



CHAPTER xciii.

An Act to authorise the Scunthorpe Urban District Council to construct waterworks in lieu of the waterworks authorised by the Scunthorpe Urban District Gas and Water Act 1899 and for other purposes. A.D. 1903.

[21st July 1903.]

WHEREAS the district of Scunthorpe in the Parts of Lindsey in the county of Lincoln is an urban district within the meaning of the Local Government Act 1894 and is under the management and control of the Scunthorpe Urban District Council (in this Act called "the Council"):

And whereas by the Scunthorpe Urban District Gas and Water Act 1899 (hereinafter referred to as "the Act of 1899") the Council were amongst other things authorised to construct the waterworks therein described and to borrow for waterworks purposes the sum of twenty-five thousand pounds:

And whereas the Council have borrowed and expended in respect of the said purposes the sum of four thousand five hundred pounds:

And whereas the source of the intended supply of water under the Act of 1899 has been found to be unsuitable for the purpose:

And whereas a suitable source for the supply of water by the Council has been discovered outside their district and it is expedient to repeal so much of the Act of 1899 as authorises the construction of the waterworks therein described and to empower the Council to construct in lieu thereof the waterworks and other works hereinafter described:

And whereas estimates have been prepared by the Council for the purchase of lands for and the execution of the various works by this Act authorised and such estimates amount to the sum of twenty thousand five hundred pounds:

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And whereas the several works included in such estimates respectively are permanent works and it is expedient that the said works should be deemed to be the works authorised by the Act of 1899 and that the cost of such first-mentioned works should be spread over a term of years :

And whereas an absolute majority of the whole number of the Council at a meeting held on the twenty-fourth day of September one thousand nine hundred and two after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Hull and Lincolnshire Times* a local newspaper circulating in the district such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the general district rate or other the public funds or rates under the control of the Council :

And whereas such resolution was published twice in the *Hull and Lincolnshire Times* a local newspaper circulating in the district and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held in pursuance of a similar notice on the fifteenth day of January one thousand nine hundred and three being not less than fourteen days after the deposit of the Bill for this Act in Parliament :

And whereas the owners and ratepayers of the district by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also books 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 or used for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the Parts of Lindsey in the county of Lincoln and are hereinafter respectively referred to as the deposited plans sections and books of reference :

And whereas the purposes of this Act 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 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. 1903.

1. This Act may be cited as the Scunthorpe Urban District Water Act 1903. Short title.

2. The following Acts (so far as the same are applicable for the purposes 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):

The Waterworks Clauses Acts 1847 and 1863 except (a) the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" in section 44 of the Waterworks Clauses Act 1847 (b) sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts :

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 reservoir catchment and the works immediately connected therewith respectively by this Act authorised.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. Provided that in the Acts wholly or partially incorporated with this Act for the purposes of this Act— Interpretation.

"The undertakers" or "the company" means the Council;

"The reservoir" means the reservoirs catchment and other works by this Act authorised to be constructed;

"Centre of the railway" means the reservoirs catchment and the works immediately connected therewith by this Act authorised to be constructed and the boundaries thereof respectively;

And in this Act unless the context otherwise requires—

"The district" means the urban district of Scunthorpe;

"The Council" means the council of the urban district;

"The district fund" and "the general district rate" mean respectively the district fund and general district rate of the district.

A.D. 1903.
Repeal of section 22 of Act of 1899 and power to make works in lieu of works therein described.

4. Section 22 of the Act of 1899 is hereby repealed (except so far as affects anything done thereunder) and subject to the provisions of this Act the Council may in the lines and situation and upon the lands delineated on the deposited plans and described in the deposited books of reference make and maintain in the Parts of Lindsey in the county of Lincoln the following works shown on the deposited plans and sections in lieu of the works described in the Act of 1899 (that is to say):—

Work No. 1 A pumping station and catchment situate in the parish of Roxby-cum-Risby on a plot of land belonging or reputed to belong to and in the occupation of Valentine Dudley Henry Cary-Elwes and containing 1a. 3r. 3Sp. or thereabouts which said plot of land is part of an enclosure numbered 271 on the $\frac{1}{2500}$ Ordnance map of the said parish published in 1887:

Work No. 2 A storage reservoir or reservoirs situate in the said parish of Roxby-cum-Risby on a plot of land belonging or reputed to belong to the said Valentine Dudley Henry Cary-Elwes in the occupation of Joseph Ransom Oldfield and containing one acre or thereabouts which said plot of land is part of an enclosure numbered 56A on the $\frac{1}{2500}$ Ordnance map of the said parish published in 1886:

Work No. 3 A pumping main together with an electric cable or wires or pipes for the conveyance of gas electricity or oil for motive purposes situate in the said parish of Roxby-cum-Risby commencing in the piece of land firstly hereinbefore described and passing thence first in a westwardly and then in a northerly direction to and terminating in the piece of land secondly hereinbefore described:

Work No. 4 A conduit main together with an electric cable or wires or pipes for the conveyance of gas electricity or oil for motive purposes commencing in the said parish of Roxby-cum-Risby in Work No. 2 hereinbefore described passing thence through the parish of Crosby along the highway known as the Scunthorpe to Winterton Road and terminating in the parish of Scunthorpe at the boundary of the Council's district.

5. The provisions of section 14 of the Schedule to the Electric Lighting (Clauses) Act 1899 shall so far as they relate to the Postmaster-General apply and have effect in relation to any electric cables wires or pipes for the conveyance of electricity made and maintained under the powers of this Act.

For protection of Postmaster-General.

6. The Council in addition to the foregoing works may upon any lands for the time being belonging to them or which they have power to use make and maintain all such cuts channels catchwaters tunnels adits pipes aqueducts conduits culverts drains sluices bye-washes shafts drifts wells bores water towers overflows waste-water channels weirs gauges gauge-basins pumping stations filter beds tanks basins banks walls roads ways bridges embankments piers approaches engines pumps machinery telegraphs telephones apparatus and appliances as may be necessary or convenient in connection with or subsidiary to the before-mentioned works or any or either of them or for obtaining filtering storing distributing using and preventing the fouling of their water or for the general purposes of the water undertaking but nothing in this section shall exonerate the Council from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them Provided that nothing in this Act contained shall authorise the Council to place any cables or wires above ground upon any lands belonging to the said Valentine Dudley Henry Cary-Ewes or other the owner or owners for the time being of the said lands Provided also that any telegraphs and telephones made and maintained under the provisions of this Act shall not be used for the purpose of transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Acts 1863 to 1899.

A.D. 1903.
Power to
make subsi-
diary works.

7. In the construction of the works authorised by this Act the Council may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of a reservoir three feet upwards and five feet downwards and in the case of all other works to any extent not exceeding three feet upwards and fifteen feet downwards Provided as follows (that is to say):—

Limits of
deviation.

The Council shall not construct any embankment or wall of such reservoir of a greater height above the general surface of the ground than that shown on the deposited sections in respect of the corresponding embankment or wall and three feet in addition:

Except for the purposes of crossing over a stream no part of the pipes shall be raised above the surface of the ground

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unless and except so far as is shown on the deposited sections.

Power to take waters.

8. Subject to the provisions of this Act the Council may raise collect impound take use divert and appropriate for the purposes of their water undertaking all such underground springs streams and waters and all such brooks streams springs leats and waters as will or may be raised taken or intercepted by the works by this Act authorised or as may be found in on or under any of the lands for the time being belonging to the Council.

Power to acquire lands.

9. Subject to the provisions of this Act the Council may enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited books of reference for the purposes of the works described in the section of this Act whereof the marginal note is "Repeal of section 22 of Act of 1899 and power to make works in lieu of works therein described."

Council may acquire easements only in certain cases.

10.—(1) The Council may in lieu of acquiring any lands for the purpose of laying any conduits or pipes underground under the authority of this Act acquire such easements and rights in such lands as they may require for the purpose of constructing placing laying inspecting maintaining cleansing repairing conducting or managing the same and may give notice to treat in respect of such easements and rights and also in respect of an easement or right of way for members of the Council and their officers contractors workmen and servants with or without horses carts carriages or other vehicles over and along the strip of land over the Work No. 3 hereinbefore described commencing at the point of commencement of the said work and terminating in the public thoroughfare or reputed thoroughfare known as the Old Street and may in such notices respectively describe the nature thereof respectively and the several provisions of the Lands Clauses Acts inclusive of those with regard to arbitration and the summoning of a jury shall apply to such easements and rights and right of way as fully as if the same were lands within the meaning of such Acts.

(2) Provided that as regards any lands taken or used by the Council for the purpose of such conduits or pipes where they are respectively laid underground and also for the purpose of such right of way the Council shall not (unless they give notice to treat for such lands and not merely for easements therein) be required or entitled to fence off or sever such lands from the adjoining lands but

the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Council.

(3) Provided also that (except as to land forming part of a street) nothing in this section contained shall authorise the Council to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Council to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision.

11.—(1) If in any case it shall be agreed between Valentine Dudley Henry Cary-Elwes or other the owner or owners for the time being of any of the farms forming part of the Roxby-cum-Risby estate and known as High Risby Warren Low Risby High Risby and Sawcliffe in the parish of Roxby-cum-Risby and the Council or failing agreement it be determined by an arbitrator to be appointed by the Board of Trade that the supply of water to any such farms from any existing wells pumps ponds or watering places is diminished or prejudicially affected by the exercise by the Council of the powers conferred upon them by this Act the Council shall within such time as may be agreed on or the arbitrator may appoint afford to the owner or owners of such farm or farms free of all costs or charges and at such places and in such manner as the owner or owners may reasonably require or the arbitrator may direct such supply of water as may be agreed upon between the owner or owners and the Council or failing agreement as the arbitrator shall consider to be equivalent in quality and quantity to the supply at present enjoyed by such owner or owners from such sources of supply.

For protection of owners of Roxby-cum-Risby Estate.

(2) If in any case it shall be agreed between any such owner or owners and the Council or failing agreement be determined by the said arbitrator that the Council are unable or cannot be reasonably called upon to provide any such owner or owners with the said supply of water the Council shall make full compensation in money to every such owner for all damage sustained by him or to which he may become liable by reason of the exercise by the Council of the powers conferred by this Act and the amount of such compensation shall unless otherwise agreed be determined by the arbitrator.

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(3) If at any time the Council (although able to do so) fail to provide any owner or owners with a supply of water in accordance with the provisions of this section they shall pay to every such owner a penalty not exceeding ten pounds for every day on which they are so in default.

(4) After the passing of this Act the Council upon giving seven days' notice in writing to the owner and occupier of any such farm may from time to time inspect and test any wells pumps ponds or watering places from which such farm is supplied and for that purpose may enter upon the land and premises upon which any such well pump pond or watering place is situate making good any damage caused by such inspection or entry.

(5) The Council shall on the request of the said Valentine Dudley Henry Cary-Elwes or other the owner or owners for the time being of the land shown on the plan signed by the Right Honourable the Lord Clifford of Chudleigh the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and thereon coloured yellow (which plan has been deposited in the Parliament Office of the House of Lords) afford as soon as they are in a position to do so after such request (and provided the owner shall have provided the necessary connecting pipes cisterns and apparatus) to any houses not exceeding thirty in number which may be built upon the said land a supply of water for domestic purposes free of charge and such supply and connecting pipes cisterns and apparatus shall be subject in all respects not inconsistent with the provisions of this section to the same conditions as is the supply within the Council's district. Provided that the provisions of this section as to a free supply of water shall not be deemed to require the Council to supply water except by gravitation from the reservoir by this Act authorised.

(6) Nothing in this Act contained shall be deemed to authorise the Council to enter upon take and use any lands belonging to Valentine Dudley Henry Cary-Elwes required for the purposes of and connected with the laying of Work No. 3 hereinbefore described and the works immediately connected therewith but the Council may purchase and take and the said Valentine Dudley Henry Cary-Elwes or other the owner or owners of the said lands shall sell and grant accordingly such easements and rights only in such lands as they may require for the purposes mentioned in the section of this Act the marginal note of which is "Council may acquire easements only in certain cases."

(7) All sporting rights over the lands acquired by the Council from the said owner or owners shall be reserved to the said owner

or owners with full powers of entry on every part of the said lands for sporting purposes. A.D. 1903.

12. For the protection of Sir Berkeley George Digby Sheffield Baronet his successors and assigns being the owners for the time being of certain lands now owned by the said Sir Berkeley George Digby Sheffield in the parish of Crosby in the county of Lincoln (hereinafter in this section referred to as "the owners") and for the protection and benefit of the said lands the following provisions shall unless otherwise agreed in writing between the owners and the Council apply :—

For protec-
tion of Sir
Berkeley
Sheffield
Bart.

- (A) Notwithstanding any provisions in this Act or in any Act incorporated therewith (or other statutory power) to the contrary the Council shall not lay any conduit main or electric cable or wire or pipe or other work (in this section called "the works") under or in the road known as Winterton Road between the points marked "A" and "B" on the plan signed by Roland Burke on behalf of the owners and Alexander Macdonald Cobban on behalf of the Council at a greater depth (including the depth of any such work) than four feet in all from the surface of such road and shall not in the execution of any works authorised by this Act do or cause any injury or damage to the subways or bridges under the said road which form a means of communication between the lands of the said Sir Berkeley George Digby Sheffield on either side of the said road :
- (B) Nothing in this Act shall prejudice or affect any rights of the owners to make any further subways or bridges underneath Winterton Road together with all necessary arches culverts drains and other works in connection therewith for the purpose of connecting their lands on either side of the said road and for the purpose of constructing tramways or railways underneath the said road in order to facilitate the user of such lands by the owners their lessees or tenants and the Council shall not object to or oppose the construction of such subways bridges or works provided that such subways bridges and works shall be so constructed as to avoid so far as practicable any damage being done to the works of the Council underneath such road and the owners shall make good any damage done by them in such construction :
- (C) If at any time or times hereafter the owners shall desire to divert Winterton Road or any part or parts thereof between the points marked "A" and "B" on the said plan

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the Council will not in respect of the works authorised by this Act oppose or in any way hamper or impede any application which may be made by the owners for the purpose of enabling the owners to make such diversion and in the event of any diversion of the said road being made the owners may by notice in writing require the Council to remove and alter the situation of any works belonging to the Council in or under the portion of the said road so diverted and within such reasonable time being not less than three months after the construction of the new diverted portion of the road as is specified in the said notice The expenses of or connected with any such removal or alteration shall be paid by the owners and if such notice is not complied with the owners may themselves remove such works Provided they shall have previously laid down new works similar in all respects to those to be removed and shall have connected the same with the then existing works.

Period for compulsory purchase of lands.

13. The powers of the Council 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.

Power to purchase additional lands by agreement.

14. The Council in addition to any lands which they are by this Act authorised to acquire may by agreement purchase take on lease acquire and hold for the purposes of their water undertaking any lands and any easements or rights (except easements or rights of water in which persons other than the grantors have an interest) over or in respect of lands which the Council may deem necessary for those purposes Provided that the Council shall not under the powers of this section hold at any time more than twenty acres of land and that they shall not create or permit the creation or continuance of any nuisance on any such lands or buildings.

Restriction on taking houses of labouring class.

15. The Council shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

If the Council acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the

Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

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For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

16. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements &c.

17. Subject to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands so far as such provisions are in each case applicable the Council may sell lease and dispose of any lands acquired by them under this Act and not for the time being required for the purposes thereof respectively and also may enter into any arrangement for the cancellation in whole or in part or modification of any contract entered into by them for the purchase of lands for the purposes of the waterworks authorised by the Act of 1899 and not now required for such purposes.

Power to sell lands and cancel or alter contracts for purchase of lands.

18. The Council may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of the reservoir and works by this Act authorised with reference to the execution by the Council or the 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 Council are for the time being authorised to take.

Power to agree as to drainage of lands &c.

A.D. 1903.
Power for repairs of conduits and temporary discharge of water into streams.

19. For the purpose of executing any necessary work of repair or of cleansing or of examining any conduit or line of pipes by this Act authorised the Council may cause the water in any such conduit or line of pipes to be temporarily discharged into any available stream or watercourse.

In the exercise of the power conferred by this section the Council shall do as little damage as may be and shall make full compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

Application of Waterworks Clauses Act 1847 to conduits discharge pipes and telephones.

20. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads (whether within or without the limits within which the Council are empowered to supply water) of the conduits authorised by this Act and of any aqueducts mains pipes culverts electric mains and wires and gas and oil pipes telephone or telegraph posts wires conductors or apparatus which the Council may and which they are hereby authorised to erect or lay down for the purposes of their water undertaking Provided that nothing contained in this section shall deprive the Council of the power conferred upon them by this Act to deviate from the lines of the said conduits as shown on the deposited plans beyond the boundaries of any street or road and within the limits of deviation shown on the deposited plans.

Period for completion of works.

21. If the works shown on the deposited plans are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Council for executing such works or otherwise in relation thereto shall cease except as to so much thereof as is then completed but nothing in this section shall restrict the Council from renewing extending enlarging altering reconstructing or removing any of their tanks gauges drains sluices catchpits conduits culverts valves washouts byewashes engines pumps machinery apparatus filter beds mains pipes or other works or plant at any time and from time to time as occasion may require.

Works authorised by this Act to form part of

22. Subject to the provisions of this Act the waterworks by this Act authorised shall for all purposes form part of the water undertaking of the Council and the provisions relating to that

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undertaking contained in the Act of 1899 shall so far as they are applicable extend and apply to the said works.

water under-
taking of
Council.

23. The Council may (in addition to any other moneys which they are now authorised to borrow) borrow at interest on the security of the water revenue as defined by the Act of 1899 and of the district fund and the general district rate for the payment of the costs and expenses of this Act as hereinafter defined such sum as may be required.

Power to
borrow for
costs of Act.

24. The power to borrow the sum of twenty-five thousand pounds contained in section 39 of the Act of 1899 for the construction of the waterworks by that Act authorised and the purchase of the necessary lands therefor shall be deemed to apply to the sum required for the construction of waterworks by this Act authorised and the purchase of lands and easements necessary therefor and the prescribed period for the discharge of the said sum shall be the period mentioned in section 43 subsection (c) of the Act of 1899 and for these purposes the expression "the waterworks" contained in section 39 of the Act of 1899 shall except in so far as the power to borrow by that Act authorised has already been exercised in respect of waterworks be deemed to mean and include the waterworks by this Act authorised and the lands and easements necessary therefor.

Applying
borrowing
provisions of
Act of 1899
to purposes
of this Act.

25. The Council may in addition to the sum of twenty-five thousand pounds hereinbefore referred to borrow for additions and alterations to the waterworks by this Act authorised such sum or sums as the Local Government Board may from time to time sanction and for such term and on such conditions as the said Board may prescribe.

Power to
borrow fur-
ther moneys
with consent
of Local
Government
Board.

26. All moneys borrowed by the Council for the purposes of the section of this Act whereof the marginal note is "Power to borrow for costs of Act" may be borrowed for any term not exceeding five years from the date of borrowing the same.

Period for
discharge of
borrowed
moneys.

27. The following provisions of the Act of 1899 shall with the necessary modifications and subject to the provisions of this Act extend and apply mutatis mutandis to the further borrowing powers under this Act (namely):—

Application
of provisions
of Act of
1899.

Section 41 Provisions of Public Health Act as to mortgages
to apply ;

Section 42 Power to borrow under Local Loans Act 1875 ;

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A. D. 1903.	Section 41	Mode of payment off of money borrowed ;
—	Section 45	Regulations as to sinking fund ;
	Section 46	Annual return to Local Government Board ;
	Section 47	Power to re-borrow ;
	Section 48	Council not to regard trusts ;
	Section 49	Application of money borrowed.

28. Notwithstanding anything in the Act of 1899 contained the Council may apply to the purposes of this Act any moneys authorised by the Act of 1899 to be borrowed for waterworks purposes and the Council may appropriate to the waterworks purposes of this Act (including therein the expenses already incurred by the Council in ascertaining and testing the source of supply of water) any unexpended moneys borrowed or raised for waterworks purposes under the Act of 1899.

29. Notwithstanding anything in the Act of 1899 contained the Council may out of the moneys authorised to be borrowed for waterworks purposes transfer to the credit of their gas undertaking the sum of two thousand pounds being the sum expended by the Council in providing at their gasworks extra works for the purpose of working the pumps at the pumping station authorised by the Act of 1899 and which extra works are intended to be used for the purposes of the waterworks authorised by this Act and may appropriate and apply such sum in discharge of moneys paid or liabilities incurred on the capital account of their gas undertaking.

30. The Council shall apply all moneys received by them in respect of any sales exchanges or disposition of lands under this Act or by way of fine or premium on any lease of any such lands in or towards paying off moneys borrowed and for the time being owing under this Act or if there shall be no moneys owing under this Act such proceeds shall be applied in or towards paying off any other moneys for the time being owing by the Council Provided that such proceeds when used to pay off the borrowed moneys shall not be applicable to the payment of instalments appropriations or annual repayments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

31. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of

Lords or of the House of Commons shall be paid by the Council and may be paid in the first instance out of any moneys in their hands but shall be charged to and recouped out of any moneys borrowed on the security of the district fund and general district rate or out of any moneys which the Council are authorised to borrow under the powers of this Act. A.D. 1903.

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