



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. xli.

An Act to enable the Corporation of *Newport* in *Monmouthshire* to purchase the Interest of the Freemen in *Newport Marshes*, and for other Purposes. 15th June 1855.]

WHEREAS there is near the Town of *Newport* in *Monmouthshire* a Meadow or Piece of Marsh Land containing about Forty-four Acres, and known as *Newport Marshes*, bounded by the Turnpike Road from *Newport* to *Pontypool*, by the River *Usk* and by *Crindau Pill*, which Land is vested in the Mayor, Aldermen, and Burgesses of the Borough of *Newport*, but the Profits thereof are divisible among the resident Freemen of the said Borough who were such Freemen on the Ninth Day of *September* in the Year One thousand eight hundred and thirty-five, and the Widows of Freemen, during their respective Lives: And whereas the net annual Profits arising from the said Land and so divisible have not on an Average of the last Six Years amounted to Sixty Pounds, but the said Land would, if improved, and let for building, become very profitable to the said Corporation of *Newport*, and be advantageous to the Public, but the said Corporation have no Power so to improve or grant Leases thereof, and it is expedient that such Powers should

[*Local.*] 6 N be

The Newport (Monmouthshire) Corporation Act, 1855.

be granted to them, due Provision being made, as herein-after mentioned, for securing the Interest of the said Freemen and Widows of Freemen, and the said Freemen and Widows of Freemen have consented to the Arrangements herein-after contained for the Purchase of their Interest in the said Marshes: And whereas it is expedient that the said Corporation should have Power to purchase the Market Place in *Newport* aforesaid, and the Lands, Buildings, and Appurtenances thereon or thereto belonging, and all the Franchises, Rights, Tolls, Rates, and Stallages connected therewith, and that the Corporation should exercise all the Franchises, Rights, Powers, and Privileges now attached to the said Market, and should also be enabled to enlarge or remove the said Market, as herein-after mentioned: But inasmuch as these Objects cannot be effected without the Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

"Corporation."

I. The Words "the Corporation" in this Act shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Newport* in the County of *Monmouth*.

Vesting
Newport
Marshes ab-
solutely in
Corporation.

II. From and after the passing of this Act there shall vest in the Mayor, Aldermen, and Burgesses of the Borough of *Newport* the said Piece of Land called *Newport Marshes*, free from all Claim and Demand and all Right and Interest of the Freemen of the said Borough or of the Widows of the said Freemen, and from Payment of all Rent or Proportion of Profit arising out of the said Land, and heretofore due and of Right belonging or accustomed to be paid to the said Freemen and Widows of Freemen, or any of them.

Power to
grant Leases
of Land.

III. It shall be lawful for the Corporation to demise and lease the said Marshes or any Part thereof for the Purpose of erecting thereon Dwelling Houses, Warehouses, Manufactories, or Wharves, or for the Construction of Basins, or for Gardens or other Purposes, and it shall be lawful for them to sell or to dispose of the same Marshes, or of any Part or Parts thereof, in consideration either of a gross Sum or of a perpetual Fee-farm Rent, but subject to the Conditions contained in the Ninety-fourth and Ninety-sixth Sections of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, and also to charge and incumber the same Marshes or any Part or Parts thereof, but subject to the Conditions contained in the Second Section of the Act passed in the Session of Parliament held in the

Sixth

5 & 6 W. 4.
c. 76.

The Newport (Monmouthshire) Corporation Act, 1855.

Sixth and Seventh Years of the same Reign, intituled *An Act for the better Administration of the Borough Fund in certain Boroughs.* 6 & 7 W. 4. c. 104.

IV. It shall also be lawful for the Corporation to embank, drain, fence, and otherwise improve the said Marshes, and to apply the Borough Fund to such Purposes, or to contract with any other Persons for the doing thereof, either in consideration of a Sum to be paid to such Persons out of the Borough Fund, or in consideration of deferring the Payment of Rent by such Persons for Portions of the said Land demised or let to them.

Corporation may improve Marshes.

V. There shall be paid out of the Borough Fund, by the Treasurer of the said Borough, during the Lives of the Freemen of the said Borough admitted to their Freedom before the Ninth Day of *September* One thousand eight hundred and thirty-five, and resident in the said Borough, or whose Families reside therein, and of the Widows of such Freemen, or of any of them, the yearly Sum of Two hundred Pounds during the first Five Years after the passing of this Act, the yearly Sum of One hundred and forty Pounds during the next succeeding Five Years, and the yearly Sum of One hundred Pounds after the Expiration of the said Two Periods of Five Years, free and clear of all Deductions or Abatements whatsoever, excepting any Income or Property Tax which may be lawfully payable thereout; and the said Sum of Two hundred Pounds, One hundred and forty Pounds, or One hundred Pounds respectively, together with the Rentcharge of Twenty Pounds Three Shillings and Sixpence payable by the Corporation by virtue of a Deed bearing Date the Third Day of *February* One thousand eight hundred and forty-three, and the annual Dividends of One hundred and fifty-seven Pounds Four Shillings and Twopence Consols, now standing in the Books of the Governor and Company of the Bank of *England* in the Names of *James Brown* and *Thomas Hughes*, and also the Interest on the Deed Poll for Thirty Pounds, and the Rent of Five Pounds for Land paid by the *Newport* Turnpike Commissioners, (which Sums have been derived from the Sale of small Portions from Time to Time of the said Marshes, and are now so divisible,) shall be divided by the said Treasurer, and paid by him yearly on the First Day of *August*, or within Fourteen Days thereafter, rateably and equally among such Freemen of the said Borough as aforesaid who may be then living, and among the Widows who may be then living of Freemen, such Persons having been entitled to participate in the Rent or the Profits derived from the said *Newport Marshes*, the same Rule as to Residence being held to apply to such Freemen as hath hitherto been observed in the said Borough.

Consideration to be paid to certain Freemen of Borough of Newport.

VI. The

The Newport (Monmouthshire) Corporation Act, 1855.

Annuity
charged on
Borough
Fund.

VI. The said annual Sums of Two hundred Pounds, One hundred and forty Pounds, and One hundred Pounds respectively shall be Debts due from the said Corporation, and shall be charged on the Borough Fund, and if the same or any Part thereof shall be in arrear and unpaid for One Month after any such First Day of *August*, and after Demand thereof by any Freeman or Widow of a Freeman entitled thereto (such Demand being made in Writing, and left at the Office of the Town Clerk or of the Treasurer of the said Borough) it shall be lawful for any such Freeman or Widow of a Freeman to whom any Portion of the said Annuity is due and so in arrear to recover the same from the Treasurer of the said Borough, in any Court of competent Jurisdiction, and it shall only be necessary for such Freeman or Widow to prove before such Court that he or she is the Person whose Name is on the List herein-after prescribed, and that the Sum due to such Person has not been paid, and that it has been demanded in Writing in the Manner herein-before prescribed.

List of Per-
sons entitled
to Annuity
to be pub-
lished.

VII. The Town Clerk of the said Borough shall yearly and every Year make a List up to the Thirtieth Day of *June* of the Freemen or Widows of Freemen entitled to participate in the said Annuity; and the said List shall be signed by him, and a Copy thereof shall be deposited in the Office of the Town Clerk of the said Borough on the First Day of *July*, and shall be open to the Inspection of all Persons concerned therewith; and it shall be lawful for the Town Clerk to amend the said List in consequence of any Representation which may be made to him up to and inclusive of the Twentieth Day of *July*, and he shall sign such amended List, and keep a Copy thereof in his Office for such Inspection as aforesaid; and such original or amended List (as the Case may be) shall be conclusive Evidence of the Right of the Persons therein contained to participate in the said Annuity, and (subject to the Proviso herein-after contained) that such Persons are alone so entitled to participate: Provided always, that if any Person shall between the First and Twentieth Days of *July* in any Year have claimed in Writing to have his or her Name inserted in the said List, and the said Town Clerk shall have disallowed such Claim, it shall be lawful for such Person to appeal to any Two Justices of the County of *Monmouth* in Petty Sessions assembled against the Decision of the said Town Clerk, after giving One Week's Notice in Writing to the Town Clerk of such Appeal; and the Determination of the said Justices as to the Right of such Person to be included in the said List shall be final and conclusive: Provided also, that such Person shall not be entitled to any Arrears of Payment on account of the said Annuity, but that the Right to the same, if the same be established, shall be deemed to have accrued at the Time of the said Claim.

VIII. If

The Newport (Monmouthshire) Corporation Act, 1855.

VIII. If any Person entitled to participate in the said Annuity, and whose Name appears on the said List, omits for Three Years to claim his or her Share of the said Annuity, the Name of that Person shall for the future be removed from the said List, and the Arrears due to him or her shall be added to the Annuity divisible in the Fourth or next succeeding Year, and shall be divided equally among the Persons then entitled to such Annuity: Provided always, that if such Person shall subsequently claim to have his or her Name restored to the said List the Name shall be so restored, and the said Person shall for the future be entitled to participate in the said Annuity, but shall not be entitled to any Arrears.

Unclaimed
Arrears to
be merged.

IX. It shall be lawful for the Corporation to purchase of the Most Noble *Henry Charles Fitzroy Duke of Beaufort* or his Heirs, or of Sir *Charles Morgan Robinson Morgan* Baronet and his Heirs, or of other the Persons entitled thereto or to any Interest therein, (but only with the Consent of all the said Persons,) the existing Market Place in the Town of *Newport*, and all the Buildings and Erections thereon, and the Approaches and Conveniences connected therewith, and all Franchises, Rights, and Privileges authorizing the holding a Market in the Town of *Newport*, and all Tolls, Stallages, and Rents arising out of such Market; and after such Purchase it shall be lawful for the Corporation to exercise such Franchises, and all the said Rights and Privileges so purchased, and to demand and exact the said Tolls, Stallages, and Rents, as fully and effectually as could lawfully be done by the Persons who shall have conveyed the same to the Corporation.

Power to
purchase
Market.

X. After the Corporation shall have purchased the said Market and the Franchise thereof, and all the Rights and Privileges connected therewith, it shall be lawful for them to remove the said Market, and to establish the same elsewhere within the Limits of the Franchise thereof, on Land now belonging to the Corporation or to be purchased by them for the Purpose; and the Provisions of "The Markets and Fairs Clauses Act, 1847," shall with respect to such new Market be deemed to be incorporated with this Act, and shall apply to such new Market: Provided always, that it shall not be lawful for the Corporation to take in respect of such new Market any greater Tolls, Stallages, or Rents than may now be lawfully demanded or taken in respect of the existing Market at *Newport*.

Corporation
may remove
Market.

XI. It shall be lawful for the Corporation to erect Slaughter-houses upon any Land belonging to them, and convenient for the Purpose; and the Seventeenth, Eighteenth, Nineteenth, and Twentieth Sections of "The Markets and Fairs Clauses Act, 1847," shall apply to such Slaughter-houses.

Corporation
may erect
Slaughter-
houses.

[*Local.*]

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XII. It

The Newport (Monmouthshire) Corporation Act, 1855.

Corporation
may borrow
Monies.

XII. It shall be lawful for the Corporation to borrow upon the Security of the Borough Fund any Sums of Money which may be necessary for effecting the Purchase of the said Market Place and Market, and of the necessary Approaches thereto, and of the Property needful for the Enlargement thereof, and also for the Removal of the said Market, and for the Erection of Slaughter-houses or for any of the same Purposes.

Expenses of
Act.

XIII. The Expenses of obtaining this Act or preparatory or incidental thereto shall be paid out of the Borough Fund of the said Borough.

Short Title.

XIV. In citing this Act for all Purposes whatever, it shall be sufficient to use the Expression "*The Newport (Monmouthshire) Corporation Act, 1855.*"

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