

## STATUTORY DECLARATION

### Wrongful addition and depiction of Newton Lodge track/land on the Plan of Registered CL 54 Welsh Newton Common.

I David Owen Morgan of 2 Woodside, Welsh Newton, Monmouth, NP25 5RS do solemnly and sincerely declare the following. :-

- 1) Born at my Grandfathers William Scrivens residence Newton Lodge in 1932, where he resided until his death in approx 1967 aged 94, I also resided off and on at Newton Lodge, for many years, my parents split I was aged 6-7 years. During those years, I recall many time my Grandfather stating, NO part or lands of Newton Lodge was or formed part of Welsh Newton Common ( my understandings, Grandfather took out a Mortgage on Newton Lodge around 1908),
- 2) It is inconceivable any part of the property Newton Lodge is Common Lands, it was a Gentrified residence, among the former occupiers included a Solicitor and a practising medical Doctor. Attached is a copy of the sale notice of Newton Lodge in c1895. source Herefordshire Record Office, ref. MS/34/17, where you will observe, not one, but **two** Coach Houses, one coachman's accommodation above the dairy at the end of the Alley, is still extant today as is the doctors Surgery.
- 3) The attached Plan depicts the area of the then **Fenced** common land I have hatched in green. also the **parish** roads at that time. You will observe. the Common land cease at the Gate across the public path just S of Newton Lodge, and at the Indent of the highway, W of Newton Lodge. You will also discern, the parish roads to Newton Lodge were **free** of any Gates, whereas the other road to the Common was gated, the gate Post on the W side of the present 71222 was extant to the early 1950s. The tradesmen's and access to the main coach house off the then parish road (now the 71223) between the paddock and triangle of lands (presently wrongly added to the reg. Commons Plan) was/is the access to Newton Lodge for those purpose. there is a separate Iron Gate and Drive to the main entrance Door at Newton Lodge. It is unimaginable with the Wealth of the former owners. it was Common Land.
- 4) The 1910 Finance Act Field Register and Working Plan ( survey/record of owners/occupiers and extent and monetary value of lands) indicates occupier William Scrivens (my Grandfather) in the Register and the Plan depicts the paddock and triangle WITH the access tract coloured. the track is NOT left white (public) or indications it was Common Land. The penalty under Chapter 8, paragraph 94 of that Act for giving false information was, 6 months imprisonment with **hard labour**. My Grandfather was an exceptionally honest person, who would have immediately informed the Surveyor if it was Common land at that time
- 5) My Grandfathers Son IVOR Scrivens was running the farm holding Newton Lodge in later years, where again he resided most of his life. Unfortunately my Uncle was a very difficult person, thought ALL the family was against him, he was very hard working, though I suspect he really had some form of mental condition. When the Plan und the 1965 Act was being constructed, he would NOT have bothered to check or indicate to his Father. To give example, at one time was the occupier on Mortgage of the small holding 'Shobdon', W Newton Common. His marriage broke up, and because he ignored TAX matters, the Inland Revenue make him bankrupt, so he lost everything, though a neighbour had persuaded him to apply for 'Rights' of Common, Grazing attached to Newton Lodge (strangers could persuade, he was very gullible to exploitation) I cite the latter paragraph to illustrate the most probably explanation the track/land at Newton Lodge was wrongly added to the Plan of the registered Common, at the Draft stage, the error was never pointed out or challenged?

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act 1835.

Declared before my this 30<sup>th</sup> day of October 2014

A commissioner for oaths/solicitor.

Church St

Ross-on-Wye

(ELLEN MARIE WATKINS)

mentioned in this Act, so far as the same are applicable and are consistent with the provisions of this Act, as fully and effectually as if the same had been herein specially enacted with reference to the said duties and licences.

93.—(1) All rules and regulations made by the Treasury or by the Commissioners of Inland Revenue or by the Commissioners of Customs and Excise under this Act shall be laid before each House of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that House has sat next after any such rule or regulation is laid before it, praying that the rule or regulation may be annulled, His Majesty in Council may, if it seems fit, annul the rule or regulation and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Laying of rules and regulations before Parliament.

(2) If any rule or regulation is so annulled any duty previously paid which, but for the rule or regulation, would not have been payable, shall be repaid by the Commissioners, without prejudice, however, to the right of the Commissioners to reassess the duty in accordance with any rule or regulation which may be substituted for the annulled rule or regulation.

94. If any person for the purpose of obtaining any allowance, reduction, rebate, or repayment in respect of any duty under this Act, either for himself or for any other person, or in any return made with reference to any duty under this Act, knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding six months with hard labour.

Penalty for making false statement or representation.

95.—(1) All assessments or charges made or other things done before the passing of this Act with a view to the collection of any duty imposed by this Act shall have the same force and effect as if this Act had been in operation at the time when the assessment or charge was made or other thing done.

Provision as to assessments, payments, &c. made on account of duty before passing of Act.

(2) Any payments made before the passing of this Act on account of any duty imposed thereby, and any payments of drawback made before the passing of this Act on account of any such duty, which would have been proper payments on account of duty or proper payments of drawback if this Act had been in force at the time, shall be deemed to be payments properly made under this Act, and, if treated as such before the passing of this Act, shall be deemed to have been properly so treated.

(3) The liability of any person to pay any sum on account of any duty imposed by this Act shall not be affected by the fact that he has, before the passing of this Act, paid either directly or by way of deduction any such sum if the sum so paid has been subsequently refunded to him, and any such sum may without prejudice to any other remedy be recovered as a debt due to His Majesty.

Note 9. Any other information relating to the application.

Historically Welsh Newton COMMON was fenced with Gates, the application plan annotated, clearly depicts the extent of the Common Land and Gates. See Application Plan D. The fence starting at the Indent on the now 71223 county road, continuing on the approx SW, W and NW side of both the now 71223 and 71222 roads to the land parcel 223. It will be noted a fence with a GATE, existed ACROSS the now 71222 road at the junction with the present 71223, whereas, the plan clearly depicts an UNOBSTRUCTED highway (now the present 71223 and 71222 road) to Newton Lodge. Patently the lands contained in the application running from the former gate on the present footpath WNN10 to the county road 71223 NEVER formed part of the Common Land, and was erroneously included when the Plan was constructed under the Commons Registration Act 1965, hence the Application to " Correct Mistaken Registration" off the Plan.

Attached is relevant pages from the "Field Register" of the Finance Act 1910 and photos off the Finance Act 1910 "Working Plan", Plan C, where it will be observed, the occupier of Newton Lodge was Mr. Scrivens, the photos tie up with the land parcel numbers in the Field Register also depict the paddock 297 the land (part) of the application and triangle of land the same colour in one ownership, the application strip is NOT left white (public) neither is there any monetary allowance under column 26 of the Register.

There were severe penalties under section 94 of the Finance Act 1910, (Page 75 enclosed) for giving false information to the Surveyor who surveyed and compiled the Register and Plan namely 6 month imprisonment **with hard labour**.

The Statuary Declaration is by D. Owen Morgan Grandson of Mr. Scrivens, who was born at Newton Lodge, who off and on spent approximately 30 years living at Newton Lodge, which indicates the probable reasons the Plan of the Common was NOT challenged when constructing. (See Paragraph 5 of Statuary Declaration)

Plan C

WORKING PLANS 1910 FINANCE ACT. 8.

WELSH NEWTON PH.

184

6.658

231  
818

232

INDENT

Paddock

297

243

1.703

514

244  
.184

S.D.

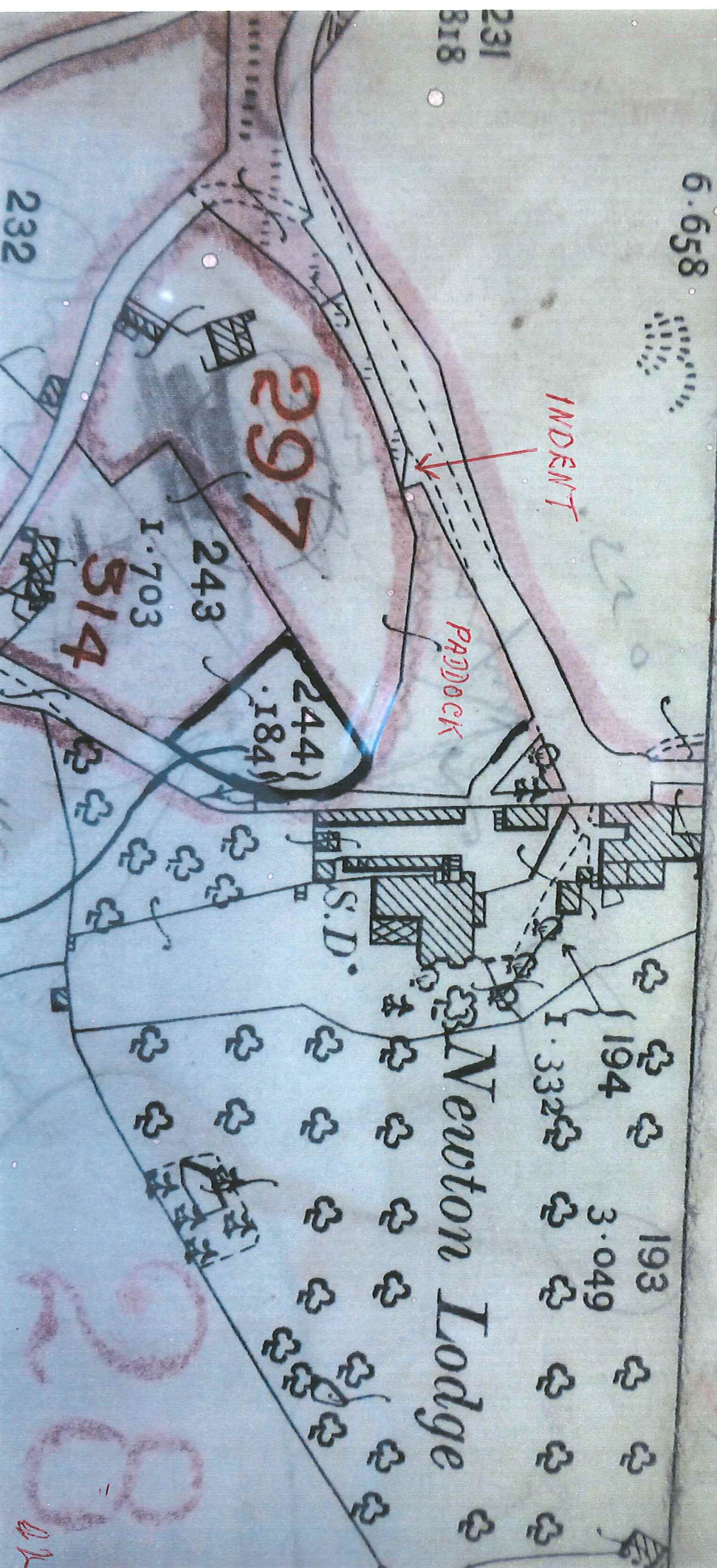
Newton Lodge

194  
1.332

193  
3.049

208

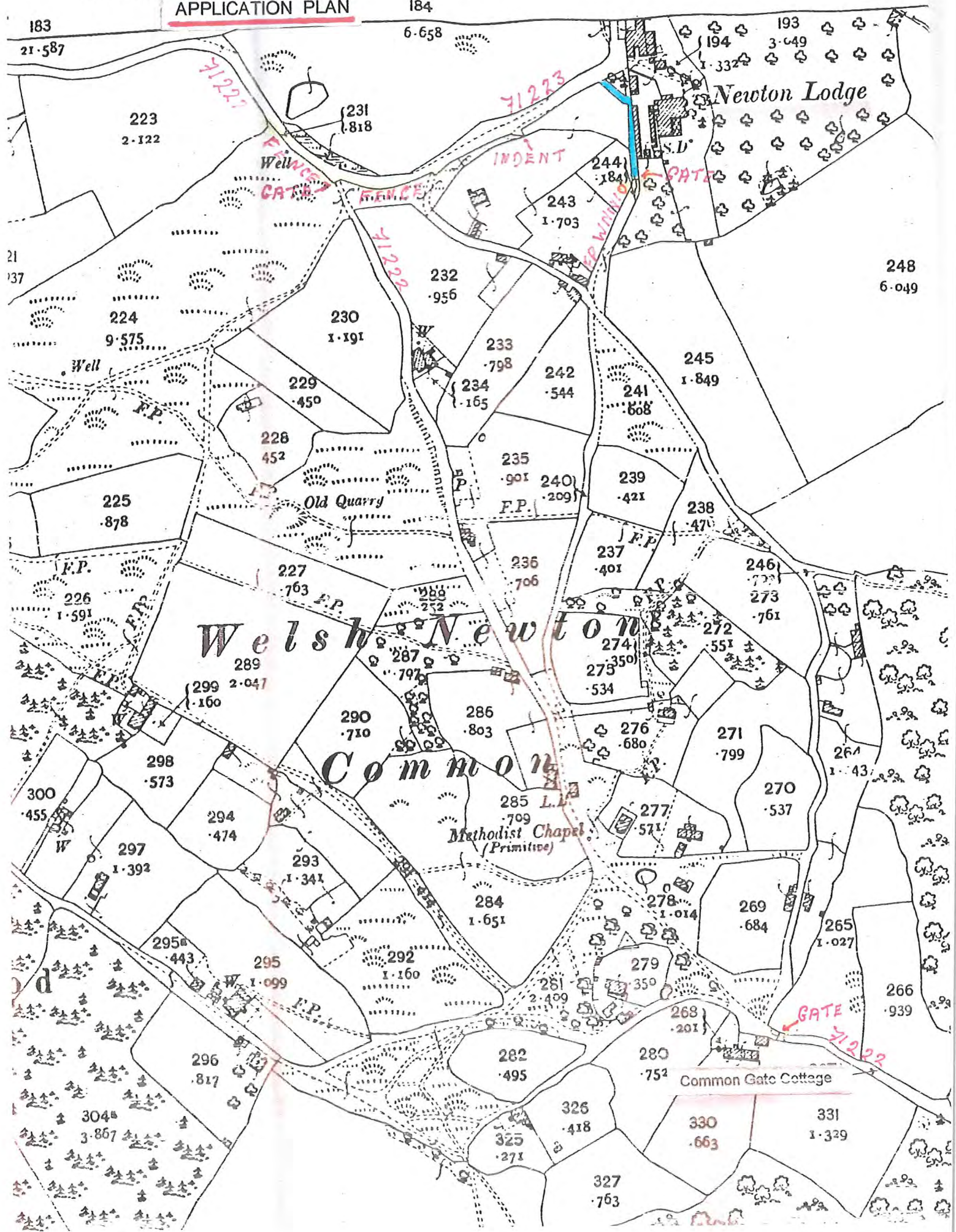
22



WRITCHURCH R.D.

WELSH NEWTON PH.

APPLICATION PLAN



183  
21-587

184  
6-658

193  
3-649

223  
2-122

231  
1-818

Newton Lodge

Well  
GATE  
FENCE

INDENT

244  
1-184

243  
1-703

248  
6-049

224  
9-575

230  
1-191

232  
-956

233  
-798

242  
-544

245  
1-849

Well

229  
-450

234  
-165

241  
-608

225  
-878

228  
452

235  
-901

240  
-209

239  
-421

F.P.

227  
-763

236  
-706

237  
-401

238  
-470

Welsh Newton

289

287  
-797

272  
-551

273  
-761

226  
1-591

299  
-160

286  
-803

274  
-350

275  
-534

290  
-710

285  
-709

276  
-680

271  
-799

Common

298  
-573

294  
-474

284  
-1-651

277  
-571

270  
-537

300  
-455

297  
-1-392

293  
-1-341

284  
-1-651

278  
-1-014

269  
-684

Methodist Chapel  
(Primitive)

295  
-443

292  
-1-160

281  
-2-409

279  
-350

265  
-1-027

296  
-817

282  
-495

280  
-752

268  
-201

266  
-939

Common Gate Cottage

304  
-3-867

326  
-418

330  
-663

331  
-1-329

327  
-763

GATE  
71222

Copy

FIELD REGISTER 1910 FINANCE ACT DISSEMINATED HEREWOOD AND PARISHES OF KINGSTON & WELSH NEWTON

Parish of Widdowton

SOD RCE, HEREFORD COUNTY ARCHIVES Ref No AG/15

No. of Assessment	No. of Part	Christian Names and Surnames of Occupiers	Christian Names and Surnames of Owners with their Residences.	Description of Property-- If an Inn, &c., the name or sign by which known.	No. of House.	Street, Place, Name and Precise Situation of Property.	Poor Rate.			Reference to Map.	Extent as determined by Valuer.				Original Gross Value.	Buildings and other structures including Machinery.	
							Estimated Extent.	Gross Annual Value.	Ratable Value.		Acres.	R.	P.	Y.			
280	1	Wm	J W Saunders	Land		Widdowton	2	10	10		10	11	12	13	14	15	16
281	2	Boast	" " Stampy	"		Widdowton Common	2	12	10	53.8	5	2	3	3		106	62
282	3	"	" " Alden	"		Alden	6	37	60	2.15	11	6	2	11		232	140
	4	Walt's	"	Land													
	5	"	"	House		"		4	10	4							
283	3	Devins	Devins Wm	Land		Widdowton Lodge	35	35	10	30.15	15	13				1620	832
		"	"	House & Polds		"		15		13							
284	5	Haile	"	Land		Treforay	34	28		24.10	54.1	9	34	3	33	882	374
		"	"	House & Polds		"		7		6							
285	3	Moff's	J P Griffin	Land		Widdowton	52	13		11.10	53.8	12.9	18			1148	
		"	"	House & Polds		"		8		7							
286	2	Winkins	Wm	Land		Widdowton	8	7		53.4	11	8	0	16		245	72
		"	"	Land		"		3	10	3							

Valued with Farming 12



*Copy FIELD REGISTER 1910 FINANCE ACT. SIMON HAREWOOD END, PARISHES of LAN GARRON & WELSH NEWTON*

Chambers Act 1910 (Finance Revenue, as amended on Appeal (if any))

SOURCE HEREFORD COUNTY ARCHIVES Ref No AG9/15

Original Full Site Value.	Deductions for											Original Total Value.	Deductions for							Original Assessable Site Value (or Original Capital Value of Minerals).	Value of Agricultural Land for Agricultural purposes, where different from Assessable Site Value.	Observations and References.
	1	2	3	4	5	6	7	8	9	10	11		12	13	14	15	16	17	18			
19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	
36										106									36	106		
72										232									72	232		
35										1540									448	1536		
742										792									295	775		
430										1037									409	972		
145										245									145	245		