

# Municipal Corporations Act, 1883.

[46 & 47 VICT. CH. 18.]

## ARRANGEMENT OF SECTIONS.

A.D. 1883.

### Section.

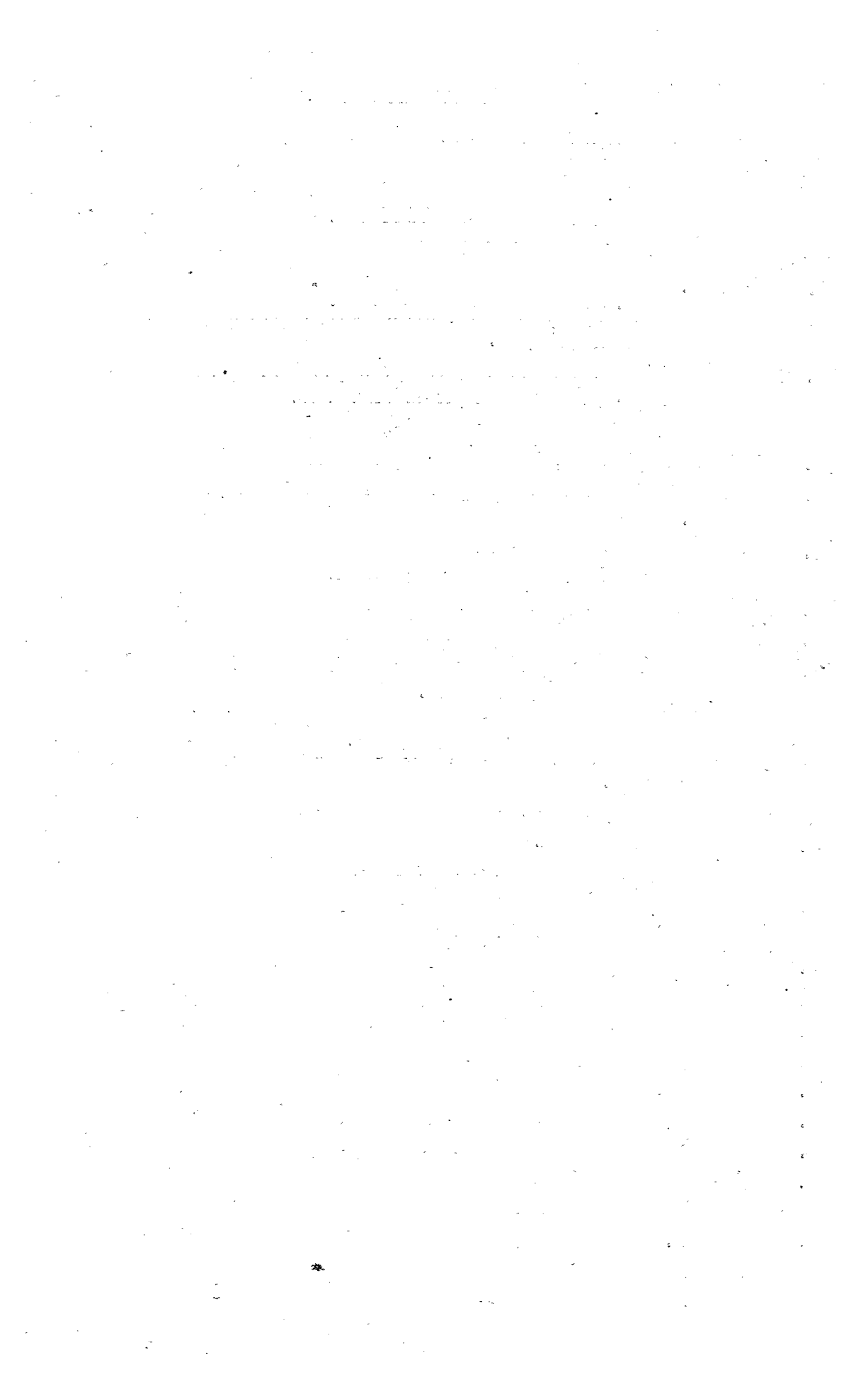
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[*Public.*-18.]

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## CHAPTER 18.

An Act to make provision respecting certain Municipal Corporations and other Local Authorities not subject to the Municipal Corporation Act. [29th June 1883.]

A.D. 1883.

**W**HEREAS Commissioners were appointed by His late Majesty King William the Fourth (in this Act referred to as the Commissioners of 1834) to inquire into Municipal Corporations in England and Wales, and made reports respecting divers corporations, including most of those mentioned in the schedules to this Act:

And whereas the Municipal Corporation Acts consolidated and repealed by the Municipal Corporations Act, 1882, were passed and applied to most of the places mentioned in the above report, but not to those which are mentioned in the schedules to this Act:

And whereas Commissioners were appointed by Her Majesty to inquire into Municipal Corporations not subject to the Municipal Corporation Acts (in this Act referred to as the Commissioners of 1876), and have made reports to Her Majesty respecting the places mentioned in the schedules to this Act, and it is expedient to make the provisions herein-after appearing respecting those places:

Be it therefore 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:

1. This Act may be cited as the Municipal Corporations Act, 1883. Short title.

2. On and after the twenty-fifth day of March one thousand eight hundred and eighty-six, or such later day, not after the twenty-ninth day of September one thousand eight hundred and eighty-six, as Her Majesty in Council may in the case of any place or places appoint, the following provisions shall (subject to the savings for vested

Abolition of special judicial bodies, exclusive rights of trading, exempting from juries, &c.

A.D. 1883. — interests and other provisions contained in this Act) apply to each of the places mentioned in the schedules to this Act; that is to say,

(1.) All civil, criminal, and Admiralty jurisdiction of any corporate officer, court, or judge of the said place appointed or holding office under any charter, grant, or prescription shall cease, whether such jurisdiction is conferred by such charter, grant, or prescription, or by any Act, and the place shall be subject to the same jurisdiction as the part of the county in which it is situate or to which it adjoins, and if it adjoins more than one county or part of a county, then as the county or part with which it has the longest common boundary :

(2.) All exclusive rights of trading, local exemptions from juries, and other local franchises, privileges, and exemptions existing under any charter or grant or prescription shall cease.

Future abolition of corporations, except as provided by new charter or by scheme under 40 & 41 Vict. c. 69.

3. On and after the twenty-fifth day of March one thousand eight hundred and eighty-six, or such later day, not after the twenty-ninth day of September one thousand eight hundred and eighty-six, as Her Majesty in Council may, in the case of any place or places, appoint, the following provisions shall (subject to the savings for vested interests and other provisions contained in this Act) apply to each of the places mentioned in the schedules to this Act to which Her Majesty may not be pleased before the said day to grant a new charter; that is to say,

(a.) The place shall not be a corporate town or borough, and any municipal or other corporation thereof existing under any charter or grant or prescription shall be dissolved :

(b.) All property of any corporation in the place which is dissolved by this Act, or of any person as member or officer thereof, or of any court or judge whose jurisdiction is abolished by this Act, shall be applied for the public benefit of the inhabitants of the place in such manner as may be for the time being provided by a scheme of the Charity Commissioners, or, in a case where a scheme is made by the Local Government Board, by that scheme, and shall vest in such persons or body corporate as may be specified in such scheme.

(2.) Provided that until any such scheme takes effect the said property shall continue to be held, managed, and enjoyed as heretofore in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, management, and enjoyment, and for that purpose the persons managing

the property shall continue in like manner as if they were a body constituted by the scheme for the administration of such property, but the legal estate in the property shall vest in the official trustees. A.D. 1883.

4. Nothing in this Act shall prevent the application to any place of any charter applying the Municipal Corporation Acts which Her Majesty may be pleased to grant, or affect anything done in pursuance of those Acts or any scheme thereunder, and shall not affect the operation of any such charter, thing, or scheme; save that nothing in the said Acts or scheme shall authorise the establishment or continuance of any court for the trial of civil actions. Saving for new charters and for charities.

(2.) Nothing in this Act shall affect the right to the benefit of any charity, or shall alter or confer any power of altering the defined charitable purposes (if any) to which any property is by law applicable at the passing of this Act.

5. Whereas the Commissioners of 1876 reported that the places mentioned in the first part of the First Schedule to this Act might be dealt with by being subjected to the provisions of the Municipal Corporations Act, 1835, and the Acts amending the same, as if they were mentioned in Schedule B. of the Municipal Corporations Act, 1835: Be it therefore enacted as follows: Inquiry as to places mentioned in first part of First Schedule.

(1.) As soon as conveniently may be after the passing of this Act, the Privy Council shall cause an inquiry to be made into the expediency of advising Her Majesty to grant a charter extending the Municipal Corporation Acts to the several places mentioned in the first part of the First Schedule to this Act, and also whether it is expedient that any adjoining district not included in the existing corporations shall be included in the places to which such charters may be granted, and shall report to Her Majesty thereon.

(2.) The expenses of such inquiry shall be regulated by the Commissioners of Her Majesty's Treasury, and paid out of moneys provided by Parliament.

(3.) Nothing in this section shall require an inquiry to be held with respect to any place with respect to which a similar inquiry has been held since the first day of January one thousand eight hundred and seventy-nine.

6. The Privy Council, upon being satisfied by any applicants after inquiry that it is expedient for the public so to do, may, by order, provide for retaining any court leet or other court or any officer, whether as returning officer for the return of members to serve in Parliament, or as town clerk for the purpose of the regis- Power to Privy Council to preserve certain courts and officers.

A.D. 1883.

tration of parliamentary voters, or otherwise, and for the appointment of any officer so retained, subject in every case to such exceptions, restrictions, and modifications as seem expedient.

(2.) Subject to the provisions of any Order of the Privy Council, any person who at the passing of this Act holds an office by virtue of which he is such returning officer or town clerk as aforesaid may during the time limited for the tenure of his office continue to perform the duties of such returning officer or town clerk as aforesaid, and on the expiration of such time, or his otherwise ceasing to perform the duties, the said duties shall, so far as regards the returning officer, be performed in manner provided by the Act of the session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act to amend the law relating to the appointment of returning officers in certain cases," and so far as regards the town clerk shall be performed by the person in the parliamentary borough who is town clerk within the meaning of section one hundred and one of the Parliamentary Registration Act, 1843.

Scheme of  
Local  
Government  
Board  
respecting  
places under  
local boards  
or improve-  
ment com-  
missioners.

7. Whereas there are local boards or improvement commissioners in some of the places mentioned in the First Schedule to this Act, and the Commissioners of 1876 reported that it might be expedient to establish local boards in other of such places: Be it therefore enacted as follows:

(1.) Where any part of any of the places mentioned in any of the schedules to this Act is comprised in the district of any local board or improvement Commissioners, whether established before or after the passing of this Act, and Her Majesty is not pleased to grant a charter to such place, the Local Government Board, after such local inquiry as they think expedient, may, at any time before any corporation in the said place becomes abolished by this Act, make such scheme as might be made by the Committee of Council under part eleven of the Municipal Corporations Act, 1882:

(2.) Sections two hundred and thirteen and two hundred and fourteen of and the Seventh Schedule to that Act shall, so far as is consistent with the tenour thereof, apply accordingly as if they were herein re-enacted, with the substitution of the Local Government Board for the Committee of Council, and of the said district for borough, and with a limitation to the purposes of this section:

(3.) A scheme may be made as aforesaid for the purpose of amending any previous scheme under this section:

45 & 46 Vict.  
c. 50.

(4.) Sections two hundred and ninety-four, two hundred and ninety-five, and two hundred and ninety-six of the Public Health Act, 1875, shall, so far as is consistent with the tenour thereof, apply to any local inquiry held by order of the Local Government Board for the purposes of this section.

A.D. 1883.  
38 & 39 Vict.  
c. 55.

8. (1.) The Charity Commissioners may provide, by the appointment of interim trustees and otherwise, for the security and proper management and application of the property, for the application of which such Commissioners have, or may in certain events have, power under this Act to make a scheme.

Power of  
Charity Com-  
missioners.

(2.) If any such property has after the first day of March one thousand eight hundred and eighty-three, and before the date at which a charter or a scheme under this Act, or the Municipal Corporations Act, 1882, as the case may be, takes effect, been alienated by way of sale, mortgage, grant, lease, charge, or otherwise, and such alienation has not been made in pursuance of some covenant, contract, or agreement *bonâ fide* made or entered into on or before the said first day of March, or of some resolution duly entered in the Corporation books of the Corporation on or before the said first day of March, or in pursuance of any right saved by this Act, and such alienation has been made collusively and for no consideration, or for insufficient consideration, such alienation may be set aside in the like proceedings (instituted with the consent of the Charity Commissioners or of the Attorney General) and in like manner as a lease of land of a charity granted without due consideration may be set aside: Provided that if a charter is granted or a scheme made whereby the property is affected, the said proceedings shall be commenced within one year after the charter or scheme takes effect.

(3.) Anything authorised by this Act to be done by the Charity Commissioners may be done by an order of those Commissioners, which may be made in like manner as if the property were the endowment of a charity and application had been made as provided by the Charitable Trusts Acts, 1853 to 1869; and an order of the Charity Commissioners may be made at any time after the passing of this Act, so, however, that the order shall not take effect until such date as the Charity Commissioners fix as being, in their opinion, under the circumstances of the case, most consistent with the purposes of this Act.

16 & 17 Vict.  
c. 137.  
32 & 33 Vict.  
c. 110.

(4.) Any corporation or person directly affected by any order of the Charity Commissioners under this Act in relation to any property made before a scheme under this Act has provided for the

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application of such property, or directly affected by the order of the Charity Commissioners which first establishes a scheme providing for the application of such property, may, if aggrieved by the order, appeal (except as herein-after provided) to the Privy Council, and the Privy Council after considering the objections to the order and, if it seem necessary, hearing the parties, may make such order as in their opinion the Charity Commissioners ought to have made, and such order shall have the same effect under this Act as if made by the Charity Commissioners, and an appeal shall not lie to the High Court of Justice under the Charitable Trusts Acts, 1853 to 1869, against any order against which an appeal to the Privy Council can be had in pursuance of this enactment.

(5.) After a scheme has been made under this Act providing for the application of any property the Charitable Trusts Acts, 1853 to 1869, shall apply in all respects as if the scheme were a scheme made in pursuance of those Acts, and the property shall for the purpose of those Acts be deemed to be the endowment of a Charity.

Provision as  
to property  
and transfer  
thereof.

9. (1.) All property by this Act vested in the official trustees or any body corporate or persons shall, so far as the same can be transferred by this Act, be transferred by virtue of this Act, and so far as the same cannot be so transferred, be held in trust for those trustees, body corporate, or persons, and shall be vested for the same estate and interest, and subject to the same liabilities, for and subject to which such property was held at the time immediately before the same becomes so vested.

(2.) For the purposes of this Act the expression "property" includes all property, real and personal, and all things in action, and all rights of common or commonable rights, and rights to toll, and all franchises, privileges, and rights which have any pecuniary value, and all charters, records, deeds, books, and documents, and includes any estate or interest, legal or equitable, in any property as so defined; and all property held, enjoyed, claimed, or administered by any corporation, court, judge, or person shall for the purposes of this Act be deemed to be the property of such corporation or person.

(3.) All powers and duties conferred or imposed by any local Act of Parliament (including a Provisional Order confirmed by Parliament) on, and all trusts administered by, any corporation abolished by this Act, or any officers or nominees of such corporation, either alone or jointly with other persons, shall vest in and be exercised, and performed, and administered by such persons as may be provided by a scheme under this Act, and until such scheme takes effect by the same persons as at the passing of this Act.



(4.) Any question which may arise as to whether anything is property within the meaning of this Act, or as to whether anything is vested in the official trustees or any body corporate or persons as provided by this Act, shall in the first instance be decided by the Charity Commissioners, subject, nevertheless, to an appeal to the High Court of Justice, as provided by section eight of the Charitable Trusts Act, 1860, and such appeal may be presented by any person interested or claiming to be interested in the property, and the provisions of this Act with respect to an appeal to the Privy Council shall not apply.

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23 & 24 Vict.  
c. 136.

**10. (1.)** Every person who now is or hereafter may be an inhabitant of any borough mentioned in any of the schedules to this Act, and also every person who has been admitted or might hereafter have been admitted a freeman or burgess of any such borough if this Act had not been passed, or who now is or hereafter may be the wife or widow or son or daughter of any freeman or burgess, or who may have espoused or may hereafter espouse the daughter or widow of any freeman or burgess, or who has been or may hereafter be bound an apprentice, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements, and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of any such borough or any municipal or other corporation thereof, and of any lands, tenements, and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate, of which any person or any corporation may be seised or possessed in whole or in part for any charitable uses or trusts, as fully and effectually, and for such time and in such manner as he or she by any statute, charter, byelaw, or custom in force at the time of passing this Act might or could have had, acquired, or enjoyed in case this Act had not been passed: Provided that—

Reservation  
of rights of  
property and  
beneficial  
exemptions  
to freemen,  
their wives  
and children.

(a.) The total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of municipal officers, and all other lawful expenses, which on the first day of March one thousand eight hundred and eighty-three were defrayed out of or chargeable upon the same:

(b.) Nothing herein-before contained shall be construed to apply to any claim, right, or title of any burgesses or freemen, or of

A.D. 1883.

any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any borough or corporation; and after the passing of this Act no person shall have or be entitled to claim thenceforward any discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any corporation except as herein-after is excepted:

- (c.) Nevertheless, every person who on the said first day of March was an inhabitant or was entitled to be admitted a freeman or burgess of any borough mentioned in any of the schedules to this Act, or who on the said first day of March was the wife or widow, son or daughter, of any freeman or burgess of any such borough, or who on the said first day of March was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any borough or corporation as fully and for such time and in such sort as he or she by any statute, charter, byelaw, or custom in force on the first day of March might or would have had, acquired, and enjoyed the same if this Act had not been passed, and no further or otherwise:
- (d.) Where, by any statute, charter, byelaw, or custom in force at the time of passing this Act within any of the boroughs mentioned in any of the schedules to this Act, any person whose rights in this behalf are herein reserved would have been liable in case this Act had not been passed to pay any fine, fee, or sum of money to any corporation, or to any member, officer, or servant of any corporation, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee, or sum of money to the treasurer of such borough, elected under the Municipal Corporations Act, 1882, or to such other person as may be appointed in that behalf by a scheme under that Act or under this Act:
- (e.) Nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which, if this Act had not passed, would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm, or affect any

claim, right, or title of any burgesses or freemen of any borough or corporation, or of any person, to the benefit of any such rights as are herein-before reserved, but the same in every case may be brought in question, impeached, and set aside in like manner as if this Act had not been passed. A.D. 1883.

(2.) From and after the passing of this Act no person shall be elected, made, or admitted a burgess or freeman of any borough mentioned in any of the schedules to this Act by gift or purchase.

(3.) Every scheme under the Municipal Corporations Act, 1882, or this Act, shall, if need be, provide for carrying this section into effect, and for the enrolment of persons from time to time entitled under this section, and a scheme may be made for that purpose or for the purpose of managing any property to which the said persons may be for the time being entitled.

11. (1.) If any person alleges that he is by virtue of this Act deprived of any emolument or pecuniary profit, or any other profit of a pecuniary value, he may apply to the Local Government Board, and that Board, if satisfied that the allegation is true, and that under all the circumstances the applicant ought, if deprived thereof, to receive compensation for the same, may order that he shall continue to enjoy such emolument or profit, or shall receive such compensation for the same as the Board may think just, and if the compensation is pecuniary, the money shall (and if necessary from time to time) be raised in such manner or paid out of such funds (being, so far as may be, the same manner or funds in or out of which the emolument or profit was previously raised or paid) as the order directs. Saving for  
vested  
interests.

(2.) All liabilities of any corporation, court, judge, or officer abolished by this Act, existing at the time of such abolition, shall be discharged out of the same funds and in the same manner, as near as may be, as they would have been if this Act had not passed; and the Local Government Board, on the application of any person interested, may by order provide in such manner as they think expedient for the discharge of such liabilities.

(3.) For the purposes of this section, a rate, toll, or due may continue to be levied, and may be made, assessed, levied, and collected by such persons as the Local Government Board direct, in like manner as if they were the persons who, if this Act had not passed, would have been authorised to make, assess, and levy such rate, toll, or due.

(4.) An order under this section may be made an order of the High Court of Justice, and may be enforced accordingly.

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Saving for powers of Committee of Council and Charity Commissioners.

Saving as to Cinque Ports.

**12.** Nothing in this Act shall be in derogation of any power otherwise vested in the Committee of Council, or the Charity Commissioners, and the Committee of Council and Charity Commissioners may exercise for the purposes of this Act all powers otherwise vested in them in relation to boroughs and charities respectively.

**13.** With respect to any cinque port or ancient town or member of a cinque port mentioned in the schedules to this Act, the following provisions shall have effect:—

- (1.) Nothing in this Act shall diminish the jurisdiction of the Court of Admiralty of the Cinque Ports within the boundaries defined by the Act of the session of the first and second years of the reign of King George the Fourth, chapter seventy-six, intituled “An Act to continue and amend certain Acts for preventing the various frauds and depredations committed on merchants, shipowners, and underwriters by boatmen and others within the jurisdiction of the Cinque Ports; and also for remedying certain defects relative to the adjustment of salvage under a statute made in the twelfth year of the reign of Her late Majesty Queen Anne,” or of any commissioners appointed in pursuance of that Act:
- (2.) Nothing in this Act shall increase the authority or jurisdiction which any cinque port, or any court, justice, or officer of a cinque port, has over any member of a cinque port, notwithstanding that that member is, in pursuance of this Act, no longer corporate:
- (3.) The non-corporate members of any such cinque port or ancient town shall form part of the body of the county, and hundred, and other division in which those members are respectively situate.

Saving as to Winchelsea.

**14.** In the event of a charter not being granted to Winchelsea the property of the corporation of Winchelsea shall continue to be held, managed, and enjoyed as heretofore, in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, management, and enjoyment, and for that purpose the corporation of Winchelsea shall continue undissolved in like manner as if it were constituted by the said scheme; and, notwithstanding anything in this Act, Winchelsea shall continue to be entitled an ancient town of the Cinque Ports.

Provision as to local authorities and officers.  
45 & 46 Vict.  
c. 50.

**15.** (1.) Every body referred to in the First Schedule to this Act shall, notwithstanding any mistake in the name or description thereof, be subject to this Act, as a corporation, and be deemed to

be a local authority within the meaning of section two hundred and thirteen of the Municipal Corporations Act, 1882. A.D. 1883.

(2.) Any mayor, jurat, recorder, justice of the peace, coroner, bailiff, sergeant, inspector, or constable, or any other officer by whatever name called, having or claiming the authority of any judge or officer above named, shall be deemed to be included in this Act in the expression judge or officer, as the case may be.

(3.) Where in any report of the Commissioners of 1834, or in any report of the Commissioners of 1876, any corporation, court, sessions, judge, recorder, justice, coroner, constable, inspector, authority, or officer, or any franchise, privilege, right, or exemption, or any property, is mentioned in connection with any place mentioned in the schedules to this Act, that mention shall be evidence that the same is subject to this Act.

**16.** (1.) Nothing in this Act shall affect the right enjoyed by any person at the passing of this Act to vote for any member or members to serve in Parliament. Saving for rights of voting and acts done.

(2.) The abolition by this Act of any jurisdiction shall not affect anything done in pursuance of such jurisdiction before it is abolished; any offence committed before such abolition may be prosecuted, tried, and punished as if the jurisdiction had been abolished at the time when the offence was committed.

**17.** Whereas it appears from the Report of the Commissioners of 1876, that doubt exists as to whether the corporation mentioned in Part II. of the First Schedule to this Act, as existing or reputed to exist in Romney Marsh, is a municipal corporation, and it is expedient to make such provision respecting the same and respecting the lords bailiff and jurats of Romney Marsh as hereinafter contained: Be it therefore enacted as follows: Saving for Romney Marsh.

(1.) The reputed corporation of the bailiff jurats and commonalty of Romney Marsh shall, notwithstanding anything in this Act, continue to exist, and to elect officers, and to hold the property vested in them, but any such corporation shall not have or exercise any municipal rights or powers; and all property vested in such corporation shall continue to be applicable for the purposes to which it is at present by law applicable or otherwise for the benefit of the inhabitants of the said place.

(2.) Notwithstanding anything in this Act, the bailiff and justices of the corporation of Romney Marsh shall continue to be appointed and elected, as nearly as may be, in like manner as heretofore, and to have authority as justices in like manner as if they were justices assigned by a commission from Her

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Majesty in a liberty not having a separate court of quarter sessions.

- (3.) The reputed corporation of the lords bailiff and jurats of Romney Marsh shall not be deemed a municipal corporation, and notwithstanding anything in this Act shall continue to exist, to elect officers, to hold the property vested in them, and to exercise the same powers as heretofore, and all property vested in such corporation shall continue to be applicable for the purposes to which it is at present by law applicable or otherwise for the benefit of the inhabitants of the said place.

Saving for  
Havering-  
atte-Bower.

**18.** Whereas it appears from the Report of the Commissioners of 1876 that doubt exists whether the corporation of Havering-atte-Bower is a municipal corporation, and whether an Order in Council for the union of Havering-atte-Bower to the county of Essex might be made in pursuance of the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter one hundred and five, intituled "An Act for facilitating the union of liberties with the counties in which they are situate," upon the petition of the justices of the said county, without any petition from the justices of Havering-atte-Bower: Be it therefore enacted as follows:

Nothing in this Act shall be deemed to apply to Havering-atte-Bower or to the justices or corporation or reputed corporation thereof, save that it shall be lawful that an Order in Council be made for uniting Havering-atte-Bower to the county of Essex, in pursuance of the recited Act, upon the petition either of the justices of the said county or of the justices of Havering-atte-Bower.

Saving for  
Local Act  
relating to  
Alnwick.

**19.** Notwithstanding anything in this Act, the corporation referred to in the Alnwick Corporation Act, 1882, shall continue to be a corporation and to hold and administer the property vested in such corporation at the passing of this Act, and shall apply the same for the purposes mentioned in the said Alnwick Corporation Act, 1882, and the maintenance as heretofore of the Corporation schools, or for any other public or charitable purposes; and the provisions of this Act with respect to an inquiry by the Privy Council or the Local Government Board, or with respect to a scheme by the Local Government Board, shall not apply to Alnwick, and this Act shall not affect the provisions of the said Alnwick Corporation Act, 1882.

Saving as to  
Laugharne  
and Malmes-  
bury.

**20.** Whereas in Laugharne and Malmesbury divers members of the Corporation, whether called burgesses, landholders, or any other name, have the right to occupy without rent or at low rents

certain property belonging to the Corporation, and it is expedient to make provision with respect to such property, be it enacted as follows :

- (1.) In the event of a charter not being granted to Laugharne or Malmesbury, the property of the corporation of the place to which a charter is not so granted shall continue to be held, managed, and enjoyed as heretofore, in like manner as if a scheme of the Charity Commissioners, in pursuance of this Act, had provided for such holding, enjoyment, and management, and for that purpose the corporation in the said place shall continue undissolved in like manner as if it were constituted by the said scheme.
- (2.) The corporation of such place, subject to the approval of the Charity Commissioners, may sell all or any of the property of the corporation for the best price that may be got for the same; and, after compensating or saving the rights of any person in such property, whether existing or prospective, may pay the proceeds to any public authority in the locality, to be applied by such authority for the benefit of the inhabitants of the said place.
- (3.) The provisions of this Act and of the Municipal Corporations Act, 1882, for saving the rights and interests of freemen and of persons who might have become freemen shall extend to the rights and interests of persons who are or if this Act had not passed might have become landholders, assistant burgesses, or capital burgesses in Malmesbury, and for that purpose freemen of Malmesbury may continue to be elected landholders, assistant burgesses, and capital burgesses.

**21.** Whereas it appears from the report of the Commissioners of 1876 that the office of mayor of Newport (Pembroke) is purely honorary, and that the corporation has no revenue and no municipal function: Be it therefore enacted as follows :

Saving for Newport, Pembroke.

Nothing in this Act shall be deemed to prevent the election of the mayor of Newport (Pembroke) as heretofore, or to dissolve the corporation of Newport (Pembroke), or deprive the lord of the manor or the burgesses of any tolls, rights of common, or other rights of a pecuniary value.

**22.** Whereas it appears from the Report of the Commissioners of 1876 that the corporation of Over has no revenue, and no municipal function, and that the mayor of Over, elected at the court leet, has a magisterial but no other jurisdiction: Be it therefore enacted as follows :

Saving for Over.

A.D. 1883.  
—

Nothing in this Act shall be deemed to prevent the holding of the court leet, and the election by such court of the mayor of Over as heretofore, but such mayor shall not, as such, have the jurisdiction of a justice, whether for criminal, licensing, or any other purpose.

Saving for  
Altrincham.

**23.** Whereas it appears from the report of the Commissioners of 1876 that the corporation of Altrincham has no municipal function, and that the mayor of Altrincham elected at the court leet has no jurisdiction, be it therefore enacted as follows :

Nothing in this Act shall be deemed to prevent the holding of the court leet and the election by such court of the mayor of Altrincham as heretofore, but such mayor shall not have any jurisdiction magisterial, municipal, or other.

Saving for  
lord of the  
manor of  
Corfe Castle.  
Saving for  
certain  
rights.

**24.** Nothing in this Act shall deprive the lord of the manor of Corfe of any title enjoyed by him under any charter.

**25.** (1.) Nothing in this Act shall diminish the liability of the owner or occupier of any tenement to any rent or sum payable under any charter granted to any corporation mentioned in the Schedules to this Act, and any person entitled to receive such rent or sum shall have the same right and remedy for recovering the same as prior to the passing of this Act, and also upon the abolition by this Act of the corporation under the charter shall have the power of such corporation or of any officer of such corporation to enforce payment of such rent or sum.

(2.) The provisions of this section and of the other parts of this Act for protecting the rights of persons interested shall have effect in favour of Her Majesty, her heirs and successors, and of any body corporate, not being a corporation abolished by this Act, in like manner as if Her Majesty, her heirs and successors, and such body corporate, were included in the term person.

(3.) Nothing in this Act shall affect the legal proceedings pending at the passing of this Act on the information of the Attorney General against the corporation of the mayor and burgesses of Holt, and certain members of that corporation, and for the purpose of such proceedings the said corporation shall continue to be and to act as a corporation, and the mayor, bailiffs, and burgesses shall continue to be elected and appointed in like manner as if this Act had not passed, and any liabilities of such corporation under any judgment, decree, or order in such legal proceedings shall be deemed for the purposes of this Act to be liabilities of the corporation existing at the time of the abolition thereof.



**26.** (1.) So much of any Act, law, charter, or usage as is inconsistent with this Act is hereby repealed.

A.D. 1883.

Repeal of  
Acts and  
charters.

(2.) The Act of the session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter seventy-one, intituled "An Act to amend the law concerning the making of borough rates in boroughs not within the Municipal Corporation Acts," shall, on and after the first day of January one thousand eight hundred and eighty-six, or such later day, not after the first day of September one thousand eight hundred and eighty-six, as Her Majesty in Council may appoint, be repealed, without prejudice to any rate previously made in pursuance of that Act, and without prejudice to the making of any rate which is by this Act authorised to be made; and any such rate may be made, levied, collected, and applied, as nearly as may be, as if the said Act had not been repealed.

**27.** In this Act, unless the context otherwise requires,—

Definitions.

The expression "Privy Council" means the Lords of Her Majesty's most Honourable Privy Council, or any two of them;

The expression "Committee of Council" means a Committee of the said Lords:

The expression "Municipal Corporation Acts" has the same meaning as in the Municipal Corporations Act, 1882:

45 & 46 Vict.  
c. 50.

The expression "Charity Commissioners" means the Charity Commissioners for England and Wales:

The expression "official trustees" means, as respects real property the official trustee of charity lands, and as respects all other property the official trustees of charitable funds, acting under the Charitable Trusts Acts, 1853 to 1869.

16 & 17 Vict.  
c. 137.  
52 & 33 Vict.  
c. 110.

A.D. 1883.

SCHEDULES.

FIRST SCHEDULE.

PLACES REPORTED ON BY THE COMMISSIONERS OF 1876.

PART I.

*Places to which the Commissioners of 1876 consider that the Municipal Corporation Acts might be applied.*

Places.	Corporation or reputed Corporation.
Aldeburgh - -	"The bailiff and burgesses of the borough of Aldeburgh."
Alnwick - - -	"The chamberlains, common council, and freemen."
Appleby - - -	"The mayor, aldermen, and capital burgesses."
Bishop's Castle - -	"The bailiff and burgesses of the borough of Bishop's Castle."
Bradninch - - -	"The mayor and burgesses of the borough of Bradninch."
Christchurch - - -	"The mayor and burgesses of the borough of Christchurch."
Henley-on-Thames - -	"The mayor, aldermen, bridgemen, and burgesses of Henley-on-Thames."
Kidwelly - - -	"The mayor, aldermen, bailiffs, and burgesses."
Llanfyllin - - -	"The bailiffs and burgesses of the borough of Llanfyllin."
Lostwithiel - - -	"The mayor and burgesses of Lostwithiel."
Lydd - - -	"The bailiffs, jurats, and commonalty of the town of Lydd."
Malmesbury - - -	"The aldermen and burgesses of the borough of Malmesbury."
Montgomery - - -	"The bailiffs and burgesses of the borough of Montgomery."
New Romney - - -	"The mayor, jurats, and commonalty of the town and port of New Romney."
Okehampton - - -	"The mayor and burgesses of the town and borough of Okehampton."
Over - - -	"The mayor of Over."
Queenborough - -	"The mayor, jurats, bailiffs, and burgesses of Quinborowe."

Places.	Corporation or reputed Corporation.
Radnor - - -	"The bailiff, aldermen, and burgesses of New Radnor."
Saltash - - -	"The mayor and free burgesses of the borough of Saltash."
Sutton Coldfield - - -	"The warden and society of the royal town of Sutton Coldfield."
Wareham - - -	"The mayor, capital burgesses, and assistants of the borough of Wareham."
Wilton - - -	"The mayor and burgesses of the borough of Wilton."
Wokingham - - -	"The aldermen and burgesses of the town of Wokingham."
Woodstock - - -	"The mayor and commonalty of the borough of New Woodstock."
Wootton Bassett - - -	"The mayor, aldermen, and burgesses of the borough of Wootton Bassett."

PART II.

*Places not mentioned by the Commissioners of 1876 as places to which the Municipal Corporation Acts might be applied.*

Places.	Corporation or reputed Corporation.
Alresford - - -	"Bailiff and burgesses of New Alresford."
Altrincham - - -	"The mayor, aldermen, and burgesses of the borough of Altrincham."
Axbridge - - -	"The mayor, aldermen, and burgesses of the borough of Axbridge."
Berkeley - - -	"The mayor and aldermen of the borough of Berkeley."
Bovey Tracey - - -	"The mayor and freeholders of Bovey Tracey."
Brackley - - -	"The mayor, aldermen, and burgesses of the borough of Brackley."
Brading - - -	"The bailiffs, burgesses, and commoners of the borough of Brading."
Camelford - - -	"The mayor and burgesses of the vill of Camelford."
Chipping Campden - - -	"The high steward, deputy steward, treasurer, senior bailiff, junior bailiff, and capital and inferior burgesses of Chipping Campden."

A.D. 1883.

Places.	Corporation or reputed Corporation.
Corfe Castle - - -	"The mayor, barons, and inhabitants of Corfe."
Cowbridge - - -	"The bailiffs, aldermen, and burgesses of the town of Cowbridge."
Dinas Mowddwy - - -	"The mayor and burgesses of Dinas Mowddwy."
Dunwich - - -	"The bailiffs, burgesses, and commonalty of the borough and corporation of Dunwich."
Dursley - - -	"The bailiff and aldermen of Dursley."
East Looe - - -	"The mayor and free burgesses of the borough of East Looe."
Fordwich - - -	"The mayor, jurats, and commonalty of the town of Fordwich."
Garstang - - -	"The bailiff and burgesses of the borough of Garstang."
Great Dunmow - - -	"The bailiff and burgesses of the borough of Great Dunmow."
Harton - - -	"The portreeve and burgesses of Harton."
Havering-atte-Bower - - -	"The tenants and inhabitants of the lordship or manor of Havering-atte-Bower."
Higham Ferrers - - -	"The mayor, aldermen, and burgesses of the borough and parish of Higham Ferrers."
Holt - - -	"The mayor and burgesses of Holt."
Ilchester - - -	"The bailiff and burgesses of Ilchester."
Kenfig - - -	"The constable of the castle, portreeve, and burgesses of Kenfig."
Kilgerran - - -	"The portreeve and burgesses of Kilgerran."
Lampeter - - -	"The burgesses of the borough of Lampeter Pont Stephen."
Langport Eastover - - -	"The portreeve and commonalty of the borough of Langport."
Laugharne - - -	"The portreeve and burgesses of the town and corporation of Laugharne."
Llantrissant - - -	"The constable of the castle, portreeve, aldermen, and burgesses of Llantrissant."
Loughor - - -	"The portreeve, aldermen, and burgesses of the borough of Loughor."
Marazion - - -	"The mayor, burgesses, and inhabitants of the town of Marazion."
Nevin - - -	"The mayor, bailiffs, and burgesses of the town and borough of Nevin."
Newport (Salop) - - -	"The high steward, bailiffs, and burgesses of Newport."

Places.	Corporation or reputed Corporation.
Newport (Pembroke)	"The mayor, aldermen, and burgesses of the borough of Newport."
Orford - -	"The mayor and commonalty of the borough of Orford."
Overton - -	"The burgesses of Overton."
Petersfield - -	"The mayor of Petersfield."
Pevensey - -	"The bailiff, jurats, and commonalty of the town and liberty of Pevensey."
Romney Marsh - -	"The bailiff, jurats, and commonalty."
St. Clear's - -	"The burgesses and commonalty of St. Clear's."
Seaford - -	"The bailiff, jurats, and freemen of the town and port of Seaford."
Thornbury - -	"The bailiff and aldermen of Thornbury."
Usk - -	"The portreeve and burgesses of Usk."
Westbury - -	"The mayor and burgesses of Westbury."
Wickwar - -	"The mayor and aldermen of Wickwar."
Winchcomb - -	"The bailiffs and burgesses of Winchcomb."
Winchelsea - -	"The mayor, jurats, and commonalty of the ancient town of Winchelsea."
Wootton-under-Edge -	"The mayor and aldermen of Wootton-under-Edge."
Yarmouth (Isle of Wight).	"The mayor and chief burgesses of the borough of Yarmouth."

NOTE.—Since the report of the Commissioners a charter has been granted to the town of Lewes.

A.D. 1883.

SECOND SCHEDULE.

*Places in which the Commissioners of 1876 report that a Municipal Corporation has not existed or has become virtually extinct.*

PART I.

*Places mentioned in paragraph (15) of the Report of the Commissioners of 1876 as places which either have not been municipal or have long since ceased to be so :*

Bala.	Fowey.	Presteign.
Bangor.	Grampond.	Ruyton.
Bridlington.	Harlech.	St. David's.
Chipping Sodbury.	Hay.	Tavistock.
Criccieth.	Machynlleth.	Weobley.
Crickhowell.	Midhurst.	Wiston.
Farnham.	Newborough.	
Fishguard.	Newton (Lancashire).	

PART II.

*Places mentioned in paragraph (16) of the Report of the Commissioners of 1876 as having had municipal corporations in 1835 :*

Bossinny.	Llanelly.	Rhuddlan.
Caerwys.	Newtown (Isle of Wight).	Tregony.
Castle Rising.		West Looe.
Clun.	Plympton Earle.	