acquire any greater right or interest therein than the right to use the same for the purpose of constructing and maintaining the bridge works and the works connected therewith but the Corporation may purchase and acquire and the owners of and other persons interested in the said river and banks foreshore and bed shall sell to the Corporation if required such right or easement as aforesaid. Power to acquire easements.

A.D. 1914.

Owners may
be required
to sell parts
only of cer-
tain pro-
perties.

21. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are herein-after included in the term "the owner" and the said properties are herein-after referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or

any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal : A.D. 1914.

- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the *Lands Clauses Consolidation Act 1845*

[Ch. lxxxviii.] *Newport Corporation Act, 1914.* [4 & 5 GEO. 5.]

A.D. 1914. — contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Application of sections of Act of 1902 to lands.

22. The following sections of the Act of 1902 shall so far as the same are applicable extend and apply to any lands acquired under this Act and to the Corporation 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):—

- 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).

Power to sell materials.

23.—(1) The Corporation may sell or dispose of the stone and other materials of the existing Newport bridge and all building and other materials of any houses buildings or structures acquired by them under the powers of this Act which may not be required for the works by this Act authorised and also all materials in under or upon any road street or other place altered by them for the purposes of this Act.

(2) The Corporation shall apply the net proceeds of any sale under this section in payment of any costs incurred by them in connexion with the bridge and street works or in or towards the extinguishment of any loan raised by them under the powers of this Act for the construction of the bridge and street works in addition to and not in substitution for any other mode of extinguishment by this Act provided except to such extent and upon such terms as may be approved by the Local Government Board.

(3) The borrowing powers by this Act authorised for the construction of the bridge and street works shall be reduced to the extent of any amount applied under subsection (2) of this section in payment of any such costs as aforesaid and any loan extinguished under subsection (2) of this section shall not be re-borrowed.

24. The Corporation in addition to any other lands acquired by them in pursuance of this Part of this Act or for the purposes of Part VI. of this Act may by agreement purchase take on lease acquire and hold further lands for the other purposes of this Act but the quantity of lands held by the Corporation in pursuance of this section shall not at any time exceed ten acres and the Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section.

A.D. 1914.

Power to purchase additional lands by agreement.

25. The Corporation and their surveyors officers and workmen and any person duly authorised in writing under the hand of the town clerk may at all reasonable times in the day upon giving in writing for the first time twenty-four hours and afterwards twelve hours previous notice enter upon and into the lands and buildings by this Act authorised to be taken or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Power to Corporation to enter upon property for survey and valuation.

26. In determining any question of disputed purchase money or compensation payable in respect of lands taken in pursuance 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 or for or in respect of any interest in the land created after the twentieth day of November one thousand nine hundred and thirteen if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made erected or created with a view to obtaining or increasing compensation under this Act.

Compensation in case of recently altered buildings.

27.—(1) The tribunal shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

Costs of arbitration &c. in certain cases.

A.D. 1914.

(2) Provided that it shall be lawful for any judge of the high court to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case.

(3) Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice to the effect of this section.

For protection of Lord Tredegar.

28. For the protection of Lord Tredegar the following provisions shall apply and have effect unless otherwise agreed in writing between Lord Tredegar and the Corporation (that is to say) :—

(1) The Corporation shall not otherwise than by agreement acquire any part of so much (if any) of the bed banks and foreshore of the River Usk as belongs to Lord Tredegar but the Corporation may purchase and Lord Tredegar shall sell to the Corporation such an easement or right as shall be necessary for constructing and maintaining the bridge works across such portion (if any) of the bed banks and foreshore of the said river as belongs to Lord Tredegar and is required for the bridge works The consideration to be paid for such right or easement shall in case of dispute be determined in manner provided by the Lands Clauses Acts with respect to the settlement of compensation for the purchase and taking of land otherwise than by agreement:

(2) Notwithstanding anything contained in this Act or shown on the deposited plans if the Corporation shall purchase any property of Lord Tredegar for the purpose of the New Street (Work No. 2) the Corporation shall at the same time save so far as the

Corporation and Lord Tredegar may otherwise agree purchase the whole of the properties numbered on the deposited plans of the said Work (No. 2) 1 2 3 4 5 6 and 7 in the parish of Newport so far as the same are within the limit of deviation and land to be acquired as shown on the said plans Provided always that such purchase shall be deemed to be a purchase of land otherwise than by agreement within the meaning and for the purposes of the Lands Clauses Acts which shall apply accordingly.

A.D. 1914.

PART IV.

TRAMWAYS.

29. Subject to the provisions of this Act the Corporation may make lay down and maintain wholly within the borough the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all such rails plates sleepers junctions turntables turnovers crossings passing - places stables carriage-houses sheds works and conveniences connected therewith as may be necessary or proper therefor and for connecting the same with the existing tramways of the Corporation.

Power to
make tram-
ways.

The tramways herein-before referred to and authorised by this Act are the following (that is to say):—

Tramway No. 1 (double line) 8 chains or thereabouts in length commencing by a junction with the existing tramways in High Street and passing along High Street over the intended new bridge (Work No. 1) and Clarence Place and terminating by a junction with the existing tramways in Clarence Place:

Tramway No. 2 (double line) 11·12 chains or thereabouts in length commencing by a junction with the existing tramways in High Street and passing over the said intended temporary bridge and approaches (Work No. 3) and terminating by a junction with the existing tramways in Clarence Place:

Tramway No. 3 (double line) 5·04 chains or thereabouts in length commencing by a junction with the existing

A.D. 1914.

tramways in Shaftesbury Street and passing along Shaftesbury Street the intended new street (Work No. 2) and High Street and terminating by a junction with Tramway No. 1 by this Act authorised on the intended new bridge (Work No. 1):

Tramway No. 4 (double line) 1·50 chains or thereabouts in length commencing by a junction with the existing tramways in Shaftesbury Street and passing along Shaftesbury Street into and terminating in the intended new street (Work No. 2) by a junction with Tramway No. 3 by this Act authorised:

And the Corporation may in the construction and for the purposes of the tramways take up remove appropriate and use the rails and materials of the lines of tramway belonging to the Corporation which at present exist on Newport Bridge or in the portions of High Street Shaftesbury Street and Clarence Place which will be interfered with in the construction of the bridge and street works.

Period for completion of tramways.

30. The tramways authorised by this Act other than Tramway No. 2 shall be completed within one year from the completion of the bridge (Work No. 1) and the new street (Work No. 2) by this Act authorised and Tramway No. 2 shall be completed within one year from the completion of the temporary bridge and approaches (Work No. 3) by this Act authorised and on the expiration of those respective periods the powers by this Act granted for constructing such respective tramways or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Suspension of tramway service during construction of bridge works.

31. Notwithstanding anything in the Act of 1892 or in the provisions of that Act incorporated with this Act it shall be lawful for the Corporation to discontinue the running of cars upon Tramway No. 3 authorised by the Act of 1892 or upon Tramway No. 2 authorised by this Act during the construction of the bridge works or any works in connexion therewith.

Application of sections of former Acts to tramways.

32. The following sections of the Act of 1892 the Act of 1897 the Act of 1900 and the Act of 1902 respectively shall so far as the same are applicable extend and apply to the tramways by this Act authorised and to the Corporation in respect thereto in as full and complete a manner as if the

said sections were re-enacted in this Act with reference thereto A.D. 1914.
(that is to say) :—

(A) Sections of the Act of 1892.

11. Power to alter level of rails.
12. Further provisions as to construction of tramways.
13. Penalty for not maintaining rails and roads.
14. Inspection by Board of Trade.
16. Substituted tramways may be made where necessary.
17. Application of road materials excavated.
18. As to rails of tramways.
19. Tolls for passengers.
20. Passengers' luggage.
21. Animals and goods.
22. Corporation &c. not bound to carry goods.
23. Heavy traffic confined to certain hours.
24. Cheap fares for labouring classes.
25. Periodical revision of tolls.

(B) Sections of the Act of 1897.

26. Orders and byelaws.
28. Prohibiting the raising of fares on Sundays and holidays.
29. Provisions as to general Tramways Act.

(C) Sections of the Act of 1900.

39. Power to make additional crossings &c.
42. Gauge of tramways.
43. Power to make interlacing lines &c.
49. Special provisions as to use of electrical power.

(D) Sections of the Act of 1902.

8. For protection of Postmaster General.
11. Newport (Monmouthshire) Gas Company may themselves execute alteration of mains &c.

Provided that the Corporation shall not exercise the powers of section 39 of the Act of 1900 in connexion with the tramways by this Act authorised except with the previous consent of the Board of Trade.

A.D. 1914.

Penalty for
malicious
damage.

33. If any person wilfully does or causes to be done with respect to any apparatus used for or in connexion with the working of any tramway of the Corporation anything which is calculated to obstruct or interfere with the working of such tramway or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence or of any offence under section 50 of the Tramways Act 1870 with respect to any tramway of the Corporation shall be liable to a penalty not exceeding twenty pounds.

Use of tram-
way posts by
Postmaster
General.

34.—(1) It shall be lawful for the Postmaster General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connexion with the tramways and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

- (A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:
- (B) The Postmaster General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as herein-after provided:
- (c) Unless otherwise agreed between the Postmaster General and the Corporation the Postmaster General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expense of providing and maintaining any appliances or making any alteration

rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster General of the powers conferred by this section:

A.D. 1914.

- (D) Unless otherwise agreed or in case of difference determined as herein-after provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as herein-after provided:
- (E) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road:
- (F) The Postmaster General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair:
- (G) The Postmaster General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants:
- (H) The Postmaster General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster General in the use of

A.D. 1914.

the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster General and the Corporation or failing agreement determined as herein-after provided:

- (I) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster General arising through the exercise by the Postmaster General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:
- (J) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster General a difference shall be deemed to have arisen and shall be determined as herein-after provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connexion with their tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connexion with the lighting of the streets or otherwise Provided that any difference between the Postmaster General and such company or person in relation to the use of the posts standards or brackets by the Postmaster General and such company or person respectively shall be determined as herein-after provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section the expression "Corporation" includes their lessees the expression "telegraph" has the same meaning as in the Telegraph Act 1869 and other expressions have the same meaning as in the Telegraph Act 1878. A.D. 1914.

PART V.

MOTOR OMNIBUSES.

35.—(1) The Corporation may provide but shall not manufacture motor omnibuses and may run the same within the borough and also (subject to the provisions of this Act) in the parish of St. Woollos in the rural district of St. Mellons along the following routes (that is to say):— Power to run motor omnibuses.

(A) From the borough boundary in Risca Road along Risca Road into the new road which forms a continuation of Fields Park Road and along the said new road (i) to the borough boundary in Fields Park Road and (ii) into and along the road known as King Edward VII. Avenue to the borough boundary in that road:

(B) Along Cardiff Road from the borough boundary to a point 100 yards or thereabouts westwards of the bridge carrying that road over the River Ebbw.

(2) The Corporation may demand and take for the conveyance of passengers in any motor omnibuses run under the powers of this section the like tolls or fares as they are for the time being authorised to demand and take for passengers travelling on the tramways of the Corporation.

(3) The Corporation shall not run any motor omnibus on any street or road maintained by the Alexandra (Newport and South Wales) Docks and Railway Company except by agreement with that company.

(4) The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such motor omnibuses but the Corporation shall not create or permit any nuisance on any such lands.

A.D. 1914.

(5) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in their motor omnibuses. Provided that any such byelaws shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(6) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster General.

(7) The Corporation shall perform in respect of the motor omnibuses provided under this section all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

(8) In this section the expression "motor omnibus" means any stage carriage moved by mechanical power including in that expression steam electrical and every other motive power not being animal power.

(9) All expenditure in respect of motor omnibuses shall be defrayed and all receipts shall be applied as if the motor omnibuses were part of the tramway undertaking of the Corporation but such expenditure and receipts shall (so far as reasonably practicable) be distinguished from the receipts and expenditure upon or in connexion with the remainder of the undertaking.

For protec-
tion of Mon-
mouthshire
County
Council.

36. The following provisions for the protection of the county council of the county of Monmouth (in this section called "the county council") shall notwithstanding anything in this Act contained and unless otherwise agreed in writing apply and have effect (that is to say):—

(A) The Corporation shall subject as herein-after provided pay to the county council an annual sum equal to three-eighths of a penny per car mile run by the motor omnibuses by this Act authorised over any main road towards the cost of the maintenance by the county council of such road. All sums of money payable to the county council under the provisions of this section shall be deemed to be a debt due to the county council and recoverable from the Corporation accordingly:

(B) The Corporation shall keep statements for the purposes of this section showing in proper detail the mileage run by each motor omnibus on any such main road and shall furnish copies of such statements annually to the county council and the Corporation shall allow any person duly authorised by the county council in that behalf at all reasonable times to inspect and take copies of all such statements and any accounts kept by the Corporation relating to the running of all such motor omnibuses: A.D. 1914.

(c) In consideration of the payments to be made by the Corporation to the county council under this section the county council 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 main road by the motor omnibuses of the Corporation by this Act authorised.

37. The following provisions for the protection of the rural district council of St. Mellons (in this section referred to as "the council") shall notwithstanding anything in this Act contained and unless otherwise agreed in writing between the council and the Corporation apply and have effect (that is to say):— For protection of St. Mellons Rural District Council.

(1) In the event of the Corporation giving to the council notice in writing that they intend to run a service of motor omnibuses on so much of the road as forms part of Route (A) by this Act authorised and is repairable by the council then the Corporation shall pay to the council within one month after the council shall have altered or adapted such portion of road a sum equivalent to one-third of the costs of such alterations or adaptations but not exceeding one hundred and fifty pounds. Provided that if the Corporation desire to run a trial service of motor omnibuses on the said road so repairable as aforesaid for a period not exceeding three months the Corporation shall be entitled to do so subject to the payment to the council of three-eighths of a penny per car mile run by such motor omnibuses on such portion of the road during the said trial period:

A.D. 1914.

- (2) After the expiration of three years from the completion by the council of the works of adaptation of the said road under the preceding subsection of this section the Corporation shall pay to the council in each year towards the cost of the maintenance of the road repairable by the council on which the motor omnibuses will be run the sum of three-eighths of a penny per car mile run by such motor omnibuses on such road during such year :
- (3) The Corporation shall keep statements for the purpose showing in proper detail the mileage run by each motor omnibus on the said road repairable by the council and shall furnish copies of such statements annually to the council and the Corporation shall allow any person duly authorised by the council in that behalf at all reasonable times to inspect and take copies of all such statements and any accounts kept by the Corporation relating to the running of all such motor omnibuses :
- (4) Any difference at any time arising between the council and the Corporation under this section shall be settled by an arbitrator to be agreed upon between the council and the Corporation or failing such agreement to be appointed on the application of either party by the Board of Trade and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

PART VI.

WATER.

Power to purchase and hold lands and exercise powers for protection of waters.

38.—(1) For the purpose of protecting against pollution nuisance encroachment or injury any of the waters which the Corporation are empowered to take under any Act relating to the Corporation or their water undertaking the Corporation may by agreement purchase take on lease or otherwise acquire any lands and may hold such lands and any other lands which the Corporation may have acquired for the purposes of their water undertaking so long as they shall deem it necessary or expedient for those purposes Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon

except offices and dwellings for persons in their employment in connexion with their water undertaking and such buildings and works as may be incident to or connected with their water undertaking. A.D. 1914.

(2) The Corporation may in and upon the lands referred to in subsection (1) of this section construct and lay down drains sewers watercourses catchpits and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Corporation are empowered to take from being polluted and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

(3) The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any lands with reference to the execution by the Corporation or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters which the Corporation are for the time being authorised to take.

(4) The Corporation may apply to any of the purposes of this section any moneys which under any existing Act or this Act are applicable to the purposes of their water undertaking.

39.—(1) The Corporation may supply water for other than domestic purposes on such terms and conditions as the Corporation think fit and may supply water by measure either for domestic or other purposes and the moneys payable for the supply of water under this section shall be recoverable in the same manner as water rates. Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes. Supply by
measure.

(2) Section 78 (Water for other than domestic purposes to be supplied by agreement) of the Newport and Pillgwenlly Waterworks Act 1854 is hereby repealed.

A.D. 1914.
Supply to
houses partly
used for
trade &c.

40. The Corporation shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade business or manufacturing purpose for which water is required. Provided that the price to be charged for a supply of water by measure under this section shall not exceed one shilling and sixpence per one thousand gallons except that the sum to be paid for a supply by measure to any such building shall not be less than the sum which would be chargeable by the Corporation for a supply of water given to the occupier of such building for domestic purposes otherwise than by measure.

Dates for
payment of
water rates.

41. Notwithstanding anything contained in section 70 (Rates to be paid quarterly) of the Waterworks Clauses Act 1847 the Corporation may by resolution declare that their water rates and charges shall be payable at such half-yearly or other date or dates as the Corporation may from time to time appoint. Provided that no person shall be compellable to pay water rates or charges so demanded for any longer period in advance than three calendar months.

Rates pay-
able by
owners of
small houses.

42. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Corporation so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

PART VII.

STREETS BUILDINGS AND SANITARY PROVISIONS.

Continuation
of existing
streets to be
deemed new
streets.

43. Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any byelaws made thereunder and for the time being in force within the borough be deemed to be a new street.

Further pro-
visions as to
new streets
and widen-
ings.

44. When a road or lane is about to become a new street within the meaning of the Public Health Act 1875 but the land on only one side of such street is about to be built on the Corporation may instead of requiring the owner of such

land to widen such road or lane to a width prescribed by the byelaws in force in the borough require such owner to widen such road or lane so as to give a width not less than one-half of such prescribed width from the old centre line of such road or lane to the boundary thereof adjoining such land. Provided that when the land on the opposite side of such road or lane is about to be built on the Corporation shall require the owner of such land to complete the widening of such road or lane so as to give the complete width prescribed by the byelaws of the Corporation and the said owner shall complete the same accordingly.

A.D. 1914.

45.—(1) When any street or road repairable by the inhabitants at large is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered the Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of such street or road. The line which in any case the Corporation propose to prescribe and define shall be distinctly marked and shown on a plan to be signed by the town clerk and deposited with the borough surveyor which plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to every owner interested whose name and address they can ascertain and in cases where such name and address cannot be ascertained by affixing such notice to or on the premises. No new building erection excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street or road than such line.

Corporation
may define
future line
of streets.

(2) The Corporation may and if required so to do by the owner shall purchase the land for the time being unbuilt upon lying between any such line as aforesaid and the street or road and the same when purchased shall vest in the Corporation as part of the street or road and the amount of purchase money shall in case of difference be settled by arbitration under the Arbitration Act 1889.

(3) Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make full compensation to the owner and other persons

A.D. 1914. interested in any land for any loss or damage they may sustain in consequence of the line of frontage being set back and the Corporation shall also make to the owner of any adjoining land or building and to all other persons interested in any such adjoining land or building full compensation in respect thereof for all damage loss or injury (if any) sustained by them to such land or building by reason of the Corporation requiring the said line to be observed and kept.

(4) If after any such line has been defined and prescribed as aforesaid any person shall offend against this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Byelaws as to floor area.

46. Section 23 of the Public Health Acts Amendment Act 1890 in its application to the borough shall have effect as if the words "and floor area" had been inserted therein after the word "height" in subsection (1) of that section.

Water-courses not to be covered over except in accordance with approved plans.

47.—(1) Before the owner of any land within the borough shall culvert or cover over any watercourse thereon forming part of the natural drainage of the area involved he shall submit for the approval of the Corporation plans sections and specifications of such watercourse and the method of culverting or covering over the same and the Corporation may subject as herein-after provided require such owner so to construct any such culvert or so to cover over any such watercourse as to secure the free and uninterrupted passage of the water flowing in any such watercourse :

Provided that—

(A) No requirement of the Corporation under this section shall operate to compel any such owner to receive upon his land or to make provision for the passage of a greater quantity of water than he would have been obliged to receive or to permit to pass if this section had not been enacted ;

(B) If with the consent of such owner the Corporation shall require him to make provision for the passage of a larger quantity of water than he is obliged to permit to pass at the time of the commencement of any work under this section any additional cost occasioned by such requirement shall be borne by the Corporation.

(2) If the Corporation shall not within forty-two days after the delivery of the plans sections and specifications signify in writing their approval or disapproval with the reasons for such disapproval of any intended work to the person who submitted the same the Corporation shall be deemed to have approved the same. A.D. 1914.

(3) If the Corporation disapprove of the plans sections and specifications or if any difference shall arise between the Corporation and such owner as to the expediency necessity or otherwise of the works required by the Corporation to be executed or otherwise under this section such difference shall be referred to arbitration and the provisions of the Arbitration Act 1889 shall apply thereto.

(4) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(5) Nothing in this section contained shall apply to any culvert or covering constructed or to be constructed by the Great Western Railway Company under any Act of Parliament.

48. If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under this Part of this Act or under any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding forty shillings and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works. Penalty on occupiers refusing execution of Act.

PART VIII.

FINANCE.

49.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table and on the security mentioned in the second column of Power to borrow.

[Ch. lxxxviii.] *Newport Corporation Act, 1914.* [4 & 5 GEO. 5.]

A.D. 1914. that table the respective sums mentioned in the third column of the table and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the fourth column of the table viz. :—

Purposes.	Security.	Amount.	Period for Repayment.
For the purchase of lands for and for the construction of the bridge works.	The borough fund and borough rate.	£ 87,723	60 years from the date or dates of borrowing.
For the purchase of lands for the street works.	The district fund and general district rate.	21,766	60 years from the date or dates of borrowing.
For the construction of the street works.	The district fund and general district rate.	1,000	50 years from the date or dates of borrowing.
For the construction of the tramways.	The tramway and motor omnibus revenue and borough fund and borough rate.	7,250	30 years from the date or dates of borrowing.
For the purchase of motor omnibuses and the provision of sheds and equipment in connexion therewith.	The tramway and motor omnibus revenue and borough fund and borough rate.	6,000	5 years from the date or dates of borrowing.
For the purchase of lands and the construction of works for preserving the Corporation's sources of water supply.	The revenue of the water undertaking and district fund and general district rate.	5,000	55 years from the date or dates of borrowing.
For paying the costs charges and expenses of this Act.	The borough fund and borough rate.	The sum requisite.	5 years from the passing of this Act.

(2) The Corporation may also with the consent of the Board of Trade borrow on the security of the tramway and motor omnibus revenue and borough fund and borough rate such further money as may be necessary for any of the purposes of the tramway and motor omnibus undertaking of the Corporation and with the consent of the Local Government Board borrow on such security as that Board may prescribe such further money as may be necessary for any of the purposes of this Act other than purposes of the tramway and motor omnibus undertaking :

Any money borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Board with whose consent it is borrowed.

50. In calculating the amount which the Corporation may borrow under the provisions of any other enactment any sums which the Corporation may borrow under or for the purposes of this Act shall not be reckoned and the power of the Corporation of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

A.D. 1914.
—
Certain provisions of Public Health Acts not to apply.

51. The provisions of sections 236 237 238 and 239 of the Public Health Act 1875 with respect to mortgages to be executed by a local authority (except where the same are in this Act expressly altered or varied) shall apply in the case of all mortgages granted by the Corporation under this Act as if they were with necessary modifications re-enacted in this Act.

Provisions of Public Health Act as to mortgages to apply.

52. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year or when the money is repaid by half-yearly instalments within six months from the date of borrowing.

Mode of payment off of money borrowed.

53. The provisions of the Act of 1906 herein-after 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 viz. :—

Application of financial provisions of Act of 1906.

Section 39 (Protection of lenders from inquiry);

Section 41 (Sinking fund);

Section 44 (Power to borrow under Local Loans Act 1875);

Section 45 (Application of money borrowed);

Section 46 (Corporation not to regard trusts).

54.—(1) The Corporation shall have power—

Power to re-borrow.

(A) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or

A.D. 1914.

(B) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(A) By instalments or annual payments; or

(B) By means of a sinking fund; or

(C) Out of moneys derived from the sale of land; or

(D) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Power to invest all sinking funds in statutory securities.

55. When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund for the payment off of moneys borrowed or payable by them they may (in addition to any other powers for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities.

Power to use loans fund or sinking fund instead of borrowing.

56.—(1) Where the Corporation are authorised by any statutory borrowing power to raise moneys for any purpose they may (subject to the provisions of subsection (2) of this section) instead of exercising such borrowing power by the issue of any

fresh security in respect thereof exercise the said power and raise the said moneys either wholly or partially by using for such purpose—

A.D. 1914.
—

(A) Any money for the time being forming part of the Newport Corporation Consolidated Loans Fund (in this section called “the loans fund”) and not required for the payment of dividends on Newport Corporation three per centum redeemable stock (in this section called “stock”); or

(B) So much of any moneys for the time being forming part of a sinking fund as shall be available for the repayment of a loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein.

(2) The Corporation shall not exercise the powers conferred on them by subsection (1) of this section in the manner mentioned in paragraph (A) of that subsection by using any money for the time being forming part of the loans fund at any time when the Newport Corporation redeemable stock is purchasable in the open market at or below par value.

(3) If and whenever the Corporation exercise the powers conferred on them by subsection (1) of this section in the manner mentioned in paragraph (A) of that subsection the following provisions shall have effect:—

(A) The Corporation shall—

- (i) Withdraw from the loans fund a sum equal to the amount of the borrowing power proposed to be exercised by the user of moneys in the loans fund and determine from which account in the loans fund having amounts to its credit the said sum shall be deemed to be withdrawn;
- (ii) Transfer at par value an amount of stock equal to the sum withdrawn from the loans fund from the last-named account to the account in respect of which the borrowing power is exercised:

A.D. 1914.

(B) The provisions of the Newport (Monmouthshire) Corporation Act 1889 as amended by the Newport (Monmouth) Order 1909 shall apply to the moneys so withdrawn from the loans fund as though such money had been raised by the issue of further stock and shall apply to the stock so transferred as though it were stock issued at the date of the transfer:

(c) On every transfer of stock as aforesaid when the whole amount of stock standing to the debit of the particular account is not transferred the amounts payable to the loans fund in respect of the stock not transferred shall be such as the Local Government Board approve:

(D) Where in the exercise of the powers of this section the Corporation use money forming part of the loans fund and transfer stock in respect thereof the original loan shall pro tanto be deemed to have been paid off as if the amount of stock transferred had been redeemed out of the loans fund.

(4) If and whenever the Corporation exercise the powers conferred on them by subsection (1) of this section in the manner mentioned in paragraph (B) of that subsection they shall—

(A) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund:

(B) Credit such sinking fund with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the sinking fund:

(c) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from such sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been

raised by the issue of a fresh security and the provisions of any enactment as to the repayment and re-borrowing of sums raised under the statutory borrowing power shall apply thereto accordingly.

A.D. 1914.

(5) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

(6) The Corporation shall furnish all such information (if any) to the Local Government Board with regard to the exercise of the powers contained in this section as that Board shall require.

57.—(1) The borough treasurer shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in respect of any of the moneys raised by the Corporation in pursuance of any statutory borrowing power and not raised by the issue of stock and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may be prescribed by the Board and if required by the Board verified by a statutory declaration of the borough treasurer showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year together with such further information (if any) as the Board shall require and in the event of his failing to make such return the borough treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court.

Returns to
Local
Government
Board as to
sinking
funds.

A.D. 1914.

(2) If it appears to the Board by that return 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 the sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of the sinking fund to any purposes other than those authorised the Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court.

PART IX.

MISCELLANEOUS.

Shelters or
waiting-
rooms.

58.--(1) The Corporation may erect and maintain shelters or waiting-rooms for the accommodation of passengers travelling on their tramways or motor omnibuses and may for that purpose use portions of the public streets or roads within the borough and with the consent of the local authority and road authority of the public streets and roads beyond the borough forming part of the motor omnibus routes by this Act authorised.

(2) If any lands are injuriously affected by the exercise by the Corporation of the powers of this section the owners lessees and occupiers of such lands shall be entitled to compensation for such injurious affection and such compensation shall unless otherwise agreed between the Corporation and such owner lessee or occupier be referred to and determined by a single arbitrator to be appointed by the President of the Institute of Surveyors and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to such reference.

Lopping of
trees over-
hanging
highways
and foot-
paths.

59.--(1) Where any tree hedge or shrub overhangs any highway or footpath within the borough so as to obstruct or interfere with the light from any public lamp or the working of any tramways or motor omnibuses of the Corporation or other vehicular traffic or with the free passage or comfort of passengers thereon the Corporation may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the

tree hedge or shrub within seven days so as to prevent such obstruction or interference and in default of compliance but subject to any appeal under the provisions of this section the Corporation may themselves carry out the requisition of their notice doing no unnecessary damage. A.D. 1914.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

(3) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this section.

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

Section 50 (Informations by whom to be laid);

Section 52 (As to appeal);

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);

Section 62 (Expenses incurred by Corporation).

61. Notwithstanding anything in 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 alteration of telegraphic lines.

62. Nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section. As to works of electric undertakers.

A.D. 1914.

For protec-
tion of Great
Western
Railway
Company.

63. Notwithstanding anything contained in this Act or shown on the deposited plans and sections the following provisions for the protection of the Great Western Railway Company (hereinafter called "the railway company") shall unless otherwise agreed in writing between the railway company and the Corporation apply and have effect (that is to say):—

- (1) The Corporation shall not without the consent in writing of the railway company first had and obtained enter upon take or use any portion of the lands situate between Shaftesbury Street and the River Usk which at the date of the passing of this Act belong to the railway company or are authorised to be acquired by them :
- (2) The Corporation shall not exercise the powers of this Act with reference to the construction of Work No. 2 by this Act authorised so as to interfere with or prevent the carrying out by the railway company of the alteration of the levels of Shaftesbury Street under the Great Western Railway (General Powers) Act 1909 :
- (3) In exercising any of the powers contained in the section of this Act of which the marginal note is "Powers in respect of River Usk" the Corporation shall not interfere with or injuriously affect the stability of the abutments piers or foundations of the viaduct carrying the South Wales Railway of the railway company over the River Usk or carry out any such works in such a manner as to affect the banks of the river so far as they are the property of the railway company :
- (4) The Corporation shall make compensation to the railway company for any damage or injury that may be caused to their railway works and property and pay any additional cost which the railway company may reasonably incur in altering widening enlarging or maintaining their railway and works by reason of the exercise by the Corporation of the powers of Part II. of this Act :
- (5) In stopping up any streets or ways temporarily under the provisions of section 17 of the Act of 1902 incorporated with this Act during the execution of the

works by this Act authorised the Corporation shall at all times keep open for vehicular and pedestrian traffic reasonable access to the stations and depôts of the railway company:

A.D. 1914.

- (6) Nothing in Part VII (Streets buildings and sanitary provisions) of this Act or in any byelaws to be made thereunder shall apply to any building (not being a dwelling-house) belonging to the railway company and used by them as part of or in connexion with their railway:
- (7) Notwithstanding anything contained in this Act the Corporation shall not without the consent in writing of the railway company under the hand of their secretary or general manager erect any shelter or waiting-room in front of or in close proximity to the entrances to or exits from the stations depôts and premises of the railway company so as to impede or interfere with the traffic to and from such stations depôts and premises of the railway company or on the bridges over or under the railway of the railway company over or under which the motor omnibuses may pass:
- (8) Any dispute or difference which may arise between the railway company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the railway company and the Corporation or either of them and subject as aforesaid in accordance with the provisions of the Arbitration Act 1889.

64. For the protection of the Newport (Monmouthshire) Gas Company (in this section called "the gas company") the following provisions shall unless otherwise agreed apply and have effect (that is to say):--

For protection of Newport (Mon.) Gas Company.

- (1) Before commencing any works by Part II of this Act authorised (herein-after referred to as "the authorised works") in or under any street in or under which any mains pipes syphons tubes or other works (herein-

A.D. 1914.

after called "apparatus") of the gas company are situate the Corporation shall deliver to the gas company plans and sections and a description of the authorised works so proposed to be executed describing the proposed manner of executing the same and (except in the case of emergency) a notice stating the date when it is proposed to commence such works and such plans sections description and notice shall (except as aforesaid) be delivered to the gas company at least twenty-eight days before the commencement of any such works:

- (2) If it should appear to the gas company that the authorised works will interfere with or endanger any of their apparatus or impede the supply of gas the gas company may give notice to the Corporation to lower or otherwise alter the position of such apparatus or to substitute temporarily or otherwise other apparatus in such manner as may be considered necessary and also if necessary to lay or place under any apparatus cement concrete or other like substance and any difference as to the necessity of such lowering alteration substitution laying or placing cement concrete or other like substance (herein-after referred to as "protective works") shall be settled as herein-after provided and all such protective works shall be done and executed by and at the expense of the Corporation but to the reasonable satisfaction and under the superintendence of the engineer of the gas company and the reasonable costs charges and expenses of such superintendence shall be paid by the Corporation Provided that if the gas company by notice in writing to the Corporation within seven days after the receipt by them of notice of the intended commencement by the Corporation of any such authorised works so require the gas company may by their own engineer or workmen do and execute any of the protective works which may be agreed or settled as aforesaid and the Corporation shall on completion thereof pay to the gas company the reasonable expenses incurred by them in the execution thereof:

- (3) In the event of such plans sections and description so delivered to the gas company as aforesaid not being objected to within fourteen days the authorised works shall be executed in strict accordance therewith :
- (4) The gas company may if they deem fit employ watchmen or inspectors to watch and inspect the authorised works during their construction repair or renewal so far as any apparatus belonging to them will be interfered with or affected and the reasonable wages of such watchmen or inspectors shall be borne by the Corporation and be paid by them to the gas company :
- (5) If the Corporation for any of the purposes of the authorised works take or render useless any apparatus belonging to the gas company they shall pay to the gas company the value of such apparatus and the same shall thereupon become the property of the Corporation and the Corporation shall also pay to the gas company their reasonable charges of removing or altering any of their apparatus in immediate communication therewith which the works of the Corporation shall render useless or which shall be required to be altered by reason of such works :
- (6) If during the construction or repair of the authorised works or any of them any interruption in the supply of gas by the gas company shall be in any way occasioned by the Corporation or by the act or acts 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 gas company for and indemnify them against all damages losses claims or expenses incurred by or caused to them by or by reason or in consequence of such interruption the amount of such compensation failing agreement to be settled by arbitration as herein-after provided :
- (7) The expense of all repairs or renewals of any apparatus of the gas company or any works in connexion therewith which may during a period of two years from the completion of the bridge and street works be rendered necessary by the acts or defaults of the

A.D. 1914.

Corporation their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of any subsidence resulting from the bridge and street works whether during the construction of the said works or within two years from the time when the said works shall have been satisfactorily completed tested and brought into operation shall be borne and paid by the Corporation and may be recovered against the Corporation by the gas company in any court of competent jurisdiction :

- (8) 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 gas company :
- (9) If any difference shall arise with respect to any matter under this section between the Corporation and the gas company or their respective engineers or concerning any plans sections or description to be delivered to the gas company under the foregoing provisions of this section the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the Board of Trade.

For further protection of Lord Tredegar.

65. For the further protection of Lord Tredegar the following provisions shall unless otherwise agreed between the Corporation and Lord Tredegar apply and have effect (that is to say):—

- (1) The Corporation shall not in the exercise of any of the powers of this Act unreasonably interrupt or interfere with the access to or egress from any lands or property of Lord Tredegar and if any interruption or interference is caused to or with such access or egress the Corporation shall make full compensation to Lord Tredegar and his lessees and tenants for any loss or inconvenience they may sustain or be put to by reason or in consequence of any such interruption or interference :
- (2) Any difference which may arise between the Corporation and Lord Tredegar under the provisions of this section shall be referred to and settled by arbitration and the provisions of the Arbitration Act 1889 shall apply thereto.

66. Nothing in this Act shall take away prejudice abrogate or alter any estate right power or interest in the banks bed or shore of the River Usk now vested in or exerciseable by Lord Tredegar Provided always that nothing herein contained shall be held to recognise or confirm any right title or claim of Lord Tredegar to such banks bed or shore but the right and title to such banks bed and shore shall remain in the same state as if this Act had not passed.

A.D. 1914.
—
Saving rights
of Lord
Tredegar.

67. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown
rights.

68. Proceedings for the recovery of any demand made under the authority of this Act or any existing Acts relating to the Corporation or the borough or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Recovery of
demands.

69. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act (including the costs incurred by the Corporation in or with the object of complying with the provisions of the Borough Funds Acts 1872 and 1903 with respect to the Bill for 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 any moneys borrowed under the authority of this Act.

Costs of Act.

A.D. 1914.

The SCHEDULE referred to in the foregoing Act.

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY MAY
BE TAKEN.

NUMBERS ON DEPOSITED PLANS.

In respect of the new bridge and temporary bridge and approaches
(Works Nos. 1 and 3)—3 4 5 6 10 17 18 19 and 20.

In respect of the new street (Work No. 2)—3 8 9 10.

In respect of the widening of Chepstow Road (Work No. 4)—2.

In respect of Tramways Nos. 1 and 2—3.

In respect of Tramways Nos. 3 and 4—3 6 7 8 9 10.

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