



CHAPTER cxxvii.

AN Act to constitute a water board for Mid-Glamorgan with power to acquire certain water undertakings and works to construct new works and to supply water and for other purposes. [9th August 1920.]

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WHEREAS the urban districts of Ogmore and Garw and Maesteg and the borough of Cowbridge in the county of Glamorgan are respectively urban sanitary districts within the meaning of the Public Health Act 1875 and are respectively under the management and local government of the Ogmore and Garw Urban District Council the Maesteg Urban District Council and the mayor aldermen and burgesses of the borough of Cowbridge :

And whereas the rural districts of Penybont and Cowbridge in the said county are respectively rural sanitary districts within the meaning of the Public Health Act 1875 and are respectively under the management and local government of the Penybont Rural District Council and the Cowbridge Rural District Council :

And whereas the supply of water in the before-mentioned districts and borough is inadequate to meet the requirements of the present and growing population thereof :

And whereas it would be a great local advantage and would the better enable the said requirements to be met if a Board consisting of representatives of the before-mentioned authorities were constituted as in this Act provided with power to acquire the undertakings or parts of undertakings of certain companies and the waterworks of such authorities within the districts aforesaid and to make and maintain the additional waterworks by this

A.D. 1920. Act authorised and to undertake the distribution of water within the area comprised within the limits of this Act:

And whereas it is expedient that the said Board should procure a supplemental supply of water for the said area from sources outside the coalfield within the period provided for by this Act and if necessary within such period promote a Bill in Parliament to enable them to procure such supplemental supply:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

And whereas estimates have been prepared for the purposes hereinafter mentioned in respect of which ~~having~~ powers are conferred upon the Board by this Act and such estimates are as follows:—

For the purchase of land and for and in connexion with the construction of the works authorised by this Act one hundred and ninety-four thousand eight hundred and thirty-seven pounds;

For additional mains and other waterworks purposes one hundred and sixty thousand four hundred and ninety-two pounds:

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Ministry of Health has been obtained:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Glamorgan and are hereinafter respectively referred to as the deposited plans sections and book of reference:

And whereas the objects 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:—

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PART I.

PRELIMINARY.

1. This Act may be cited as the Mid-Glamorgan Water Act 1920. Short title.

2. This Act is divided into Parts as follows:—

Division of
Act into
Parts.

Part I.—Preliminary.

Part II.—Establishment of Board.

Part III.—Acquisition of existing Undertakings and Works.

Part IV.—Works and Lands.

Part V.—Supply of Water.

Part VI.—Protective Provisions.

Part VII.—Finance.

Part VIII.—Miscellaneous.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are incorporated with and form part of this Act (that is to say):— Incorporation of Acts.

(1) The provisions of the Commissioners Clauses Act 1847 with respect to the following matters (namely):—

The contracts to be entered into and the deeds to be executed by the commissioners;

The liabilities of the commissioners and legal proceedings by or against the commissioners;

(2) 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

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are carried on for their benefit and section 83 relating to accounts;

- (3) The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845; and
- (4) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of land near the railway during the construction thereof.

Interpre-
tation.

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

- (A) In the provisions of the Commissioners Clauses Act 1847 incorporated with this Act “the commissioners” means the Board;
- (B) In the provisions of the Waterworks Clauses Acts 1847 and 1863 incorporated with this Act “the undertakers” means the Board;
- (C) In the provisions of the Lands Clauses Acts incorporated with this Act “the promoters of the undertaking” means the Board;
- (D) In the provisions of the Railways Clauses Consolidation Act 1845 incorporated with this Act “the company” means the Board “the railways” and “the work” mean the works authorised by this Act and “the centre of the railway” means in the case of reservoirs the boundaries of such reservoirs and in the case of other works the centres of the other works respectively:

And in this Act unless the subject or context otherwise requires—

“The Board” means the Mid-Glamorgan Water Board incorporated by this Act;

“The Ogmore and Garw Council” means the Ogmore and Garw Urban District Council;

“The Maesteg Council” means the Maesteg Urban District Council;

“The Penybont Council” means the Penybont Rural District Council;

“The Cowbridge Council” means the Cowbridge Rural District Council;

- “The Cowbridge Corporation” means the mayor aldermen and burgesses of the borough of Cowbridge; A.D. 1920.
- “The Garw Company” means the Garw Water Company;
- “The Bridgend Company” means the Bridgend (Glamorgan-shire) Gas and Water Company;
- “The Ogmere Company” means the Ogmere Valley Water Company Limited (formerly the Ogmere Gas and Water Company Limited);
- “The Southerndown Company” means the Southerndown Water Company Limited;
- “The companies” means the Garw Company the Ogmere Company and the Southerndown Company;
- “The Act of 1889” means the Garw Water Act 1889;
- “The water undertaking” in Part III. of this Act in relation to any of the companies includes all water-works mains pipes machinery plant fixed and movable and all other the real and personal property assets and effects of whatever nature and all the rights powers and privileges vested in or belonging to or had and enjoyed by the company at the appointed day in relation to the supply of water except cash in hand or with the bankers of the company book debts due on credit or revenue account (other than water rents and rates payable in advance in respect of the quarter current at the appointed day);
- “The limits of supply” means the limits of this Act for the supply of water which limits are set forth in the section of this Act of which the marginal note is “Limits of supply”;
- “Constituent authority” means the council of any borough urban or rural district for the time being authorised to appoint a member or members of the Board;
- “Constituent district” in relation to a constituent authority means the district or borough (as the case may be) of any such authority;
- “Assessable value” in relation to a constituent district means in the case of an urban district or borough the value of the property in the district or borough as ascertained for the purpose of assessment to the general district rate and in the case of a rural district the value of the

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property in any contributory place therein in which a supply of water is furnished by the Board as ascertained for the purpose of assessment to a separate rate levied in respect of special expenses within the meaning of the Public Health Act 1875 subject in regard to the properties mentioned in paragraph (B) of subsection (1) of section 211 and in section 230 of the said Act (as respectively amended by subsequent Acts) to the reduction provided for in the said paragraph and section but not subject to any reduction under paragraph (A) of subsection (1) of the said section 211;

“The appointed day” means the first day of January one thousand nine hundred and twenty-one or such earlier or later day as the Ministry of Health may appoint;

“The clerk” means the clerk of the Board;

“The county council” means the county council of the administrative county of Glamorgan;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Board;

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

“ The revenues of the Board ” includes the revenues of the Board from time to time arising from their undertaking or from any land or other property for the time being belonging to the Board and the money receivable by them from the constituent authorities and all rates and money which they are authorised to levy and collect within the districts of the constituent authorities under the powers of this Act. A.D. 1920.

PART II.

ESTABLISHMENT OF BOARD.

5.—(1) A Board to be called the “ Mid-Glamorgan Water Board ” shall be established for the purpose of acquiring by purchase and managing and carrying on the several water undertakings by this Act authorised to be acquired by them and of supplying water within the limits of this Act and generally for the purpose of carrying the powers of this Act into execution. Establishment of Board.

(2) The Board shall be a body corporate with a common seal having power to acquire and hold land for the purposes of this Act without licence in mortmain.

(3) The constitution of the Board shall subject to alteration as hereinafter provided be as follows:—

Four members to be appointed by the Ogmore and Garw Council;

Four members to be appointed by the Maesteg Council;

Three members to be appointed by the Penybont Council;

Two members to be appointed by the Cowbridge Council;

One member to be appointed by the Cowbridge Corporation.

(4) The chairman and the vice-chairman of the Board shall be appointed by and from the members of the Board.

6. Subject to the provisions of this Act the provisions of the First Schedule to this Act with respect to the constitution and proceedings of the Board shall have effect. Proceedings of Board.

7. On the application of any constituent authority the Ministry of Health may at any time after inquiry and previous notice thereof to the constituent authorities by order alter the number and proportion of members to be appointed by the Power to alter number of members.

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constituent authorities and may by such order alter the total number of members of the Board and may make any provisions incident to or consequential on such alteration including an alteration in the number of members to form a quorum. Provided that if the Ministry of Health shall make any order under this section the proportion of members to be appointed by the constituent authorities or any of them respectively shall be based upon the assessable value for the time being.

PART III.

ACQUISITION OF EXISTING UNDERTAKINGS AND WORKS.

Provisions applicable to the Garw Company and Bridgend Company.

Transfer of water undertaking of Garw Company and power to acquire distributing apparatus of Bridgend Company.

8.—(1) On the appointed day the water undertaking of the Garw Company shall by virtue of this Act become and shall thenceforth be transferred to and vested in the Board free from all charges debts and liabilities (other than mortgages or debenture debts and debenture stock) affecting the same.

(2) The Board may by agreement purchase from the Bridgend Company and the Bridgend Company may sell to the Board the water mains and pipes valves and meters belonging to the Bridgend Company and which are situate in the district of the Penybont Council and are used solely for the supply of water in that district (in this Part of this Act referred to as "the Penybont distributing apparatus").

Confirming scheduled agreement with Garw Water Company.

9. The agreement made the twenty-first day of July one thousand nine hundred and twenty between the Garw Company of the one part and the county council for and on behalf of the promoters of the Bill for this Act of the other part as set forth in the Second Schedule to this Act is hereby confirmed and made binding upon the Garw Company and the Board as if the Board had been a party to the said agreement in the place of the county council and as if the same had been under the common seal of the Board.

Debenture stock &c. of Garw Company to be charged on Board's revenues.

10. As from the appointed day all mortgages or debenture debts of the Garw Company and the debenture stock (amounting to three thousand seven hundred and fifty pounds) of the Garw Company secured on the undertaking or revenue of the Garw

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Company and outstanding at the appointed day and the interest accruing thereon after the appointed day shall be a charge on so much of the revenues of the Board as is attributable to the area within the limits of supply of the Garw Company as defined by the Act of 1889 to the like extent and with the like incidents as if this Act had not been passed the Board being substituted for the Garw Company in respect of such mortgages or debenture debts and debenture stock.

11.—(1) The Board may by agreement with the holder of any portion of the debenture stock of the Garw Company at any time substitute for the debenture stock so held by him any stock or other security of the Board or pay off the amount secured by such stock and redeem the security with moneys raised under the powers of this Act and the holder of any such debenture stock whether or not he is a trustee or under any disability may agree with the Board to accept any stock or other security of the Board in lieu of money in consideration for his debenture stock and the Board may in either of such cases make such reasonable payment as they may think fit to the holder of any such debenture stock for his consent or for otherwise compensating him for the substitution or the payment off or redemption of his security and any such payment may be either by money or by stock or other security of the Board or partly by one and partly by the other.

Power to redeem debenture stock of Garw Company.

(2) Any stock or other security under this section substituted for any debenture stock shall be held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in on or subject to which the debenture stock was held immediately before the substitution and so as to give effect to and not to revoke any deed will or other instrument or testamentary or other disposition disposing of or affecting the same and every such deed will instrument or disposition shall take effect with reference to the whole or a proportionate part as the case may be of the substituted stock or security.

12.—(1) The sum payable by the Board to the Garw Company under this Act for the transfer of the water undertaking of the Garw Company shall be applied or distributed in accordance with a scheme to be approved or settled under the provisions in that behalf contained in Part II. of the Third Schedule to this Act and the provisions contained in Part I. of

Application of consideration money payable to Garw Company and Bridgend Company

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and dissolution
of Garw
Company.

that schedule with respect to the dissolution of the Garw Company shall have effect.

(2) Any sum paid by the Board to the Bridgend Company under this Act for the transfer of the Penybont distributing apparatus of the Bridgend Company shall be applied in accordance with the provisions in that behalf contained in Part III. of the Third Schedule to this Act.

Partial
repeal of
Acts.

13.—(1) As from the appointed day the Act of 1889 shall subject to the provisions of this Act be and is hereby repealed except so far as may be necessary to give effect to the provisions of the last preceding section of this Act and except the provisions of that Act which are set out in the Fourth Schedule to this Act and which shall apply and have effect as if the Board were named therein instead of the company. Provided that notwithstanding the provisions of this subsection any agreement for the supply of water to the Glamorgan County Asylums which may have been made by the Garw Company or which may hereafter be made by the Board with the Committee of Visitors of the Glamorgan County Asylum or the county council in renewal of the agreement referred to in section 59 of the Act of 1889 and set forth in the Second Schedule to that Act shall be binding on the parties thereto and may be enforced as fully and effectually as if the provisions of the said section had continued to apply *mutatis mutandis* and to have effect in relation to any such agreement.

(2) As from the completion of the purchase of the Penybont distributing apparatus so much of the Bridgend (Glamorganshire) Gas and Water Act 1869 as relates to the supply of water by the Bridgend Company beyond the urban district of Bridgend shall be and is hereby repealed.

Confirming
scheduled
agreement
with Brid-
gend Com-
pany.

14. The agreement made the thirteenth day of July one thousand nine hundred and twenty between the county council for and on behalf of the promoters of the Bill for this Act of the one part and the Bridgend Company of the other part as set forth in the Fifth Schedule to this Act is hereby confirmed and made binding upon the Board and the Bridgend Company as if the Board had been a party to the said agreement in the place of the county council and as if the same had been under the common seal of the Board.

*Provisions applicable to the Ogmere Company and
Southerndown Company.*

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15. On the appointed day the water undertaking of the Ogmere Company and the Southerndown Company respectively (each of whom is in this Part of this Act included in the expression "the non-statutory company") shall by virtue of this Act become and shall thenceforth be transferred to and vested in the Board free from all charges debts and liabilities affecting the same.

Transfer of water undertakings of Ogmere and Southerndown Companies.

16.—(1) The price or consideration to be paid by the Board to the Ogmere Company for the purchase of their undertaking shall be the sum of twenty-five thousand pounds and the price or consideration to be paid by the Board to the Southerndown Company for the purchase of their undertaking shall be such sum as may be agreed between the Board and the Southerndown Company or as in default of agreement shall be determined by an arbitrator to be agreed upon between the parties or failing agreement appointed by the President of the Institution of Civil Engineers on the application of either party after notice to the other of them in accordance with the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement and in the construction of such provisions the expression "lands" shall mean the water undertaking of the Southerndown Company.

Consideration.

(2) Of the sum so payable there shall be paid in cash the amount required for payment off of any outstanding mortgages or debentures secured on the water undertaking of the non-statutory company and for satisfying all other debts and liabilities of the non-statutory company in respect of their water undertaking but the balance (if any) of such sum may if the Board and the non-statutory company so agree be discharged wholly or partly in stock created and issued by the Board under the provisions of this Act.

17.—(1) The non-statutory company shall apply all moneys and stock received by them from the Board under the provisions of this Act in manner and in the order following (that is to say):—

Distribution of consideration payable to and dissolution of non-statutory company.

First In payment off of all moneys borrowed by the non-statutory company on mortgage of their water under-

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taking and outstanding at the date of payment and in satisfying all other debts and liabilities of the non-statutory company in respect of their water undertaking;

And the balance (if any) remaining over shall be applied or distributed among the shareholders of the non-statutory company in accordance with a scheme to be approved or settled under the provisions in that behalf contained in Part II. of the Third Schedule to this Act.

(2) The provisions contained in Part I. of the Third Schedule to this Act with respect to the dissolution of the non-statutory company shall have effect.

Copies of
Act to be
registered.

18. The Board shall forward to the Registrar of Joint Stock Companies two printed copies of this Act which shall be received and filed by him one copy on the file of the Ogmore Valley Water Company Limited and the other on the file of the Southerndown Water Company Limited and if such copies are not forwarded within three months from the appointed day the Board shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the copies are omitted to be forwarded and every penalty shall be recovered summarily.

There shall be paid to the registrar by the Board on each copy being registered the like fee as is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than a memorandum of association or the abstract required to be filed with the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up in England.

Provisions applicable to Constituent Authorities.

Transfer of
waterworks
of constituent
authorities.

19.—(1) On the appointed day the waterworks and distributing plant belonging to each of the constituent authorities respectively and used by them for the distribution of water within their district together with all the rights powers and privileges vested in or belonging to or had and enjoyed by each of the constituent authorities respectively for or in relation to waterworks and the diversion collection storage and distribution of water or otherwise for or in relation to or in connexion with the supply of water (hereinafter in this Part of this Act referred to as "the waterworks") shall (subject to all debts and

liabilities other than debts and liabilities on revenue account affecting the same and outstanding at the date of transfer) by virtue of this Act be transferred to and vested in the Board to be carried on held used exercised and enjoyed by the Board for the purposes and according to the provisions of this Act and subject thereto as the same would or might have been carried on held used exercised and enjoyed by the constituent authorities respectively if this Act had not been passed. A.D. 1920.

(2) All mortgages or other securities for money borrowed for the purposes of the waterworks of any of the constituent authorities the particulars whereof as outstanding on the thirty-first day of March one thousand nine hundred and twenty are set forth in the Sixth Schedule to this Act and which on the appointed day are properly charged (whether exclusively or otherwise) on the revenue of such waterworks shall continue to be charged on that revenue and also on the district fund or borough fund and general district rate or borough rate (if any) on which the same shall have been charged to the like extent and with the like priorities and shall be repaid within the same periods as if this Act had not been passed and each of the constituent authorities respectively shall continue to pay the interest on such mortgages or other securities and shall repay or make provision for the repayment of the moneys borrowed as aforesaid and secured thereby to the like extent and in like manner as if this Act had not been passed (subject to the provisions with respect to indemnity by the Board and otherwise as in this Act hereinafter provided).

(3) For the purposes of this section the revenue of the waterworks shall be deemed to be and shall be so much of the revenue to be received by the Board from water rates and charges in the area within the limits of supply of each of the constituent authorities respectively as existing at the passing of this Act as shall be necessary to meet the payments to be made in such year by the constituent authority in respect of interest upon and provision for repayment of any moneys secured by the said mortgages and securities.

(4) Provided however that if any of the moneys secured by the said mortgages or securities shall under the conditions on which the same shall have been borrowed by any of the constituent authorities or by agreement (with the consent of the Board) between the constituent authority and the persons

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Consideration for transfer.

20.—(1) As consideration for the transfer of the waterworks as in the last preceding section of this Act provided the Board shall in respect of the waterworks which have been constructed by any constituent authority and paid for out of current rates pay the following sums (that is to say) to the Ogmore and Garw Council the sum of four thousand two hundred and eighty-seven pounds and sixpence to the Maesteg Council the sum of two thousand and forty pounds nine shillings and ninepence to the Penybont Council the sum of eight hundred and sixty-eight pounds one shilling and tenpence and to the Cowbridge Council the sum of five hundred and seventy-two pounds and threepence and in addition such sums (if any) as may have been expended by any constituent authority with the consent of the county council between the first day of January one thousand nine hundred and twenty and the date of the first meeting of the Board or with the consent of the Board between such last-mentioned date and the appointed day and the Board shall also as from the appointed day indemnify and hold indemnified each of the constituent authorities respectively against the mortgages and securities for money in the Sixth Schedule to this Act respectively referred to and against all claims and obligations in respect thereof and so long as the constituent authority are liable to pay any interest upon or to repay or make provision for the repayment of any moneys secured by the said mortgages and securities the Board shall supply the constituent authority with the necessary funds for those purposes at such times as may be necessary and convenient for enabling the constituent authority to fulfil their obligations in that behalf and for the purposes of this Act the moneys so secured shall be deemed to be moneys borrowed by the Board for the purposes of their undertaking.

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(2) The Board shall also discharge or pay over to each constituent authority the amount of other the debts and liabilities (not being debts and liabilities on revenue account) in respect of the waterworks which shall be properly outstanding on the appointed day.

(3) The sums if any which are or ought to have been provided by any constituent authority for purposes of redemption or payment off of their mortgages securities debts and liabilities as aforesaid by way of sinking fund or otherwise shall to the extent to which the same shall not have been applied to such purposes be paid or credited (as the case may be) by the constituent authority to the Board.

(4) All moneys received by any constituent authority under the provisions of this section in respect of mortgages securities debts and liabilities as aforesaid shall be applied by such constituent authority in the discharge of any outstanding mortgages securities debts or liabilities on capital account incurred by them for waterworks purposes or with the approval of the Ministry of Health to such capital purposes as the constituent authority may determine. Provided that such moneys received shall not be applicable to the payment of instalments appropriations or annual repayments or to payments into sinking fund except to such extent and upon such terms as may be approved by the Ministry of Health.

*Provisions applicable to the Companies and Constituent
Authorities.*

21. The companies and the constituent authorities (each of whom is hereinafter in this Part of this Act referred to as "the transferor") shall be entitled to all rates rents profits and sums of money accrued due and shall discharge and pay all outgoings and liabilities in respect of their water undertaking or waterworks as the case may be up to the appointed day and the Board shall be entitled to all rates rents profits and sums of money accruing due and shall discharge all outgoings and liabilities in respect of their water undertaking on and after the appointed day. Provided that all water rates and meter rents payable in advance in respect of the quarter current at the appointed day shall be apportioned between the transferor and the Board and the transferor shall pay to the Board the proportion of such rates and rents as is attributable to the period on and after the appointed day and all rates rents profits

Provisions
as to receipts
and out-
goings.

A.D. 1920. and sums of money accruing to the transferor on the appointed day in respect of their water undertaking or waterworks as the case may be but not at that date actually due or payable shall when due be recoverable by the Board who shall pay to the transferor the proportion of all such rates rents profits and sums of money so recovered which shall be attributable to the period previous to the appointed day.

Exercise of powers until transfer.

22. Until the appointed day the transferor shall maintain and carry on their water undertaking or waterworks as the case may be as heretofore in the ordinary course of business but the transferor shall not without the previous consent of the Board under the hand of the clerk make or enter into any new contract agreement liability or other obligation in respect thereof which shall extend beyond the appointed day.

Receipt for purchase money.

23. The receipt in writing of three directors of the company or of the treasurer of the constituent authority for any money paid to such company or constituent authority shall effectually discharge the Board from the sum which in such receipt shall be acknowledged to have been received and from being bound to see to the application thereof and from being answerable or accountable for the loss misapplication or non-application thereof and if from any cause the Board are unable to obtain any such receipt from the directors of any company or the treasurer of any constituent authority they may pay the money due to such company or constituent authority into the Bank of England in the name of the Paymaster-General for and on behalf of the Supreme Court to an account to be opened in the matter of this Act and a receipt shall be given to the Board by the cashier of the said bank for the money which shall have the same effect as the receipt of three directors of such company or the treasurer of such constituent authority as the case may be.

Evidence of transfer.

24.—(1) The production of a King's Printer's copy of this Act duly stamped together with a receipt for the purchase money purporting to be signed by three directors of the company or the treasurer of the constituent authority as the case may be or in any case by the cashier of the Bank of England shall (unless it be proved that the purchase money has not been paid) be conclusive evidence in all courts and proceedings of the transfer to and vesting in the Board of the water undertaking or waterworks as the case may be to the purchase money for which the stamp and receipt relates.

(2) Where the amount of consideration for the transfer of any water undertaking or waterworks transferred to the Board under this Act is not ascertained before the appointed day the date of the final ascertainment of that amount shall for the purposes of section 12 of the Finance Act 1895 (which relates to Stamp Duty on property vested by Act of Parliament) be treated as the date of vesting. A.D. 1920.

25. Notwithstanding the provisions of the section of this Act of which the marginal note is "Partial repeal of Acts" and notwithstanding the sale to the Board of the respective water undertakings of the companies and waterworks of the constituent authorities the following provisions shall have effect (that is to say):— Savings from effect of repeal of Acts.

(A) If at the appointed day any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing against or in favour of the transferor the same shall not abate or be discontinued or in anywise prejudicially affected by reason of such repeal sale or assignment but the same may be continued prosecuted and enforced by against or in favour of the transferor as and when it might have been continued prosecuted and enforced by against or in favour of them if this Act had not passed: Actions &c. not to abate.

(B) Except as in this Act otherwise expressly provided all agreements conveyances contracts deeds and other instruments entered into or made with or by the transferor and in force at the appointed day shall so far as the same relate to or affect the water undertaking or waterworks as the case of the transferor may be be as binding and of as full force and effect in every respect against or in favour of the Board and may be enforced as fully and effectually as if instead of the transferor the Board had been a party thereto: Contracts with transferor to be binding on Board.

(C) All books and documents which if the transfer had not been made would have been evidence in respect of any matter for or against the transferor shall be admitted in evidence in respect of the same or the like matter for or against the Board: Books &c. to remain in evidence.

(D) All rates rents and charges in connexion with the water undertaking or waterworks as the case may be of the transferor which have been lawfully made charged Rates or rents to continue in force.

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or imposed and which at the appointed day are due or if this Act had not been passed would have accrued due shall continue in force and be due and payable and may be collected recovered or enforced and shall (unless otherwise directed by this Act) be applied as if this Act had not been passed. Provided that if the same are not payable until after the appointed day the same shall be recoverable by the Board in lieu of the transferor.

PART IV.

WORKS AND LANDS.

Power to
maintain
existing
waterworks.

26. From and after the appointed day the Board may subject to the provisions of this Act maintain repair and renew the waterworks and plant vested in them by or belonging to them by virtue of this Act and may use and employ the same for the purpose of taking intercepting and impounding water and may take intercept and impound any waters which might have been taken intercepted or impounded by such waterworks if this Act had not passed and may extend from time to time the mains and pipes laid by the companies or the constituent authorities within the limits of supply and use those works mains and pipes for the supply of water within the limits of supply or under the provisions of this Act and the Board shall in respect of those works mains and pipes and the maintenance and future use regulation and enlargement thereof have the powers and be subject to the provisions of this Act and the Acts incorporated wholly or in part with this Act and the same shall be deemed to and shall be and form part of the undertaking of the Board.

Power to
make works.

27. Subject to the provisions of this Act the Board may in the county of Glamorgan and in the lines and situation and upon the lands delineated on the deposited plans and described in the deposited book of reference make and maintain the following works shown on the deposited plans and sections (that is to say):—

Work No. 3 A service reservoir situate in the urban district of Maesteg in the inclosures numbered 13 16 and 17 on the $\frac{1}{2500}$ Ordnance map (1919 edition) of the parish of Llangynwyd Higher in that urban district:

Work No. 4 A line or lines of pipes situate wholly in the urban district of Maesteg commencing in the service reservoir (Work No. 3) before described and terminating in Cymmer Road at the junction of that road with the road leading from Cymmer Road to Dunraven Street Blaencaerau : A.D. 1920.

Work No. 5 An intake and weir (No. 2) situate partly in the urban district of Maesteg and partly in the parish of Llangynwyd Middle in the rural district of Penybont to be formed across the brook known as Nant Lluest-wen at a point 47 yards or thereabouts measured in a south-westerly direction from the north-eastern corner of the inclosure numbered 98 on the $\frac{1}{2500}$ Ordnance map (1918 edition) of the said parish of Llangynwyd Middle :

Work No. 5A A line or lines of pipes commencing in the said parish of Llangynwyd Middle in the rural district of Penybont in the Nant Lluest-wen at or near the intake and weir (No. 2) before described and terminating in the service reservoir (Work No. 6) next described :

Work No. 6 A service reservoir situate in the urban district of Maesteg in the inclosure numbered 646 on the $\frac{1}{2500}$ Ordnance map (1918 edition) of the parish of Cwmdu in that urban district :

Work No. 7 A line or lines of pipes situate wholly in the urban district of Maesteg commencing in the service reservoir (Work No. 6) before described and terminating in Llwydarth Road 80 yards or thereabouts measured in a northerly direction from the point where the boundary dividing that urban district from the rural district of Penybont crosses Llwydarth Road :

Work No. 8 An intake and weir (No. 3) situate wholly in the parish of Llangynwyd Middle in the rural district of Penybont to be formed across the brook known as Nant-y-Castell at the confluence of that brook with the brook flowing from Cwmcae-lloi :

Work No. 9 A line or lines of pipes situate wholly in the parish of Llangynwyd Middle in the rural district of Penybont commencing in the Nant-y-Castell at or near the intake and weir (No. 3) before described and terminating in the road leading from Maesteg to Bridgend at a

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point 20 yards or thereabouts measured in a north-westerly direction from the centre of the bridge carrying that road over the brook known as Nant-y-Gadlys :

Work No. 10 An intake and weir (No. 4) situate wholly in the parish of Llangynwyd Middle in the rural district of Penybont to be formed across the brook known as Nant-Bryn-Cynan at a point 20 yards or thereabouts measured in a westerly direction from the south-eastern corner of the inclosure numbered 613 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the said parish :

Work No. 11 A line or lines of pipes situate wholly in the parish of Llangynwyd Middle in the rural district of Penybont commencing in the Nant-Bryn-Cynan at or near the intake and weir (No. 4) before described and terminating by a junction with Work No. 9 before described at a point 40 yards or thereabouts measured in a north-easterly direction from the confluence of Nant-y-Castell and Nant-Bryn-Cynan :

Work No. 12 An intake and weir (No. 5) situate wholly in the urban district of Ogmere and Garw to be formed across the brook known as Garw Fechan at a point 5 yards or thereabouts north of the waterfall in the inclosure numbered 103 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Bettws in the said urban district :

Work No. 13 A line or lines of pipes situate wholly in the urban district of Ogmere and Garw commencing in the Garw Fechan at or near the intake (No. 5) before described and terminating in the road leading from Pontyrhyl to Pontycymmer at a point 33 yards or thereabouts measured in a northerly direction from the centre of the bridge over the Garw Fechan :

Work No. 14 An intake and weir (No. 6) situate wholly in the urban district of Ogmere and Garw to be formed across the brook known as Nant Cwmdu at a point 250 yards or thereabouts measured in a westerly direction from the confluence of the Nant Cwmdu and the Garw Fechan :

Work No. 15 A line or lines of pipes situate wholly in the urban district of Ogmere and Garw commencing in the Nant Cwmdu at or near the intake (No. 6) before described

and terminating by a junction with Work No. 13 before described at a point 20 yards or thereabouts measured in a westerly direction from the confluence of the Nant Cwmdu and the Garw Fechan: A.D. 1920.

Work No. 16 An intake and weir (No. 7) situate wholly in the urban district of Ogmere and Garw to be formed across the river known as Afon Garw at a point 120 yards or thereabouts measured in a north-westerly direction from the north-western corner of the inclosure numbered 25 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llangeinor in the said urban district:

Work No. 17 A line or lines of pipes situate wholly in the urban district of Ogmere and Garw commencing in the Afon Garw at or near the intake (No. 7) before described and terminating in the service reservoir (Work No. 18) next described:

Work No. 18 A service reservoir situate wholly in the urban district of Ogmere and Garw in the inclosure numbered 25 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llangeinor in the said urban district:

Work No. 19 A line or lines of pipes situate wholly in the urban district of Ogmere and Garw commencing in the service reservoir (Work No. 18) before described and terminating in the service reservoir (Work No. 22) after described:

Work No. 20 An intake and weir (No. 8) situate wholly in the urban district of Ogmere and Garw to be formed across the brook (unnamed) at a point 100 yards or thereabouts measured in a north-easterly direction from the easternmost point of the inclosure numbered 29 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llangeinor in the said urban district:

Work No. 21 A line or lines of pipes situate wholly in the urban district of Ogmere and Garw commencing in the brook (unnamed) at or near the intake (No. 8) before described and terminating in the service reservoir (Work No. 22) next described:

Work No. 22 A service reservoir situate wholly in the urban district of Ogmere and Garw in the inclosure numbered 29 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llangeinor in the said urban district:

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Work No. 23 A line or lines of pipes situate wholly in the urban district of Ogmores and Garw commencing in the service reservoir (Work No. 22) before described and terminating in the road known as Railway Terrace at a point 207 yards or thereabouts measured in a northerly direction from the junction of that road with Cross Street:

Work No. 24 An intake or weir (No. 9) situate wholly in the urban district of Ogmores and Garw to be formed across the brook known as Nant-y-Ffosp at a point situate 4 yards or thereabouts measured in a westerly direction from the south-western corner of the inclosure numbered 45 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llandyfodwg in the said urban district:

Work No. 25 A line or lines of pipes situate wholly in the urban district of Ogmores and Garw commencing in the Nant-y-Ffosp at or near the intake (No. 9) before described and terminating in Ogwy Street at a point 50 yards or thereabouts measured in a northerly direction from the north-eastern corner of the Blaenogwr Hotel Price Tower:

Work No. 26 An intake and weir (No. 10) situate wholly in the urban district of Ogmores and Garw to be formed across the brook known as Ogwr Fawr at a point 40 yards or thereabouts measured in a southerly direction from the northernmost point of the inclosure numbered 8 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llandyfodwg in the said urban district:

Work No. 27 A line or lines of pipes situate wholly in the urban district of Ogmores and Garw commencing at or near the intake (No. 10) before described and terminating in the service reservoir (Work No. 28) next described:

Work No. 28 A service reservoir situate wholly in the urban district of Ogmores and Garw in the inclosures numbered 9 10 and 11 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llandyfodwg in the said urban district:

Work No. 29 A line or lines of pipes situate wholly in the urban district of Ogmores and Garw commencing

in the service reservoir (Work No. 28) before described and terminating at the northern end of the road known as Howell Street: A.D. 1920.

Work No. 32 A service reservoir situate wholly in the urban district of Ogmore and Garw in the inclosure numbered 19 on the $\frac{1}{2500}$ Ordnance map (1918 edition) of the parish of Llangeinor in the said urban district:

Work No. 33 An intake and weir (No. 12) situate wholly in the urban district of Ogmore and Garw to be formed across the brook known as Nant Iechyd at a point 367 yards or thereabouts measured in a northerly direction from its confluence with the brook known as Nant Cwm Ffasg:

Work No. 34 A line or lines of pipes situate wholly in the urban district of Ogmore and Garw commencing at or near the intake (No. 12) before described and terminating in the district road at a point 25 yards or thereabouts measured in an easterly direction from the north-eastern corner of the inclosure numbered 429 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llandyrodwg in the the said urban district:

Work No. 35 An intake and weir (No. 13) situate wholly in the urban district of Ogmore and Garw to be formed across the brook known as Nant Cwm Ffasg at a point 133 yards or thereabouts measured in a north-westerly direction from its confluence with the Nant Iechyd:

Work No. 36 A line or lines of pipes situate wholly in the urban district of Ogmore and Garw commencing at or near the intake (No. 13) before described and terminating by a junction with Work No. 34 before described at a point 15 yards or thereabouts measured in a south-westerly direction from the confluence of Nant Cwm Ffasg with Nant Iechyd:

Work No. 37 An intake and weir (No. 14) situate wholly in the urban district of Ogmore and Garw to be formed across the brook (unnamed) flowing into Nant Iechyd at or near Daren-y-Dimbath at a point 247 yards or thereabouts measured in a north-easterly direction from the confluence of that brook with Nant Iechyd:

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Work No. 38 A line or lines of pipes situate wholly in the urban district of Ogmore and Garw commencing at or near the intake (No. 14) before described and terminating by a junction with Work No. 34 before described at a point 20 yards or thereabouts measured in a northerly direction from the confluence of the last-mentioned brook (unnamed) with the Nant Iechyd :

Work No. 39 An intake and weir (No. 15) situate wholly in the urban district of Ogmore and Garw to be formed across the brook known as Nant Cwm-y-Ffynnon at a point 355 yards or thereabouts measured in a north-westerly direction from the confluence of that brook with the Nant Iechyd :

Work No. 40 A line or lines of pipes situate wholly in the urban district of Ogmore and Garw commencing at or near the intake (No. 15) before described and terminating by a junction with Work No. 34 before described at a point 15 yards or thereabouts measured in a southerly direction from the confluence of the Nant Cwm-y-Ffynnon with the Nant Iechyd :

Work No. 41 An intake and weir (No. 16) situate wholly in the urban district of Ogmore and Garw to be formed across the brook known as Nant Cwm Gadlys at a point 13 yards or thereabouts measured in a northerly direction from the north-eastern corner of the inclosure numbered 288 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Llandyfodwg in the said urban district :

Work No. 42 A line or lines of pipes situate wholly in the urban district of Ogmore and Garw commencing at or near the intake (No. 16) before described and terminating by a junction with Work No. 34 before described at a point 40 yards or thereabouts measured in a north-easterly direction from the point of termination of that work :

Work No. 43 A line or lines of pipes situate wholly in the urban district of Ogmore and Garw commencing in the road leading from Llangeinor Station to Ogmore Vale at a point 70 yards or thereabouts west of the junction of that road with the road leading to Llangeinor Church and terminating in the service reservoir (Work No. 44) next described :

Work No. 44 A service reservoir situate wholly in the urban district of Ogmore and Garw in the inclosures numbered 739 and 757 on the $\frac{1}{2500}$ Ordnance map (1919 edition) of the parish of Llangeinor in the said urban district: A.D. 1920.

Work No. 45 A line or lines of pipes situate wholly in the urban district of Ogmore and Garw commencing in the service reservoir (Work No. 44) before described and terminating in the road leading from Llangeinor Station to Ogmore Vale at a point 40 yards or thereabouts measured in an easterly direction from the junction of that road with the road leading to Llangeinor Church:

Work No. 46 A line or lines of pipes situate wholly in the parish of Tythegston Higher in the rural district of Penybont commencing in the road leading from Pyle to Aberkenfig at a point 7 yards or thereabouts measured in a north-easterly direction from the north-western corner of the inclosure numbered 146 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the last-mentioned parish and terminating in the service reservoir (Work No. 47) next described:

Work No. 47 A service reservoir situate wholly in the parish of Tythegston Higher in the rural district of Penybont in the inclosures numbered 144 and 146 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the said parish:

Work No. 48 A line or lines of pipes situate wholly in the parish of Tythegston Higher in the rural district of Penybont commencing in the service reservoir (Work No. 47) before described and terminating in the road leading from Pyle to Aberkenfig at a point 5 yards or thereabouts measured in a northerly direction from the north-eastern corner of the inclosure numbered 146 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the said parish:

Work No. 49 A line or lines of pipes commencing in the parish of St. Bride's Minor in the rural district of Penybont in the road leading from Pen-y-cae to Bryncoch at a point 20 yards or thereabouts measured in a south-westerly direction from the south-western corner of the inclosure numbered 477 on the $\frac{1}{2500}$ Ordnance map (1918 edition) of that parish and terminating in the parish of Coity Higher in the rural district of Penybont in the service reservoir (Work No. 50) next described:

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Work No. 50 A service reservoir situate wholly in the parish of Coity Higher in the rural district of Penybont in the inclosure numbered 23 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of that parish 143 yards or thereabouts south of the southernmost point of the inclosure numbered 30 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the said parish:

Work No. 51 A line or lines of pipes commencing in the parish of Coity Higher in the rural district of Penybont in the service reservoir (Work No. 50) before described and terminating in the parish of Pencoed in the rural district of Penybont in the road leading from Pencoed to Llanharan at the junction of that road with the road leading from Pencoed to Penprisk.

Subsidiary works.

28. In addition to the foregoing works the Board may upon the said lands and upon any lands included in the undertaking of the Board make and maintain all such cuts channels catchwaters tunnels adits pipes conduits aqueducts culverts drains sluices bye-washes watercourses weirs overflows gauges shafts bores filters reservoirs dams basins tanks water-towers banks walls bridges piers approaches roads fences buildings pumping-stations pumps engines machinery telegraphic telephonic electric hydraulic and other plant and apparatus conveniences and appliances as may be necessary or convenient in connexion with or subsidiary to any of their waterworks but nothing in this section shall exonerate the Board from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Limits of deviation.

29. In the construction of the works authorised by this Act the Board may deviate from the lines shown on the deposited plans to any extent not exceeding the limits of deviation shown thereon 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 from the levels shown on the deposited sections to any extent Provided that except for the purposes of crossing over a stream canal or railway no part of the pipes shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Period for completion of works.

30. If the works by this Act authorised are not completed within five years from the first day of January one thousand

nine hundred and twenty-one then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed. Provided that subject to the restrictions and provisions of this Act the Board may at any time after the expiration of the said period extend enlarge alter reconstruct renew or remove any of their works and plant and in connexion with and as forming part of the lines of pipes by this Act authorised lay down additional lines of pipes as and when occasion may require. A.D. 1920.

31. Subject to the provisions of this Act the Board may collect impound take use divert and appropriate for the purposes of their undertaking and waterworks the waters of the Nant Llest-wen Nant-y-Castell Nant-Bryn-Cynan Garw Fechan Nant Cwmdu Afon Garw Nant-y-Ffosp Ogwr Fawr Nant-y-Moel Nant Iechyd Nant Cwm-Ffasg Nant Cwm-y-Ffynnon Nant Cwm Gadlys and their tributaries and all such springs streams and waters as will or may be intercepted by the works by this Act authorised. Power to
take waters.

32. Within a period of five years from the first day of August one thousand nine hundred and twenty the Board shall take such steps as may be necessary for the purpose of procuring a supplemental supply of water from sources outside the coal-field and shall if necessary within such period promote a Bill in Parliament to give them power to carry out a scheme for that purpose. Provision of
supplemental
supply.

33.—(1) The Board shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament. Limiting
powers of
Board to
abstract
water.

(2) The Board shall not take or intercept more than two-thirds of the water from time to time flowing down any of the streams which may be intercepted by the works which the Board are by this Act authorised to construct and before the Board commence to take water from any stream by means of such works they shall erect or place at the point of abstraction a weir or other suitable work so constructed as to permit not less than one-third of the water of such stream at the point of abstraction at all times to flow down the stream.

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(3) Every such weir or other work shall at all times be open to the examination of the owners and occupiers of any collieries mines mills or works interested in the waters of the stream and of the Board of Conservators having jurisdiction under the Salmon and Freshwater Fisheries Acts 1861 to 1907 in respect of the Ogmore Fishery District (hereinafter called "the Ogmore Fishery Board").

(4) The Board shall maintain the said weirs or other works in good condition and repair and if and whenever any of the said weirs or other works shall be out of repair or not in good working order and condition the Board shall forthwith repair and make good the same.

(5) In case of any act neglect or default of the Board in consequence of which a less quantity than one-third of the water of the stream shall fail so to flow down the stream the Board shall for every day on which such failure shall occur forfeit and pay to the Ogmore Fishery Board and to the owner or occupier of any collieries ~~mines mills~~ or works affected thereby who shall sue for the same in any court of competent jurisdiction within one month after such failure shall have occurred a penalty not exceeding five pounds.

Temporary
discharge
of water into
streams &c.

34.—(1) For the purpose of constructing altering repairing emptying cleansing or examining any reservoir aqueduct line of pipes or other work for the time being belonging to them the Board may cause the water in any such reservoir aqueduct line of pipes or other work to be temporarily discharged into any available surface-water sewer stream or watercourse.

(2) In the exercise of the power conferred by this section the Board 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 such compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

Application
of Water-
works
Clauses Act
1847 to
aqueducts
&c.

35. 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 of the aqueducts conduits and lines of pipes by this Act authorised and of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Board may determine and which accordingly

they are hereby authorised to erect or lay down for the purposes of their undertaking. A.D. 1920.

36. Any telephone or telegraph posts wires conductors electric plant and apparatus made maintained erected or laid down by the Board under the provisions of this Act shall not be used in contravention of the exclusive privilege conferred on the Postmaster-General by the Telegraph Act 1869 and shall be constructed maintained and used in such a manner as not to interfere with or be likely to interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of such line. For protection of Postmaster-General.

37. The Board shall have and may exercise for any of the purposes of this Act within and without the limits of supply the like powers which a local authority would have under section 54 of the Public Health Act 1875 with respect to the carrying of water mains within and without the district of such authority. Powers in relation to water mains.

38.—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Board may by agreement purchase take on lease and acquire any lands in or over which any waters which the Board are for the time being authorised to collect impound take use divert or appropriate arise or flow and may hold such lands so long as they shall deem it necessary or expedient for those purposes Provided that the Board shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or connected with their undertaking. Powers for protection of waters and waterworks.

(2) The Board may in and upon any lands so acquired by them construct and lay down drains sewers watercourses and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Board are empowered to take from being polluted and the Board may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road within any area in or through which any waters which may be taken by the Board arise or flow subject and according to the

A.D. 1920. provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

(3) The powers conferred by this section shall not authorise the grant or inclosure of common without the consent of the Board of Agriculture and Fisheries.

Power to agree as to drainage of lands &c.

39. The Board may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of the reservoirs and works by this Act authorised with reference to the execution by the Board or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters by this Act authorised to be diverted collected and appropriated by the Board flowing to upon or from such lands directly or derivatively into such reservoirs and works.

Power to acquire lands.

40. Subject to the provisions of this Act and for the purposes of the works by this Act authorised the Board may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Period for compulsory purchase of lands.

41. The powers of the Board for the compulsory purchase of lands under this Act shall not be exercised after the expiration of three years from the first day of January one thousand nine hundred and twenty-one.

As to common lands.

42. Notwithstanding anything contained in this Act or shown on the deposited plans the Board shall not purchase any greater quantity of the common or commonable lands than is actually required for the purposes of the Works Nos. 44 and 50 by this Act authorised Provided that the Board may acquire such easements and rights in and over the said common or commonable lands as they may require for the purpose of constructing using maintaining cleansing and renewing the Works Nos. 17 43 49 and 51 by this Act authorised and of obtaining access thereto and to the said Works Nos. 44 and 50 but so that as soon as any operation for such purposes has been completed the surface of the said common or commonable lands shall be restored as nearly as may be to its original condition.

Owners may be required to sell parts only of cer-

43. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Board of the powers of this Act it may happen that portions only of certain

properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Board and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

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tain lands
and build-
ings.

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

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

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

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

contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845. A.D. 1920.

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

44. For the purposes of determining any question of disputed purchase money or compensation payable under this Act the following provision shall apply :— Provisions as to disputed compensation.

The tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the land created after the first day of January one thousand nine hundred and twenty if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made erected or created with a view to obtaining or increasing compensation under this Act.

45.—(1) The Board may in lieu of acquiring any lands for the purposes of the works authorised by this Act where the same are intended to be constructed underground acquire such easements only in such lands as they may require for such purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts. Board may acquire easements only in certain cases.

(2) As regards any lands in respect of which the Board have acquired easements only under the provisions of this section the Board shall not 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 subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not passed.

(3) Provided always that nothing in this section contained shall authorise the Board to acquire by compulsion any such easement in any case in which the owner in his particulars of

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claim shall require the Board 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.

Persons under disability may grant easements &c.

46. 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 Board 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.

Power to take additional lands by agreement.

47. The Board in addition to any land which they are otherwise by this Act authorised to acquire may from time to time by agreement purchase take on lease or otherwise acquire and hold for the purposes of their undertaking any lands (not exceeding in the whole one hundred acres) or any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) over or in respect of lands which the Board may deem necessary for those purposes and the Board on any lands acquired under this section may execute for the purposes of or in connexion with their undertaking any of the works (other than wells and works for taking and intercepting water) and exercise any of the powers mentioned in or conferred by section 12 of the Waterworks Clauses Act 1847 Provided that the Board shall not create or permit a nuisance on such lands and shall not erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or connected with their undertaking.

Dwelling-houses for persons in Board's employ.

48. The Board may purchase or take on lease dwelling-houses for persons employed by them for the purposes of their undertaking and may erect and maintain dwelling-houses for such persons upon any lands for the time being belonging to the Board for the purposes of their undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Board for the purposes of their undertaking.

49. Notwithstanding anything in the Lands Clauses Acts the Board may retain hold and use for the purposes of their undertaking for such time as they think fit any lands for the time being belonging to them and may from time to time sell lease exchange or otherwise dispose of the same in such manner for such consideration and on such terms and conditions as they think fit and may execute and do any deed act or thing proper for effectuating any sale lease exchange or disposition and on any such sale lease exchange or disposition may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale lease exchange or disposition subject to such reservations accordingly and may also make any such sale lease exchange or disposition subject to such other reservations special conditions restrictions and provisions with respect to the use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

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Power to
sell lease &c.
lands.

PART V.

SUPPLY OF WATER.

50. The limits of this Act for the supply of water shall be the urban district of Ogmere and Garw the urban district of Maesteg the rural district of Penybont the rural district of Cŵwbridge and the borough of Cowbridge all in the county of Glamorgan Provided that the Board shall not without the consent of the Bridgend Company supply water under the powers of this Act to or within such parts of the limits of the Bridgend Company for the supply of water as are within the district of the Penybont Council unless and until they shall have purchased the Penybont distributing apparatus but such consent shall not be required in any case where the Board give a supply of water which the Penybont Council with the consent of the Bridgend Company were previously giving within such parts of the limits of that company.

Limits of
supply.

51. The water supplied by the Board need not at any time be delivered at a pressure greater than that afforded by gravitation from the service reservoir or tank from which the supply is given.

Limit of
pressure.

52.—(1) The Board shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Act to demand a supply of water for

Rates for
supply of
water for
domestic
purposes.

A.D. 1920. domestic purposes furnish to such owner or occupier a sufficient supply of water for domestic purposes at rates not exceeding the rates hereinafter specified (that is to say):—

Where the gross estimated rental of the premises so supplied does not exceed five pounds the rate of thirteen shillings per annum;

Where the gross estimated rental exceeds five pounds the rate of ten pounds per centum per annum upon such gross estimated rental:

Provided that the Board shall not be bound in any case to accept a less sum than thirteen shillings per annum in respect of any such supply.

(2) For the purposes of this section gross estimated rental shall be ascertained by the valuation list in force at the commencement of the quarter in which the water rate becomes payable or if there is no such list in force by the last rate made for the relief of the poor. Provided that where the water rate is chargeable on the gross estimated rental of a part only of any premises entered in the valuation list or poor rate such gross estimated rental shall be a fairly apportioned part of the gross estimated rental of the whole premises ascertained as aforesaid the apportionment in case of dispute to be determined by a court of summary jurisdiction.

Rates for
waterclosets
and baths.

(3) In addition to the foregoing rates the Board may in the case of any premises to which they furnish a supply of water charge for every watercloset beyond the first (for which no additional charge shall be made) a sum not exceeding five shillings per annum and for every fixed bath not capable of containing more than seventy-five gallons a sum not exceeding ten shillings per annum and for every fixed bath capable of containing more than seventy-five gallons such sum as they may think fit. The additional sums charged under this subsection shall be payable and recoverable at such times and in such manner in all respects with and as the water rate.

Rates pay-
able by
owners of
small houses.

53. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Board so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any

one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate. A.D. 1920.

54. Notwithstanding the provisions of section 70 of the Waterworks Clauses Act 1847 the Board may from time to time by a resolution declare that all or any of the rates rents and charges which they are by this Act authorised to demand and make shall commence and be payable at such time or times as the Board may by any such resolution determine Provided nevertheless that nothing herein contained shall authorise the Board or any constituent authority to collect any rate rent or charge under this Act more than three months in advance. Dates for
payment of
water
rates &c.

55. The Board shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water. Board not
bound to sup-
ply several
houses by one
pipe.

56. A notice to the Board from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Board or be given by the consumer personally at the office of the Board. Notice of
discontinu-
ance.

57.—(1) The Board may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connexion disconnexion alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this Act referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination. Byelaws for
preventing
waste &c. of
water.

(2) Such byelaws shall apply only in the case of premises to which the Board are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Board may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person

A.D. 1920. and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Board as the water rates in respect of the premises are recoverable.

(4) Any byelaws made by the Garw Company under the provisions of the Act of 1889 and in force within the limits of supply at the appointed day shall continue in force until byelaws under this section shall have been made and confirmed.

Detection of waste.

58. Subject to the provisions of the Waterworks Clauses Act 1847 the Board may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Board and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose temporarily stop up break up and interfere with public and private streets roads lanes footways courts passages tramways sewers pipes wires and apparatus Provided that the Board shall not break up or interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the said Act.

Supply by measure.

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

Price of supply by measure.

60. The price to be charged for a supply of water by measure shall not exceed two shillings per thousand gallons.

Supply to houses partly used for trade &c.

61.—(1) The Board shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required.

(2) Where a supply of water to a farmhouse is used for farming purposes the Board may require that the supply for

farming purposes shall be taken by meter but nothing in this section shall authorise the Board to refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate calculated on the rateable value thereof. A.D. 1920.

62. The Board may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary and otherwise) and conditions as they think fit. Power to sell or let meters.

63. Before any person connects or disconnects any meter by means of which any of the water of the Board is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Board of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Board and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings. Notice to Board of connecting or disconnecting meters.

64.—(1) Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Board or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Board shall (without prejudice to any other right or remedy for the protection of the Board) be liable to a fine not exceeding five pounds and the Board may in addition thereto recover the amount of any damage by them sustained. Injuring meters &c.

(2) In any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Board or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Board the Board may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registering by such meter of the quantity of water supplied by means thereof and the

A.D. 1920. expense of such repair and of all such works matters and things shall be repaid to the Board by the person so offending and may be recovered by them as water rates are recoverable.

(3) The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Board when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be *prima facie* evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Power to
supply
fittings.

65.—(1) The Board may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets and other fittings as are required or permitted by their regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges of the Board in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings ~~let for hire~~ under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Board as the actual owners thereof.

Power to lay
pipes in
streets not
dedicated to
public use.

66. The Board may on the application of the owner or occupier of any premises within the limits of this Act abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were exempted from incorporation in this Act.

Contracts for
supplying
water in
bulk.

67. The Board may enter into and carry into effect agreements with any authority company or person for the supply of water beyond the limits of supply to any such authority

company or person respectively in bulk for any purpose and for such remuneration and on such terms and conditions, and for such period as may be agreed upon. Provided that such supply shall not be given within the statutory limits of supply of any authority company or person except with the consent of that authority company or person and also in the case of a supply to a company or person of the local authority of the district in which the supply is intended to be given nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply. Provided also that nothing in this section shall authorise the Board to lay any mains or other pipes or to interfere with any street beyond the limits of supply.

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PART VI.

PROTECTIVE PROVISIONS.

68. For the protection of the Ocean Coal Company Limited Celtic Collieries Limited Glenavon Garw Collieries Limited Ffaldau Collieries Company Limited and Cory Brothers and Company Limited (which companies are together in this section referred to as "the colliery companies") the following provisions shall unless otherwise agreed between the Board and the colliery companies have effect (that is to say):—

For protec-
tion of certain
colliery
companies.

- (1) The Board shall comply with the provisions of the section of this Act of which the marginal note is "Provision of supplemental supply":
- (2) The Board shall not be entitled to take and appropriate for the purposes of their undertaking and waterworks by means of any intake by this Act authorised in the Llynvi Valley the Ogmere Valley or the Garw Valley any water of the stream upon which such intake is situate when the quantity of water flowing down such stream per second at the point of intake does not exceed one quarter of a cubic foot for every thousand acres of land comprised in the gathering ground draining to the stream down to the point of such intake:
- (3) From and after the time when the Board shall have obtained the supplemental supply of water from sources outside the coalfield contemplated by the section of this Act whereof the marginal note is

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“Provision of supplemental supply” the Board shall cease to be entitled to take and appropriate for the purposes of their undertaking and waterworks by means of any intake by this Act authorised in the Llynvi Valley the Ogmore Valley or the Garw Valley any water of the stream upon which such intake is situate when the quantity of water flowing down such stream per second at the point of intake does not exceed three-eighths of a cubic foot for every thousand acres of land comprised in the gathering ground draining to the stream down to the point of intake and at any time when the quantity of water so flowing per second exceeds three-eighths of a cubic foot but is less than one cubic foot for every thousand acres of land comprised in such gathering ground the Board shall not be entitled to take and appropriate for the purposes of their undertaking and waterworks by means of such intake more than one-half of the quantity of water so flowing or more than will reduce the flow per second below such three-eighths of a cubic foot as aforesaid:

- (4) Before taking and appropriating any water for the purposes of their undertaking and waterworks by means of any intake by this Act authorised the Board shall erect at or near the point of intake to the reasonable satisfaction of an engineer to be appointed by and on behalf of the colliery companies such weirs and recording apparatus as may be reasonably necessary for the purpose of measuring the water flowing down the stream and the water taken through such intake so as to show whether the provisions of subsections (2) and (3) of this section are being duly complied with and the Board shall at all times maintain the said weirs and recording apparatus in proper working order to the reasonable satisfaction of the said engineer. In the event of any difference arising between the Board and the colliery companies as to the reasonableness of any requirement of the said engineer such difference shall be determined by arbitration in accordance with the provisions of this section:

- (5) For the purposes of subsections (2) and (3) of this section the number of acres of land comprised in any gathering ground to which the provisions of those subsections or either of them may apply shall be determined by agreement between the engineer of the Board and the engineer of the colliery companies or failing such agreement by arbitration in accordance with the provisions of this section: A.D. 1920.
- (6) If within a period of five years from the first day of August one thousand nine hundred and twenty the Board shall not in accordance with the section of this Act whereof the marginal note is "Provision of supplemental supply" have procured a supplemental supply of water for their area from sources outside the coalfield they shall indemnify each and every of the colliery companies from and against the annual cost reasonably incurred by them or any of them in making good any deficiency of water necessary for their colliery purposes up to a quantity equal to that which each of the colliery companies respectively would have been entitled to take from any stream upon which any intake by this Act authorised is situate or from any tributary of any such stream and are prevented from so taking by reason of the abstraction of water from the stream by the Board by means of any such intake but not exceeding in the whole the quantity so abstracted by the Board Provided that no such annual payment shall commence until after the expiration of the said period of five years and that the Board shall themselves be entitled at their option in lieu of making such payment as aforesaid to any one or more of the colliery companies to furnish to such colliery company or companies free of cost such quantity of water suitable for colliery requirements as may be required to make good the deficiency aforesaid:
- (7) The foregoing provisions of this section shall be accepted and taken by the colliery companies as full compensation for all their interest in any springs streams or waters which the Board may collect impound take use divert or appropriate for the purposes of their

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undertaking and waterworks under the powers of this Act :

- (8) Subject to the provisions of this Act and to the powers thereby conferred on the Board the present rights to which the colliery companies are respectively entitled in relation to their several collieries by virtue of leases under which such collieries are held or otherwise shall continue to have full force and effect :
- (9) Nothing in this section contained shall be deemed to limit restrict or prejudice any present right of taking water from any existing intake or source of supply which may be transferred to or acquired by the Board in pursuance of the provisions of this Act :
- (10) The provisions of section 22 of the Waterworks Clauses Act 1847 shall not apply to the working of any mines or minerals of the colliery companies or any of them under or near to any pipes or works to be laid or constructed by the Board under the powers of this Act or any Act by this Act made applicable to the Board and the colliery companies shall not be liable to make good any damage occasioned to any pipes or works so laid or constructed by the Board by the working of such mines or minerals or the withdrawal of vertical or lateral support in consequence of such working Provided that no wilful damage be done to such pipes or works and that the mines or minerals be not worked in an unusual manner or contrary to the custom of mining in the district and that no rubbish be deposited or building erected over or above any pipe of the Board and that for a reasonable distance from any reservoir filters or filter-beds of the Board no tipping of colliery rubbish be carried out :
- (11) The Board shall be at liberty by their mineral engineer at all reasonable times after giving not less than twenty-four hours' notice in writing to the colliery company concerned to inspect the working plans and if desired the underground workings of any of the

colliery companies and the colliery companies shall afford all proper facilities for such inspection: A.D. 1920.

- (12) The colliery companies will if required at the expense of the Board support by evidence the Bill referred to in the section of this Act whereof the marginal note is "Provision of supplemental supply":
- (13) Any difference arising between the Board and the colliery companies or any of them respecting any of the matters referred to in this section shall be determined by an arbitrator to be appointed failing agreement at the request of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

69. The reinstatement of any road broken up under the powers of this Act shall include the application of a sufficient layer of surface metalling of the same specification as that employed by the road authority for the particular road and where the road is ordinarily repaired by the use of a steam or other roller shall include the use of such roller on the places where the road has been broken up until the surface thereof has been made uniform with the unbroken surface adjoining.

Reinstatement of roads.

70. For the protection of the Great Western Railway Company and the Taff Vale Railway Company (hereinafter in this section respectively referred to as "the company") the following provisions shall unless otherwise agreed between the company and the Board apply and have effect (that is to say):—

For protection of Great Western and Taff Vale Railway Companies.

- (1) In constructing laying down and executing and also (except in cases of emergency) in effecting the repairs or renewals of any main pipe or other work of the Board by this Act authorised upon across over under or in any way affecting the railways or property belonging to or used or occupied by the company the same shall be done under the superintendence (if the same be given) and to the reasonable satisfaction of the engineer of the company and at such time or times as he shall reasonably approve and so as not to interfere with the structure of any such railways and except in cases of repair or

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emergency according to plans sections and particulars to be previously submitted to and reasonably approved by the said engineer. Provided that if the said engineer shall not signify his approval or disapproval of such plans sections and particulars within twenty-eight days after they shall have been submitted to him he shall be deemed to have approved thereof:

- (2) The Board shall restore and make good to the reasonable satisfaction of the said engineer the railways works and property of the company and the roads over or under any bridge or over any level crossing of the railway of the company or over the approaches to any such bridge or level crossing so far as the same may be disturbed or interfered with by or owing to any of the operations of the Board. Provided that if the company within twenty-one days after the receipt of any such plans sections and particulars as aforesaid so elect they may themselves execute all such works (other than the actual laying down of the mains and pipes) and may recover the reasonable costs of so doing from the Board (including compensation payable to any workmen or their legal representatives or dependants who may be injured or killed whilst employed by the company in and about such works):
- (3) All such works shall be constructed and maintained so as not to cause any injury or damage to the railways works and property of the company or any interruption to the passage or conduct of traffic over such railways or at any station thereon and if any such injury damage or interruption shall arise from the acts or operations of the Board or by reason of the failure of any works of the Board all such injury or damage shall forthwith be made good by the Board at their own expense and to the reasonable satisfaction of the said engineer and the Board shall make compensation to the company for and in respect thereof (including compensation payable to any workmen or their legal representatives or dependants) the amount of such compensation failing agreement to be determined by arbitration as hereinafter provided:

- (4) In the event of the Board failing to make good such injury or damage as aforesaid or failing to maintain all such works (where they pass under over or in any way affect the railways works or property of the company) in substantial repair and good order to the reasonable satisfaction in all respects of the said engineer or in case of emergency of which the said engineer shall be the sole judge the company may make good the same and make and do in and upon as well the lands of the Board as their own lands all such repairs and things as may be reasonably requisite and recover the reasonable expense thereof (including compensation payable to any workmen or their legal representatives or dependants) from the Board: A.D. 1920.
- (5) The Board shall not under the powers of this Act acquire compulsorily any lands of the company save and except that the Board may acquire and the company on being requested so to do by the Board shall sell to the Board such a right or easement as may be necessary to enable the Board to construct and maintain any works by this Act authorised over or under the railways and property of the company and the Board shall pay to the company for any right or easement which they may so require the company to sell such sum as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Acts with respect to the acquisition of lands otherwise than by agreement:
- (6) The Board shall repay to the company the reasonable expenses (including compensation payable to any workmen or their legal representatives or dependants who may be injured or killed whilst employed by the company in and about such works of the Board) of any watching or signalling which may be necessary for protecting the said railways and works and the traffic thereon with reference to and during the execution and maintenance of any works under the powers of this Act:
- (7) If the company under their existing powers at any time or times hereafter require (of which they shall

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be the sole judges) to construct any additional or other works upon their lands or railways or to extend alter or repair their railways bridges viaducts works or property upon across over or under which any of the works of the Board may have been constructed or laid under the powers of this Act the company may after giving to the Board twenty-eight days' notice in writing under the hand of their secretary or general manager or in case of emergency (of which the said engineer shall be the sole judge) after giving such notice as is possible divert support or carry the said works of the Board across over or under their lands railways bridges works or property at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be and so as not to interrupt or interfere with the supply of water in respect of such diversion supporting carrying or dealing with such works or any such interruption or interference Provided that any works executed by the company under this subsection shall be executed under the superintendence (if the same be given) and to the reasonable satisfaction of the Board:

- (8) Any additional expense which the company may reasonably and properly incur in widening altering reconstructing repairing or maintaining under their existing powers their railways bridges or works by reason of the existence of the mains pipes or other works of the Board laid or executed under the powers of this Act upon across over or under the same shall be paid by the Board:
- (9) Nothing in this section contained shall prejudice alter or affect the rights of the Great Western Railway Company under any agreement between them and any of the statutory or non-statutory companies relating to the mains pipes or other works of those companies and where the provisions of such agreement are inconsistent with the provisions of this section the provisions of the said agreement shall apply:
- (10) Except as in this section otherwise expressly provided any difference arising between the Board and the

company respecting any of the matters referred to in this section shall be referred to and determined by an arbitrator to be appointed failing agreement at the request of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

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71. For the protection of Thomas Mansel Franklen Charles Leyshon Dillwyn-Venables-Llewelyn and Alfred Douglas Miller trustees of the will of Miss Emily Charlotte Talbot deceased and their sequels in estate or other the owner or owners of the Margam Estate in the county of Glamorgan or of any lands of theirs in respect of which rights or easements in connexion with the reservoirs line or lines of pipes or other works by this Act authorised where the same are made constructed or laid in under or upon the said estate or any part thereof may be granted to the Board under the provisions of this Act (all of whom are in this section referred to as "the owner") the following provisions shall notwithstanding anything contained in this Act and unless otherwise agreed between the owner and the Board apply and have effect (that is to say):—

For protection of trustees of late Miss Talbot.

(1) If at any time after the Board commence to take water through such line or lines of pipes by this Act authorised the owner shall by notice in writing to the Board from time to time require for the supply of the estate a supply of water in bulk not exceeding a maximum of two thousand gallons a day the Board shall supply to the owner and the owner shall accept and take at a price not exceeding one shilling per one thousand gallons as may be agreed upon between the parties and in default of agreement as may be settled by arbitration such quantity of water as may have been demanded in such notice not exceeding the maximum aforesaid and such supply shall be taken at a rate not exceeding six gallons in any one minute at such point or points on the line or lines of pipes aforesaid within his estate and being not more than four in number as the owner may reasonably require:

(2) The Board shall provide and maintain to the reasonable satisfaction of the owner in a suitable meter chamber and on a convenient site to be constructed

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and maintained and provided respectively by and at the expense of the owner at each point on the line of pipes by this Act authorised at which water shall be taken by the owner under the provisions of this section a suitable meter for measuring the amount of water so taken and each such meter and any records thereof kept by the Board shall at all reasonable times be open to inspection and examination by any person authorised in writing in that behalf by the owner and such person may take copies of or extracts from any such records. The owner shall pay to the Board in respect of each meter provided by them a rent equal to that usually charged by the Board for a meter of like capacity :

- (3) The reading of every meter provided by the Board under the provisions of this section shall be taken quarterly at or near to the quarter-days in every year :
- (4) All pipes valves and other apparatus connecting the meter or meters with the line of pipes aforesaid shall be provided fixed and maintained by the Board at the cost of the owner :
- (5) The Board shall not be liable for any damage loss or expense caused by any failure in the supply of water to the owner if such failure be occasioned by frost unusual drought or any other unavoidable cause or accident or during necessary repairs :
- (6) For the purposes of the application of the Waterworks Clauses Act 1847 to and in respect of the lands of the owner or any rights or easements therein or there-over authorised to be acquired by the Board by this Act the prescribed distance referred to in section 22 of the said Act of 1847 shall be one hundred yards :
- (7) In any case in which the exercise of the power conferred on the Board of taking water out of any of the streams referred to in the section of this Act whereof the marginal note is "Power to take waters" shall result in any supply of water including pools or ponds for sheep-dipping to any of the farms belonging to the owner known as Castell Gelli Lenor Fawr and Pentre farms being lessened or affected the Board shall provide by means of cisterns troughs drinking-

places or sheep-dipping pools or ponds a supply of water as near as may be equal in quantity to that of which he or his tenants shall have been deprived or which shall have been affected and of a quality corresponding therewith or sufficient for the requirements in question And also will at all times at the expense of the owner keep and maintain the same in good repair and condition and the Board shall at their own expense make and at the expense of the owner maintain in good repair and condition all necessary and convenient conduits pipes watercourses and drains for carrying water to the cisterns troughs drinking-places pools or ponds to be so made and maintained as aforesaid:

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- (8) One month before exercising the powers conferred upon the Board by this Act of acquiring any of the lands or easements required for the purposes of the construction of the Works Nos. 46 47 and 48 the Board shall give notice in writing to the owner of their intention to do so and if within such period of one month or within such further time as may be agreed between the owner and the Board the owner shall have entered into an effective agreement with the Board for the sale to the Board of a piece of land comprising one acre and fourteen perches or thereabouts forming part and near the south-eastern corner of the inclosure numbered 131 on the $\frac{1}{2500}$ Ordnance map (1899 edition) of the parish of Tythegston Higher and abutting upon the road leading from Pyle to Aberkenfig as a site for a service reservoir in substitution for the service reservoir Work No. 47 by this Act authorised and also for the grant to the Board of all necessary easements for lines of pipes of such size as the Board may require to and from such service reservoir from and to the road leading from Pyle to Aberkenfig and the road known as Victoria Road and for a line of wash-out pipes from such service reservoir to the watercourse immediately to the north of the said inclosure then upon the vesting in the Board of such lands and easements all the powers of taking land or easements in connexion with the Works Nos. 46 47 and 48 shall cease and determine and there-

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after the land and easements so conveyed and granted may be utilised by the Board for the purpose of the construction and maintenance of the said substituted service reservoir and lines of pipes as if the same had been authorised by this Act. If any difference shall arise as to the price to be paid for the lands and easements referred to such price shall be determined in the same manner as if the same were being compulsorily acquired under the powers of this Act:

- (9) In the construction and maintenance of any aqueduct conduit line or lines of pipes or other works the Board shall first carefully remove from the surface all turf and vegetable soil on the line or site of the works and on the completion thereof or of any works in relation thereto the Board shall replace the turf and restore the surface as soon as may be to its former level and state:
- (10) The Board shall in constructing any aqueduct or laying any pipe or pipes through any land of the owner fence in all excavations from time to time made on the lands of the owner or in some other effectual manner prevent cattle sheep and other animals from falling into such excavations and the Board shall when the works are completed remove such fences and shall so far as reasonably practicable restore the surface of the ground excavated to the former level thereof and such aqueducts or line or lines of pipes shall except where otherwise shown on the deposited sections be laid underground so as to leave at least two feet six inches between the general surface of the ground and the top of the barrel of any aqueduct line or lines of pipes:
- (11) In any case in which the construction of any of the works by this Act authorised shall interfere with the existing drainage of the estate of the owner the Board shall make provisions by culverts drains or otherwise to the reasonable satisfaction of the owner for carrying such drainage round under or over the works of the Board by which such interference is caused:
- (12) All fences gates watercourses roads conveniences and other matters and things belonging to the owner which may be injured by the Board their contractors or

workmen during the construction or maintenance of the works by this Act authorised shall subject to the provisions of this section forthwith after such interference be made good by the Board: A.D. 1920.

- (13) The right of the owner and his lessees and tenants to use and cultivate any lands in respect of which the Board shall have acquired an easement for the construction and maintenance of any works of the Board except valve chambers or meter chambers by this Act authorised shall not be interfered with and it shall be lawful for the owner and his lessees and tenants to lay out construct and use along over or under such works except as aforesaid any roads drains pipes cables or other like works and the Board shall not fence off or sever any land of the owner in respect of which the Board may have acquired any easement or right for the purpose of constructing or maintaining any such work:
- (14) Except where necessary for the purpose of the construction or maintenance of any works the Board shall not cut down or interfere with any timber trees or shrubs on any of the lands of the owner and the Board shall make compensation to the owner for any loss or damage he may sustain by any such trees or shrubs being cut down or interfered with:
- (15) The Board shall not except with the consent of the owner which may be given on terms pecuniary or otherwise but shall not be unreasonably withheld erect any overhead wires for any purpose over or across any land of the owner and no barbed wire shall be used in the construction of fences or other works authorised by this Act on any such land:
- (16) The Board shall make full compensation to the owner and his lessees and tenants for any damage or reasonable expense they may incur by reason or in consequence of the leaking bursting or giving way of any works of the Board:
- (17) If any difference shall arise between the Board and the owner under this section or respecting any act or thing to be done or payment to be made or right or liability thereunder such difference shall be referred to and determined by arbitration by an arbitrator to

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be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party :

(18) The provisions of this section shall be in addition to and not in derogation from any other provisions of this Act or any Act incorporated therewith which may enure for the protection or benefit of the owner his lessees and tenants.

PART VII.

FINANCE.

Power to borrow.

72.—(1) The Board may from time to time borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the third column of the said table (namely):—

1.	2.	3.
(A) For the purchase of the respective water undertakings of the companies and for defraying the costs and expenses incident to such purchase and to the transfer of the said undertakings to the Board (other than the costs of this Act) and for the payment of any other sums payable by the Board to the companies or any of them.	The sum requisite.	Fifty years from the date or dates of borrowing.
(B) For the purchase of the respective waterworks of the constituent authorities or under the provisions of subsection (4) of the section of this Act of which the marginal note is "Transfer of waterworks of constituent authorities" and for defraying the costs and expenses incident to such purchase (other than the costs of this Act).	The sum requisite.	Thirty years from the date or dates of borrowing.
(C) For the purchase of land and for and in connexion with the construction of the works authorised by this Act.	194,837 <i>l.</i>	Sixty years from the date or dates of borrowing.
(D) For additional mains and other waterworks purposes.	160,492 <i>l.</i>	Fifty years from the date or dates of borrowing.
(E) For working capital - - - - -	3,000 <i>l.</i>	Ten years from the date or dates of borrowing.
(F) For paying any sums payable by the Board under the section of this Act of which the marginal note is "Costs of Act."	The sum requisite.	Five years from the appointed day.

(2)—(A) The Board may also with the consent of the Ministry of Health borrow such further money as may be necessary for any of the purposes of this Act. A.D. 1920.

(B) Any money borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Ministry of Health.

(3) In order to secure the repayment of the money borrowed or re-borrowed under this Act and the payment of the interest thereon the Board may mortgage or charge the revenues of the Board.

73.—(1) The Board may raise all or any moneys which they are authorised to borrow or re-borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others and for the purposes of such issue under the Local Loans Act 1875 the Board shall be deemed a local authority under that Act and the revenues of the Board shall be deemed to be the local rate as defined by the said Act. Provided that the provisions of this Act relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 of that Act. Mode of raising money.

(2) The Board shall be deemed to be an urban authority within the meaning of Part V. (Stock) of the Public Health Acts Amendment Act 1890 and to have adopted that Part of that Act. Provided that the Ministry of Health may by order make all such variations additions amendments and adaptations of all or any of the provisions contained in that Part of the said Act or in the regulations made thereunder as may be necessary to make the same applicable.

(3) All mortgages debentures annuity certificates and stock granted or issued by the Board under any statutory borrowing power shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the granting or issue of the security or on any other account whatsoever.

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Provisions of
Public
Health Act
1875 as to
mortgages to
apply.

74. The following sections of the Public Health Act 1875 with any necessary modifications shall extend and apply to mortgages granted under this Act:—

Section 236 (Form of mortgage).

Section 237 (Register of mortgages).

Section 238 (Transfer of mortgages).

Mode of
payment off
of moneys
borrowed.

75.—(1) The Board shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall subject to the provisions of subsection (2) of this section be made within one year or when the money is repaid by half-yearly instalments within six months of the date of borrowing.

(2) Notwithstanding anything contained in this Act or the Local Loans Act 1875 or in the Public Health Acts Amendment Act 1890 or in the regulations made thereunder it shall not be obligatory upon the Board to make the first payment to the sinking fund or the stock redemption fund or to pay the first instalment of principal for the repayment of money borrowed for the purpose (c) mentioned in the section of this Act whereof the marginal note is "Power to borrow" until the expiration of five years from the appointed day.

Sinking
fund.

76.—(1) If the Board determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such sinking fund shall subject to the provisions of the section of this Act whereof the marginal note is "Mode of payment off of money borrowed" be formed and maintained either—

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumu-

lations at a rate not exceeding three pounds ten shillings per centum per annum or such other rate as may be approved by the Ministry of Health will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an "accumulating sinking fund." A.D. 1920.

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Board being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Board towards the equal annual payments to the fund.

(4) The Board may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Board shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Board.

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking

A.D. 1920. fund under this Act shall be paid by the Board in addition to the payments provided for by this Act.

(7) If it appears to the Board at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Board to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Ministry of Health that any such increase is necessary the Board shall increase the payments to such extent as the Ministry of Health may direct.

(8) If the Board desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Ministry of Health be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Board may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Ministry of Health be sufficient to repay within the prescribed period the money for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Ministry of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Board may with the consent of the Ministry of Health discontinue the annual payments to such sinking fund until the Ministry of Health shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as

the Board with the consent of the Ministry of Health may determine. A.D. 1920.

77. The Board may at any time apply the whole or any part of any sinking fund as follows:—

Alternative application of sinking fund.

(1) Where the Board are authorised by any borrowing power to raise money for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power to raise the said money either wholly or partially by using for such purpose any money for the time being forming part of the sinking fund and moneys so raised shall for the purposes of this Act be deemed to be moneys borrowed under a borrowing power. Provided that when exercising this power the Board shall—

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

(B) Credit the sinking fund with the repayment of an amount of the moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amounts so credited shall be deemed to be moneys discharged by application of such sinking fund under subsection (4) of the section of this Act of which the marginal note is "Sinking fund";

(C) Debit the account of the borrowing power proposed to be exercised with an amount of the moneys equal to the sum withdrawn from the sinking fund and thereupon the borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of this Part of this Act as to repayment and re-borrowing shall apply thereto accordingly:

(2) When any of the moneys are discharged by the application of any part of the sinking fund the moneys so discharged shall be deemed to be in respect of

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such one or more of the borrowing powers under which the moneys for the repayment of which the sinking fund is established were borrowed and if in respect of more than one in such proportions as the Board shall determine. Provided that the amount of the moneys deemed to be discharged in respect of any borrowing power shall not exceed the amount of the contributions paid into the sinking fund in respect of that borrowing power and the accumulations (if any) thereon.

Protection of
lender from
inquiry.

78. A person lending money to the Board under this Act shall not be bound to inquire as to the observance by them of any of the provisions of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof.

Board not to
regard trusts.

79. The Board shall not be bound to see to the execution of any trust whether express implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of the Board shall be a sufficient discharge to the Board in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Board have had express or implied notice of any such trust or of any charge or encumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register.

Appointment
of receiver.

80.—(1) Any mortgagee of the Board by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2) The application for the appointment of a receiver shall be made to the High Court.

Power to
re-borrow.

81.—(1) The Board shall have power—

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

(B) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Board in repaying moneys previously borrowed under this Act and which at the time of such repayment it was intended to replace by borrowed moneys. A.D. 1920.

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

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

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

- (A) By instalments or annual payments; or
- (B) By means of a sinking fund; or
- (C) Out of moneys derived from the sale of land; or
- (D) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

82.—(1) The Board shall make provision for the extinction of the debenture stock of the Garw Company and of any stock or other security substituted for such debenture stock by means of a sinking fund so as to purchase and extinguish or to be in a position to purchase and extinguish the said stock or other security within a period of fifty years from the appointed day and if at the end of that period the said stock or other security is not wholly extinguished then the Board shall so long as they are liable to pay interest thereon apply in or towards payment thereof the annual income arising from the sinking fund provided under this section. Sinking fund for debenture stock of Garw Company.

(2) The foregoing provisions of this Act with reference to sinking funds shall extend and apply with any necessary modifications to the sinking fund to be provided under this section

A.D. 1920. and for the purposes thereof the prescribed period shall be the period of fifty years from the appointed day.

(3) The Board may at any time apply the whole or any part of the sinking fund to be provided under this section in or towards the purchase of the said debenture stock or any part thereof or in or towards paying off any stock or other security substituted for such debenture stock. Provided that if such fund be an accumulating sinking fund the Board shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(4)—(A) At any time before the expiration of the prescribed period the Board may borrow at interest such money as they may require for the purchase of the said debenture stock or any part thereof;

(B) The provisions of this Act with reference to the borrowing of money and the re-borrowing and repayment thereof shall extend and apply to all money borrowed under this subsection and for the purposes of those provisions the prescribed period shall be the period of fifty years from the appointed day.

Proceeds of
sale of sur-
plus lands.

83. So long as any lands remain to be acquired by the Board under the authority of this Act and the Acts or parts of Acts incorporated therewith they may so far as they consider necessary apply any capital moneys received by them on resale or exchange or by leasing in pursuance of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied and any other moneys received on capital account under this Act the Board shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Ministry of Health. Provided that—

(1) The amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by this Act for the purpose of such purchase:

- (2) The borrowing powers conferred by this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section. A.D. 1920.

84.—(1) The clerk shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised thereunder and at any other time when the Ministry of Health may require such a return to be made transmit to the Ministry a return in such form as may be prescribed by that Ministry and if required by that Ministry verified by statutory declaration of the clerk showing for the year next preceding the making of such return or for such other period as the Ministry may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Ministry of Health out of the High Court.

Return to
Ministry of
Health as to
repayment
of debt.

(2) If it appears to the Ministry of Health by that return or otherwise that the Board have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Ministry of Health in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Ministry of

A.D. 1920. Health may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Ministry of Health out of the High Court.

Application
of money
borrowed.

85. All moneys borrowed by the Board under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and (except in the case of money borrowed for working capital) to which capital is properly applicable.

Apportion-
ment of
deficiency in
net revenue
of Board.

86.—(1) Before the commencement of every financial year or half-year as they may determine or so soon thereafter as may be practicable the Board shall make or cause to be made an estimate of the probable revenue and expenditure (other than capital expenditure) which will be received and incurred respectively during the year or half-year as the case may be and if such estimate shows that there will be a deficiency in the net revenue of the Board for the year or half-year as the case may be the Board are hereby authorised and required in every case forthwith to apportion the sum required to meet such deficiency whether for satisfying past or future liabilities between the constituent authorities in proportion to the assessable value.

(2) The Board shall issue precepts to the constituent authorities for the amounts apportioned in pursuance of this section and the constituent authorities respectively shall within three months from the receipt of such precepts or by instalments of such amounts and payable within such times as may be specified in the precepts pay to the Board the amount so apportioned to them respectively.

(3) Such amounts respectively shall be paid by the Ogmere and Garw Council the Maesteg Council and the Cowbridge Corporation out of their respective district funds and general district rates which funds and rates are hereby charged with the payment of the same accordingly and by the Penybont Council and the Cowbridge Council as special expenses within the meaning of section 229 of the Public Health Act 1875 chargeable on the contributory places in their respective districts in which a supply of water is furnished by the Board and the constituent authorities respectively are hereby authorised and

required to make and levy any rate or issue any precept that may be necessary for providing the amounts payable as aforesaid. A.D. 1920.

(4) If any constituent authority fails to pay any amount so apportioned or as the case may be any instalment of such amount as may have been specified in any such precept within the time in which the same was payable the same shall be a debt due to the Board from such constituent authority and shall bear interest till payment at the rate of five per centum per annum and the Board may in addition to all other remedies proceed for recovery thereof in either of the modes following (that is to say):—

(A) The Board may sue the defaulting authority for the amount unpaid in any court of competent jurisdiction:

(B) The Board may by precept empower some officer of the Board to raise by means of a rate to be assessed upon the like property and to be made levied and collected in like manner and with the like powers and authorities as the rate out of which the amount in arrear ought to have been paid by the defaulting authority such sum to be specified in the precept as in the opinion of the Board will be sufficient to pay the amount in arrear and interest and all expenses incurred in consequence of the non-payment thereof and the expenses of levying and collecting such rate and any officer of the Board so empowered shall have the like powers of assessing making levying and collecting rates and of issuing precepts and of requiring officers of the defaulting authority to account as the defaulting authority would have under any Act or otherwise and the officer of the Board so empowered after paying all money payable under the precept shall pay any residue of the money received by him (the amount to be ascertained by the Board) to the defaulting authority.

(5) Any receiver appointed under this Act upon the application of the mortgagees of the Board shall be entitled to receive the amounts so apportioned by the Board between the constituent authorities and in case the Board at any time neglect or refuse to make such apportionment or to recover the same or any part thereof the receiver shall in every such case be

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entitled to make such apportionment and to exercise all or any of the powers by this section conferred on the Board for recovering the amounts so apportioned.

Application
of water
revenue.

87. The Board shall apply all money received by them on account of the revenue of their undertaking in manner and in the order following (that is to say):—

First In payment of the working and establishment expenses and cost of maintenance of their undertaking;

Secondly In payment of the interest on moneys borrowed by the Board for the purposes of their undertaking;

Thirdly In providing the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of their undertaking and in respect of the debenture stock of the Garw Company;

Fourthly In extending improving and constructing (if the Board think fit) any works for the purposes of their undertaking;

Fifthly In providing a reserve fund (if the Board think fit) by setting aside such money as they think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to five per centum of the aggregate capital expenditure for the time being on the undertaking of the Board which fund shall be applicable to answer any deficiency at any time happening in the income of the Board from the undertaking or to meet any extraordinary claim or demand at any time arising against the Board in respect of the undertaking or for payment of the cost of renewing improving or extending any part of the works forming part thereof and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens Provided that resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum:

And the balance remaining over shall after retention by the Board of such sum as is required for carrying on their undertaking be paid to and apportioned among the constituent

authorities in proportion to the respective assessable values of their respective constituent districts and the sums paid to the constituent authorities shall be carried by the Ogmore and Garw Council the Maesteg Council and the Cowbridge Corporation to the credit of their respective district funds and general district rates and by the Penybont Council and the Cowbridge Council to the credit of the respective funds raised for the purposes of special expenses. A.D. 1920.

88. All expenses incurred by the Board in carrying into execution the provisions of this Act except such of those expenses as are to be paid out of borrowed moneys or are otherwise provided for may be paid out of the revenues of the Board. Expenses of execution of Act.

89. The Board may pay any reasonable expenses incurred by reason of the attendance of members of the Board at conferences or meetings which they shall attend outside the district of the constituent authority by whom they are appointed. Power to apply funds for certain purposes.

90. The provisions of section 58 of the Local Government Act 1894 shall apply to the accounts of the Board and of their committees and officers and to the audit thereof and the accounts of the Board shall be made up yearly to the thirty-first day of March in each year. Audit.

PART VIII.

MISCELLANEOUS.

91.—(1) The Board shall for the purposes of their powers and duties under this Act or otherwise with respect to the supply of water within the limits of supply have power— Subsidiary powers of Board.

(A) To acquire hire erect and furnish such buildings and offices as they may require; and

(B) To purchase water in bulk:

And for the purpose of taking any supply of water purchased in bulk the Board may have and be entitled to exercise and enjoy outside the limits of supply all the rights powers and authorities conferred by the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and the said provisions shall apply to so much of any street or road outside the limits of supply as

A.D. 1920. the Board shall require to break up for the purposes aforesaid as if the same were streets or roads within such limits.

(2) The Board shall also have power to promote or oppose any Bill in Parliament or oppose any Provisional Order and to prosecute or defend legal proceedings.

(3) The Board may pay the costs and expenses of and incidental to the promotion of or opposition to any such Bill in Parliament or the opposition to any such Provisional Order as taxed by the taxing officer of the House of Lords or of the House of Commons out of their revenues as part of their working expenses Provided that—

(A) No expenses in relation to the promotion of any such Bill shall be paid as aforesaid unless incurred in pursuance of a resolution passed at a meeting of the Board by an absolute majority of the whole number of the Board after ten clear days' notice by public advertisement of such meeting and of the purposes thereof in two newspapers circulating in the districts of the constituent authorities such notice to be in addition to the ordinary notices required for summoning such meeting:

(B) No further expenses shall be incurred or paid as aforesaid after the deposit of the Bill unless the propriety of the promotion of the Bill shall be confirmed by such absolute majority at a further meeting of the Board to be held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill in Parliament and shall have received the approval of the Ministry of Health.

As to collection of rates &c.

92. The Board and each of the constituent authorities may enter into and carry into effect agreements with respect to the collection by such authority of the rates and charges which the Board are authorised to levy and take for and in connexion with the supply of water within the district of such authority.

Confirmation of byelaws.

93. The provisions of sections 182 to 186 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Board under the powers of this Act.

Extension of sections 176 and 303 of

94.—(1) Section 176 (Regulations as to purchase of land) and section 303 (Power to repeal and alter local Acts) of the

Public Health Act 1875 shall extend and apply to and the powers thereof may be exercised by the Board as if they were a local authority within the meaning of those sections and the limits of supply were their district and on the petition or application of the Board the Ministry of Health may make such orders as they are by those sections empowered to make on the petition or application of a local authority.

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Public
Health Act
1875 to
Board.

(2) The provisions of this section shall be in addition to and not in derogation of any other powers conferred by this Act.

95. Section 259 (Appearance of local authorities in legal proceedings) and section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 are hereby incorporated with this Act and shall extend and apply to the Board and the members officers and clerk of the Board as if the Board were a local authority within the meaning of such sections respectively and the purposes of this Act were purposes of the Public Health Act 1875.

Incorporation of
sections 259
and 265 of
Public
Health Act
1875.

96.—(1) The Ministry of Health may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Ministry of Health shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the Ministry of Health under the Public Health Act 1875.

Inquiries by
Ministry of
Health.

(2) The Board shall pay to the Ministry of Health any expenses incurred by the Ministry of Health in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the Ministry of Health not exceeding three guineas a day for the services of such inspector.

97. The Board shall be deemed to be a local authority within the meaning of the Local Taxation Returns Acts 1860 and 1877:

Local taxation
returns.

98. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Judges not
disqualified.

99. Any summons or warrant issued for any of the purposes of this Act may contain in the body thereof or in a schedule thereto several sums due from the same individual.

Several sums
in one
summons or
warrant.

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Recovery of penalties &c.

100. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner. Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

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

Application of penalties.

102. All penalties recovered under this Act or under any byelaw thereunder shall except in the case of penalties recovered against the Board be paid to the treasurer of the Board and be by him carried to the credit of the revenue of the undertaking.

Authentication and service of notices &c.

103.—(1) Where any notice or demand under this Act requires authentication by the Board the signature of the clerk or other duly authorised officer of the Board shall be sufficient authentication.

(2) Notices demands orders precepts and other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served. Provided that in the case of any company any such notice demand order precept or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Saving rights of Duchy of Lancaster.

104.—(1) Nothing contained in this Act shall extend or operate to authorise the company to take use enter upon or in any manner interfere with any land soil water or hereditaments or any land parcel of any manor or any manorial rights or any other rights of whatsoever description belonging to His Majesty in right of His Duchy of Lancaster without the consent in writing of the chancellor for the time being of the said duchy first had and obtained (which consent the said chancellor is hereby authorised to give) or take away prejudice or diminish

any estate right privilege power or authority vested in or enjoyed or exerciseable by His Majesty His heirs or successors in right of His said duchy. A.D. 1920.

(2) For the purposes of the application of the Waterworks Clauses Act 1847 the prescribed distance referred to in section 22 of that Act shall in respect of the mines and minerals belonging to His Majesty in right of His said duchy be one hundred yards.

105. All costs charges and expenses incurred by the county council and the constituent authorities of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto as taxed by the taxing officer of the House of Lords or the House of Commons shall in the first instance be paid by the county council but the amount so paid shall be repaid to the county council by the Board out of the moneys to be borrowed by them under the powers of this Act. Costs of Act.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

**CONSTITUTION AND PROCEEDINGS OF THE MID-GLAMORGAN
WATER BOARD.****PART I.****PROVISIONS AS TO APPOINTMENT AND QUALIFICATION OF MEMBERS
TENURE OF OFFICE CASUAL VACANCIES &C.**

(1) The first appointment of members of the Board by each constituent authority shall take place at a meeting of the constituent authority to be held within three months after the passing of this Act or within such further time as the Ministry of Health shall allow and the members so appointed shall subject to the provisions of this Act continue in office for such period not being less than one year as the constituent authority by whom they are appointed shall determine but not beyond the first day in the month of May nineteen hundred and twenty-three.

(2) Each constituent authority shall at their annual meeting in any year appoint such members as may be necessary in order to bring the number of members appointed by them up to the number of members of the Board whom they are by this Act authorised to appoint to hold office for such period not being less than one year nor more than three years as they may determine.

(3) If any constituent authority fail to appoint first members of the Board or to fill any vacancy as by this Act provided it shall be competent nevertheless for the other members of the Board to carry this Act into execution and if any constituent authority fail subsequently to appoint members of the Board at the proper time for their appointment the then existing members of the Board representing such authority and qualified to be members of the Board shall continue in office till their successors are appointed.

(4) A person shall not be qualified to be a member of the Board unless he is a member of the constituent authority by which he is appointed.

(5) A person who is a member of two or more constituent authorities shall not be qualified to represent more than one of them and if the same person shall be appointed a member of the Board by more than one constituent authority he shall choose under which appointment he will serve and the other appointment shall be deemed void.

(6) If a member of the Board ceases to be a member of the constituent authority by whom he has been appointed or becomes disqualified he shall cease to be a member of the Board.

(7) A person shall be disqualified for being appointed or being a member of the Board if he—

- (A) Holds any paid office under the Board save as permitted by this Act; or
- (B) Is concerned in any bargain or contract entered into with the Board or participates in the profit of any such bargain or contract or of any work done under the authority of the Board:

Provided that a person shall not be disqualified for being appointed or being a member of the Board by reason of being interested—

- (A) In the sale or lease of any lands or in any loan of money to the Board or in any contract with the Board for the supply from land of which he is owner or occupier of water or materials for work done by or under the authority of the Board; or
- (B) In any newspaper in which any advertisement relating to the affairs of the Board is inserted; or
- (C) In any bargain or contract with the Board as a shareholder in any company;

but he shall not vote at any meeting of the Board on any question in which he is so interested.

(8) Whenever an appointment of a member of the Board has been made the clerk to the constituent authority by whom the appointment was made shall by writing under his hand certify the appointment to the Board and shall forthwith transmit the certificate to the clerk to the Board. Provided that in the case of the first appointment the clerk of each constituent authority shall return the names of the members appointed by his authority to the clerks of each of the other constituent authorities.

(9) A member of the Board may resign his office by notifying in writing his intention so to do to the chairman or clerk of the Board.

(10) If any member of the Board dies or resigns or is disqualified or ceases to be a member of the Board the constituent authority by whom he was appointed may at any time after the happening of such vacancy appoint another person to be a member of the Board in his place who shall continue in office only so long as the person in whose place he is appointed would have been entitled to continue in office.

(11) Subject to the provisions of this Act the term of office of chairman and vice-chairman shall be one year.

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(12) A chairman or vice-chairman may if otherwise qualified be reappointed and shall continue in office until his successor is appointed unless he dies or resigns or becomes disqualified or ceases to be a member of the Board before the appointment of his successor.

(13) On a casual vacancy occurring in the office of chairman or vice-chairman by reason of death resignation disqualification or otherwise another member shall be appointed in his place to hold office until the time when the person in whose place he is appointed would regularly have gone out of office.

(14) If any member is absent from meetings of the Board for more than six months consecutively except for some reason approved by the Board he shall on the expiration of that period vacate his office.

(15) Where any member becomes disqualified for holding office or vacates his office from absence or otherwise the Board shall forthwith declare the office to be vacant and shall notify the fact to the constituent authority by whom he was appointed in such manner as the Board think fit.

PART II.

PROVISIONS AS TO MEETINGS AND PROCEEDINGS.

(1) The Board shall hold their first meeting at such place and on such day and at such time as may be agreed between the constituent authorities or as failing such agreement shall be appointed for the purpose by the Ministry of Health and subsequent meetings of the Board (including their annual meetings) shall be held at such places on such days and at such times as the Board may from time to time appoint provided that the Board shall hold their annual meeting within fourteen days after the thirtieth day of April in every year.

(2) The chairman or any six or more members of the Board may at any time by writing addressed and sent to the clerk of the Board require a special meeting to be convened and the clerk shall convene a meeting accordingly.

(3) The first meeting of the Board shall be convened by the clerk of the Ogmore and Garw Urban District Council and every subsequent meeting shall be convened by the clerk of the Board and every meeting shall be convened by circular delivered to each member of the Board or sent by post to or delivered at his residence two clear days at least before the day of the meeting.

(4) To constitute a meeting of the Board there must be present not less than one-third of the members of the Board.

(5) At their first meeting and subsequently at their annual meeting in each succeeding year the Board shall appoint a chairman and a vice-chairman for the ensuing year.

(6)—(A) At every meeting the chairman of the Board shall preside but if he is not present at the time appointed for the meeting the vice-chairman if present shall preside and if neither the chairman nor vice-chairman are present the members then present shall choose one of their number to preside at that meeting.

(B) Every question at a meeting of the Board shall be decided by a majority of the votes of the members present and voting on that question and in the case of an equality of votes the person presiding at the meeting shall have a second or casting vote. Provided always that if at any meeting neither the chairman or vice-chairman be present and there be an equality of votes in choosing the member to preside at such meeting it shall be decided by lot which of the members having an equal number of votes shall so preside.

(7) Minutes of the proceedings of every meeting shall be drawn up and fairly entered in a book kept for that purpose or printed and kept in the form of a book and copies or prints of such minutes shall after each meeting be forwarded by the clerk to the Board to the clerk to each constituent authority and the minutes shall be signed by the chairman or other member presiding at the next ensuing meeting.

(8)—(A) A minute of the proceedings of the Board or of a committee of the Board signed at the same or the next ensuing meeting by a member of the Board describing himself as or appearing to be chairman of the meeting at which the minute is signed shall be received in evidence without further proof.

(B) Until the contrary is proved every meeting whereof a minute has been so made shall be deemed to have been duly convened and held and all the members of the meeting shall be deemed to have been duly qualified and where the proceedings are proceedings of a committee the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

PART III.

GENERAL.

(1) Subject to the provisions of this Act the Board may make standing orders for the regulation of their proceedings.

(2) The Board may appoint out of their own body such and so many committees either of a general or special nature consisting of such number of persons as they think fit for any purposes which in the opinion of the Board would be better regulated and managed by means of committees and may delegate with or without any restrictions or conditions as they may think fit any of their powers or duties (except any power of raising money and except any power of fixing

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or varying the charges to be made for the supply of water by the Board) to any committee of the Board so appointed. The provisions of section 82 of the Local Government Act 1888 with respect to proceedings of committees of county councils shall apply to committees of the Board as if they were committees of a county council.

(3) The Board may appoint and may remunerate a clerk deputy clerk manager engineer treasurer accountant and such other officers clerks and servants as they from time to time think requisite and all officers clerks and servants so appointed shall be removable by the Board at their pleasure. No member of the Board or of any of the constituent authorities shall be an officer of the Board but the same person may be and continue an officer of the Board and of a constituent authority. All acts and things required or authorised to be done by the clerk may (subject to any restrictions imposed by the Board) be done by the deputy clerk and a deputy clerk may act notwithstanding a vacancy in the office of clerk.

(4) No act or proceeding of the Board shall be questioned on account of any vacancy in their body or on account of any defect in the appointment of any member of the Board.

THE SECOND SCHEDULE.

Stamp.



Ten
shillings.

THIS AGREEMENT made the twenty-first day of July one thousand nine hundred and twenty between the GARW WATER COMPANY (hereinafter called "the company") of the one part and the COUNTY COUNCIL FOR THE ADMINISTRATIVE COUNTY OF GLAMORGAN for and on behalf of the promoters of the Mid-Glamorgan Water Bill 1920 (hereinafter called "the promoters") of the other part.

WHEREAS the company was incorporated by the Garw Water Act 1889 :

And whereas a Bill (hereinafter referred to as "the Bill") is being promoted in the present session of Parliament to be entitled when and if passed the Mid-Glamorgan Water Act 1920 for the purpose of establishing a Board to be called The Mid-Glamorgan Water Board (hereinafter called "the Board") and of empowering the Board amongst other things to acquire by purchase and manage and carry on the several water undertakings mentioned in the Bill and to supply water within the limits in the Bill set forth :

And whereas the water undertaking of the company (as defined in the Bill) is one of the undertakings so to be acquired by the Board :

And whereas by the Bill it is provided that on the first day of January one thousand nine hundred and twenty-one or such earlier or

later day as the Ministry of Health may appoint (which day is in the Bill and hereinafter referred to as "the appointed day") the water undertaking of the company shall by virtue of the Act become and shall thenceforth be transferred to and vested in the Board free from all charges debts and liabilities other than mortgages and debenture debts and debenture stock affecting the same:

And whereas the company has issued four per centum debenture stock to an amount of £3,750 and has also issued a mortgage dated the sixteenth day of September one thousand nine hundred and eleven to secure the sum of £2,500 and interest thereon at the rate of £4 5s. 0d. per centum per annum the said principal sum of £2,500 to be repaid at the end of five years from the said sixteenth day of September one thousand nine hundred and eleven or at such time thereafter as notice should be given in accordance with the fifty-first section of the Companies Clauses Consolidation Act 1845:

Now it is hereby agreed as follows:—

1. On the appointed day the water undertaking of the company shall be transferred to and vested in the Board free from all charges debts and liabilities (other than the said debenture stock and subject as hereinafter provided the said mortgage) affecting the same and as from the appointed day the Board shall take over and assume the liability of the said debenture stock and subject as hereinafter provided the said mortgage of the company and the company shall be liable for and discharge all such other charges debts and liabilities in accordance with the provisions in that behalf contained in the Bill.

2. The price to be paid by the Board to the company as consideration for the transfer of the water undertaking of the company shall be the sum of £44,850 and such further sum as shall be the amount of any capital expenditure made with the consent of the said county council after the twenty-first day of April one thousand nine hundred and twenty and before the appointed day but after the date of this agreement no expenditure on capital account shall be incurred by the company nor shall they enter into any contract or undertaking to do any act other than such as may be necessary to be made or done in the ordinary carrying on of their business without the previous consent in writing of the said county council but subject as aforesaid the company shall up to the appointed day duly carry on and manage their undertaking and the supply of water according to their ordinary course of business. Provided always that in the event of the company having repaid the said mortgage of the sixteenth day of September one thousand nine hundred and eleven before the appointed day the sum of £2,500 secured by the said mortgage shall be added to and form part of the said purchase price and shall be paid by the Board to the company accordingly and the water undertaking of the company

A.D. 1920. shall be transferred to and vested in the Board free from the said mortgage.

3. Unless the company otherwise agree the said purchase price shall be paid by the Board to the company in cash on the appointed day.

4. If from any cause whatever other than the wilful default of the company all or any part of the said purchase price shall not be paid to the company on the appointed day the Board shall pay to the company interest at the rate of seven pounds per centum per annum on the moneys so remaining unpaid from that day until payment thereof.

5. The title of the company to the lands easements rights and other property to be transferred to the Board shall in all cases commence with the conveyance or other assurance to the company.

6. This agreement shall be subject to the sanction of Parliament and shall be scheduled to the Bill and thereby confirmed and made binding on the parties hereto and the Board and any other parties affected thereby and is made subject to such alteration as Parliament may think fit to make herein but if any material alteration be made by Parliament in this agreement it shall be competent for either party hereto by notice in writing to that effect given to the other party to withdraw this agreement from the said Bill and the same shall thereupon be absolutely determined and neither party shall make any claim against the other in respect of any matter or thing herein contained.

7. If the Bill be not passed into law in the present session of Parliament this agreement and everything herein contained shall be void and of no effect.

In witness whereof the parties have hereunto affixed their respective common seals the day and year first above written.

The common seal of the Garw Water Company was }
hereunto affixed in the presence of

L.S.

MORGAN MORGAN Secretary.

The seal of the Glamorgan County Council was }
hereto affixed in the presence of

L.S.

E. DAVIES

A Member of the County Council.

W. E. R. ALLEN

Deputy Clerk of the County Council.

THE THIRD SCHEDULE.

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PROVISIONS AS TO DISTRIBUTION OF CONSIDERATION MONEY AND
DISSOLUTION OF COMPANIES.

IN Part I. and Part II. of this schedule "the company" includes the Garw Water Company the Ogmores Valley Water Company Limited and the Southerndown Water Company Limited.

PART I.

(1) From and after the appointed day the company shall continue to exist only for the purpose of paying their debts and liabilities and of receiving and recovering the consideration money or stock to which they respectively become entitled under this Act and of distributing the consideration money or stock and any dividends or other moneys to be distributed by them and for winding up their affairs and carrying into effect the purposes of this Act so far as they relate to the company and the directors of the company who are in office at the appointed day and the survivors and survivor of them shall continue without re-election to hold office as directors and they or a majority of them shall have full power and authority to take all necessary proceedings for carrying into effect the provisions of this schedule relating to the company.

(2) As soon as may be after the appointed day the directors of the company shall proceed to wind up the affairs of the company and after payment of the debts and liabilities of the company shall pay and distribute the net consideration moneys or stock to and among the several persons who at the appointed day are the registered shareholders of the company or their respective ~~administrators~~ administrators and assigns in accordance with ~~the~~ scheme hereinafter in this schedule referred to.

(3) Each of the companies the Ogmores Valley Water Company Limited and the Southerndown Water Company Limited shall on filing with the Registrar of Joint Stock Companies a statutory declaration made by three or more directors that all the provisions of this schedule have been complied with be dissolved and the Garw Company shall on publication in a local newspaper circulating in their district of a notice signed by three or more directors and certifying that all the provisions of this schedule have been complied with be dissolved There shall be paid to the registrar for the filing of each statutory declaration the like fee as is payable under the section of this Act of which the marginal note is "Copies of Act to be registered."

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PART II.

(1) The directors of the company shall as soon as possible after the amount of consideration money or stock to which the company becomes entitled under this Act is ascertained prepare a scheme or schemes for the distribution of the net amount to be distributed by them among the shareholders entitled thereto and in case of the withdrawal or rejection of any such scheme they may prepare other or modified schemes in lieu thereof and the following provisions shall have effect:—

The directors shall send a copy of the scheme to all the shareholders of the company at their registered addresses together with a notice summoning a meeting of the shareholders to consider the scheme at a place and time to be named in the notice being no sooner than seven days nor later than fourteen days after circulation of the scheme:

The scheme shall be submitted to the said meeting and if one-fourth in number of the shareholders present thereat shall object thereto and shall insist on such objection the scheme and such objection thereto shall be referred to the arbitrament of one of His Majesty's Counsel to be appointed by the Attorney-General on the application of either of the parties who shall have power to settle the scheme.

(2) If no such objection be insisted on the scheme as submitted to the meeting and otherwise the scheme so settled shall be binding on all parties unless the scheme be at variance with the provisions of this Act or of this schedule.

(3) Any such scheme shall provide for the payment and discharge of any liability in respect of the water undertaking of the company which is ~~not taken~~ over by the Board and may provide for the payment of any sum in consideration of loss of office or in recognition of any special services rendered to the company.

(4) In case the directors of the company are for six months after the appointed day unable after diligent inquiry to ascertain the person to whom any money ought to be paid or stock issued or who can give an effectual receipt for the same they may pay or deposit into the High Court under any Act for the time being in force for the relief of trustees and every such payment or deposit shall effectually discharge the company and the directors thereof from all further liability with respect to such money or stock.

(5) If any money or stock is payable or issuable to any shareholder of the company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the company and the directors for the same.

(6) After the appointed day the company shall have access at all reasonable times to their respective books documents and accounts for the purpose of making up the accounts of the company and for all other reasonable purposes in relation to the execution and the provisions of this Act. A.D. 1920.

PART III.

As soon as may be after the receipt of any consideration money to which the Bridgend (Glamorganshire) Gas and Water Company may become entitled under this Act the same shall be applied in such manner for the purposes of the Bridgend (Glamorganshire) Gas and Water Act 1869 as the directors of that company or a majority of them may determine.

 THE FOURTH SCHEDULE.

ENACTMENTS SAVED FROM REPEAL.

THE GARW WATER ACT 1889.

[NOTE.—*The existing works of the Garw Water Company which that company have constructed or may maintain under the provisions of section 32 of the Garw Water Act 1889 and which are referred to in the sections of that Act set out in this schedule are the works indicated in the said section by the marginal numbers 1 to 12 (both inclusive) and 15 to 20 (both inclusive).*]

33. —(1) It shall not be lawful for the Company to abstract take divert appropriate or use more than one half of the waters from time to time flowing down or from any of the streams or springs which may be intercepted or otherwise taken by such of the several works described in the last preceding section hereof as are indicated therein by the marginal numbers 1 to 16 (both inclusive). Limiting quantity of water to be taken from certain streams and springs.

(2) Before the Company commence to take water from any stream or spring the water of which may be intercepted or taken by the last-mentioned works or any of them they shall erect or place at the point of abstraction a weir or other suitable work so constructed as to permit not less than one half of the water of the said stream or spring at the point of abstraction at all times to flow and pass away down the stream and to prevent the Company from abstracting taking diverting appropriating or using more than one half of the water of the said stream or spring at the said point of abstraction.

(3) Every such weir or other work as aforesaid shall at all times be open to the examination of the owners and occupiers of the collieries mines mills and works interested in the waters of the said streams and springs respectively.

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(4) The Company shall maintain the said weirs or other works in good condition and repair and if and whenever any of the said weirs or other works shall be out of repair or not in good working order and condition the Company shall forthwith repair and make good the same.

(5) In case of any act neglect or default of the Company in consequence of which a less quantity than one half of the water of the said streams or springs or any of them shall fail so to flow or pass away down the stream as aforesaid the Company shall for every day on which such failure shall occur forfeit and pay to the owner or occupier of each of the several collieries mines mills and works aforesaid who shall sue for the same in any court of competent jurisdiction within one month after such failure shall have occurred a penalty not exceeding ten pounds.

For the protection of the Earl of Dunraven.

34. For the protection of the Right Honourable Windham Thomas Earl of Dunraven and Mount-Earl and his successors in estate (hereinafter called "the owner") the following provisions shall unless otherwise agreed between the Company and the owner have effect (that is to say):—

(1) Notwithstanding anything in this Act contained the Company shall not without the consent of the owner first obtained in writing use any of the water which they are by this Act empowered to abstract or intercept or otherwise take by means of the works referred to in subsection (1) of the last preceding section for the supply of mills manufactories ~~collieries steam engines breweries and works~~ (other than the collieries and works to which the Company are by this Act specially bound to afford a supply of water):

* * * * *

(2) If the Company abstract or take any water from the springs known as the Nant Lechydd (otherwise Dimbath) and Ffasg Springs the provisions of the last preceding section of this Act shall if so required in writing by the owner extend and be applicable to those springs and to the Nant-y-ci Spring and to the weirs and other works by means of which the waters of those springs will be taken or intercepted in addition to the springs and streams referred to in that section:

(3) If by reason of the exercise of the powers by this Act conferred on the Company the quantity of water flowing down the stream called the River Garw shall be so diminished as to become insufficient to furnish the necessary quantity of water required for the purposes of or connected with the winning working and raising (according to the custom of

Glamorganshire) of coals and minerals otherwise than by hydraulic power at from or through any collieries or works whether opened or worked before or at any time after the passing of this Act belonging to the owner and situate in the Garw Valley the Company shall from time to time and so long as the deficiency shall continue make up such quantity of water in the following manner (that is to say) The Company shall at their own option either deliver into such stream above the point or points at which any such collieries or works may require to take their supply of water therefrom and cause to flow down the same in a regular equal constant and continuous flow an additional quantity of water which when added to the flow of the stream will be sufficient for the aforesaid purposes or lay the necessary pipes to convey and shall deliver through the same at such collieries or works daily free of charge a quantity of water sufficient for such purposes and the owner and the lessees and occupiers of his collieries and works hereinbefore referred to shall as far as they lawfully can afford the Company all necessary rights powers and facilities for laying and maintaining such pipes through in or upon any lands held leased or occupied by such owner lessees and occupiers respectively.

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35. If by reason of the exercise of the powers by this Act conferred on the Company the quantity of water flowing down the stream called the River Garw shall be so diminished as to become insufficient to furnish the necessary quantity of water required for the purposes of or connected with the winning working and raising (according to the custom of Glamorganshire) of coal and minerals otherwise than by hydraulic power at from or through any collieries or works of the International Steam Coal Company Limited their successors or assigns or other lessees or occupiers for the time being of the minerals under Pwll Carn Estate and other properties worked in connection therewith the pits for which shall be on Pwll Carn the Company shall from time to time and so long as the deficiency shall continue make up such quantity of water in manner following (that is to say) The Company shall at their own option either deliver into such stream above the point or points at which any such collieries or works may require to take their supply of water therefrom and cause to flow down the same in a regular equal constant and continuous flow an additional quantity of water which when added to the flow of the stream will be sufficient for the aforesaid purposes or lay the necessary pipes to convey and shall deliver through the same at such collieries or works daily free of charge a quantity of water sufficient for such purposes and the lessees and occupiers of the collieries and works before referred to

For the protection of the International Colliery.

A.D. 1920. shall as far as they lawfully can afford the Company all necessary rights powers and facilities for laying and maintaining such pipes through in or upon any lands held leased or occupied by such lessees and occupiers respectively.

For the
protection of
John Blandy
Jenkins.

36. If by reason of the exercise of the powers by this Act conferred on the Company the quantity of water flowing down the Nant-y-ci stream shall be so diminished as to become insufficient to furnish the necessary quantity of water required for the purposes of or connected with the winning working and raising (according to the custom of Glamorganshire) of coal and minerals otherwise than by hydraulic power at from or through any collieries or works which now are or may be on the property of John Blandy Jenkins in the Ogmere Valley adjoining that stream or below the junction of that stream with the River Ogmere the Company shall from time to time and so long as the deficiency shall continue make up such quantity of water in manner provided in the last preceding section of this Act and for that purpose the said John Blandy Jenkins and his successors in estate and the lessees and occupiers of the last-mentioned collieries and works shall as far as they lawfully can afford the Company all necessary rights powers and facilities for laying and maintaining pipes through in or upon any lands held leased or occupied by them respectively.

For the
protection of
North's
Navigation
Collieries.

37. If by reason of the exercise of the powers by this Act conferred on the Company the quantity of water flowing down the stream called the River Garw shall be so diminished as to become insufficient to furnish the necessary quantity of water required for the purposes of or connected with the winning working and raising (according to the custom of Glamorganshire) of coal and minerals otherwise than by hydraulic power at from or through any collieries or works of North's Navigation Collieries (1889) Limited their successors or assigns or sub-lessees at which collieries or works the said water now is or may be lawfully used the Company shall from time to time and so long as the deficiency shall continue make up such quantity of water in manner prescribed by the preceding section of this Act whereof the marginal note is "For the protection of the International Colliery" and for that purpose the said North's Navigation Collieries (1889) Limited and their successors or assigns and sub-lessees shall as far as they lawfully can afford the Company all necessary rights powers and facilities for laying and maintaining pipes through in or upon any lands held leased or occupied by them respectively and save as by this Act expressly provided nothing in this Act contained shall take away prejudice or diminish any estate right or power vested in or exerciseable by the said North's Navigation Collieries (1889) Limited their successors or assigns or any of their sub-lessees.

38. If by reason of the exercise of the powers by this Act conferred on the Company the quantity of water flowing down the streams called the River Garw and the Garw Fechan or either of them shall be so diminished as to become insufficient to furnish the necessary quantity of water required for the purposes of or connected with the winning working and raising (according to the custom of Glamorganshire) of coal and minerals otherwise than by hydraulic power at from or through any colliery or works belonging to the owners of the Braich-y-Cymmer estate situate on that estate their lessees successors or assigns at which colliery or works the said water now is or may be lawfully used the Company shall from time to time and so long as the deficiency shall continue make up such quantity of water in manner prescribed by the preceding section of this Act whereof the marginal note is "For the protection of the International Colliery" and for that purpose the said owners their lessees successors or assigns shall as far as they lawfully can afford the Company all necessary rights powers and facilities for laying and maintaining pipes through in or upon any lands held leased or occupied by them respectively.

A.D. 1920.

For the protection of Braich-y-Cymmer Collieries.


79. Nothing contained in this Act shall extend or operate to authorise the Company to take use enter upon or in any manner interfere with any land soil water or hereditaments or any land parcel of any manor or any manorial rights or any other rights of whatsoever description belonging to Her Majesty in right of Her Duchy of Lancaster without the consent in writing of the chancellor for the time being of the said duchy first had and obtained (which consent the said chancellor is hereby authorised to give) or take away prejudice or diminish any estate right privilege power or authority vested in or enjoyed or exerciseable by Her Majesty Her heirs or successors in right of Her said duchy.

Saving rights of the Duchy of Lancaster.

THE FIFTH SCHEDULE.

AN AGREEMENT made the thirteenth day of July one thousand nine hundred and twenty between the COUNTY COUNCIL OF GLAMORGAN for and on behalf of the promoters of the Mid-Glamorgan Water Bill (hereinafter called "the promoters") of the one part and the BRIDGEND (GLAMORGANSHIRE) GAS AND WATER COMPANY (hereinafter called "the company") of the other part.

Stamp.



Ten
Shillings.

WHEREAS the company were incorporated by the Bridgend (Glamorganshire) Gas and Water Act 1869 and are possessed of an undertaking for the supply of gas and water to and within the areas of supply set forth in such Act:

A.D. 1920.

And whereas a Bill is being promoted in Parliament in the present session under the name or title of "The Mid-Glamorgan Water Bill" (hereinafter referred to as "the said pending Bill") for an Act to constitute a Water Board for Mid-Glamorgan (hereinafter called "the Board") and to empower the Board (inter alia) compulsorily to acquire a certain portion of the water undertaking of the company:

And whereas the company presented a petition to the House of Commons praying to be heard in opposition to the said pending Bill but agreed to withdraw the petition upon the said pending Bill being amended to the satisfaction of the company and upon such agreement being entered into as is hereinafter contained:

Now these presents witness that it is hereby agreed between the parties hereto as follows:—

1. Subject to the sanction of Parliament being obtained as hereinafter provided the company shall sell and the Board shall purchase as a going concern the whole of the water undertaking of the company free from encumbrances and from all debts and liabilities of the company The said water undertaking of the company shall include—

(i) All the waterworks reservoirs streams springs waters water supplies sources of supply mains pipes apparatus machinery plant fixed and movable and other works and conveniences with all the lands and buildings estates rights interests easements privileges securities stores choses in action books writings chattels and effects and other real and personal estates property assets and effects vested in or belonging to or had or enjoyed by the company on the day of transfer (as hereinafter defined) exclusively for the purposes of or in respect of their undertaking for the supply of water:

(ii) The benefit of all agreements as to or concerning the sale or supply of water by or to the company existing on the day of transfer and all claims and demands powers and authorities whatsoever of or to which the company on the day of transfer are seised or possessed or in anywise entitled at law or in equity in respect of their water undertaking with the appurtenances and the profits of their water undertaking on and from the day of transfer and all moneys of the company except only such sums of money as may be due to the company in respect of such water rates or water rents or other debts owing to or accruing due to them and recoverable by the company on revenue account prior to the day of transfer and where necessary for the purpose of giving effect to this article all revenue received

by or due to the company in advance and all outgoings parochial rates rents and taxes shall be apportioned between the company and the Board. A.D. 1920.

2. The day of transfer shall be the quarter day next following the day three months after the day upon which the Bill referred to in clause 9 hereof shall receive the Royal Assent or such earlier day as may be agreed upon between the Board and the company and the company shall (save as hereinafter mentioned) carry on their business as heretofore until the day of transfer at their own risk and for their own profit.

3. The company shall pay or remain responsible for all the debts and liabilities of or attaching to their water undertaking up to the day of transfer including such mortgage debentures or debenture stock as shall be owing by the company on the day of transfer and shall indemnify the Board against all such mortgage debentures and debenture stock and all interest thereon and all other debts and liabilities of the company and against all claims and demands in respect thereof.

4. The consideration for the sale shall be the payment by the Board to the company on the day of transfer of the sum of £30,000 in cash and upon payment thereof the sale hereby agreed upon shall be completed and the said undertaking shall be conveyed and transferred to the Board. The title of the company shall commence with the several conveyances or other assurances to them.

5. If at the day of transfer the company are possessed of or entitled to any plans documents properties or effects which relate partly but not exclusively to their undertaking for the supply of water the Board shall be entitled without further payment to the full benefit thereof so far as they relate to the said undertaking and the company shall at all times afford to the Board full liberty of access thereto and shall at the cost of the Board supply to the Board such copies as the Board may require of any such plans or documents.

6. The company shall duly maintain and manage their water undertaking until the day of transfer and shall keep and on the day of transfer deliver up the same to the Board in fair working order as a going concern but shall not without the consent of the county council under the hand of their clerk before the first meeting of the Board and thereafter without the consent of the Board under the hand of their clerk make or enter into any contract agreement or obligation in respect thereof which shall extend beyond the day of transfer. If after the date of this agreement the company shall with such consent as aforesaid incur any capital expenditure on new works for the

A.D. 1920. purposes of the said undertaking the Board shall on the day of transfer repay to the company the amount of such capital expenditure with interest thereon at such rate as the company shall have been obliged to pay in respect of any bank overdraft by means whereof such capital expenditure shall have been provided or if the same shall not have been provided by means of a bank overdraft then with interest at six per centum per annum from the date at which such expenditure was paid.

7. If from any cause other than the wilful default of the company the transfer is not completed on the day of transfer the Board shall pay to the company interest at the rate of six per centum per annum on the said sum of £30,000 from the day of transfer until the actual date of completion.

8. The company shall for a period of twelve months after the day of transfer and if required so to do by the Board for a further period not exceeding twelve months pump water to the amount of not exceeding 60,000 gallons a day as required by the Board to their Newcastle Reservoir by means of the existing subsidiary pump situate in the yard of the gasworks of the company or by means of an equally efficient pump substituted therefor and the company shall be paid by the Board for so doing at the rate of 1*d.* per 1,000 gallons pumped during the first period of twelve months and at a rate per 1,000 gallons equal to the cost actually incurred by the company in that behalf with an addition of ten per centum during the said further period of twelve months

9. The Board shall promote and use its best endeavours to procure the passing in the next session of Parliament of a Bill with such clauses as may be necessary to carry this agreement into effect and as from the date of this agreement the company shall aid and assist the promoters and the Board in obtaining the said intended Act and shall give to the promoters and the Board every facility which may be reasonably required in that connexion and in furtherance of these objects shall at the request and cost of the promoters or the Board supply to the promoters and the Board such information particulars and evidence in the possession of the company or of any of their officers and servants as the promoters or the Board may reasonably require and the company by themselves their officers and servants shall at the request and cost of the Board support the Bill by evidence or otherwise.

10. This agreement is made subject to the approval of Parliament and to such alterations as Parliament may think fit to make therein and shall be scheduled to the said pending Bill but in the event of a

A.D. 1920.

committee of either House of Parliament making any material alteration in this agreement it shall be competent to either party to withdraw the same.

11. If the Bill to be promoted by the Board as aforesaid be not passed by Parliament in the next session this agreement and every clause hereof shall be void and of no effect.

12. If any question difference or dispute shall arise with reference to this agreement or the construction thereof or as to anything herein contained or as to the rights liabilities or duties of either party hereunder the same shall be referred to Edmund Francis Vesey Knox one of His Majesty's counsel as arbitrator or failing him to an arbitrator to be appointed by the Minister of Health and the provisions of the Arbitration Act 1889 or any statutory modification thereof shall apply to such reference and arbitration and to this agreement as if it were a submission to arbitration under that Act.

In witness whereof the said parties hereto have caused their respective common seals to be hereunto affixed the day and year first above written.

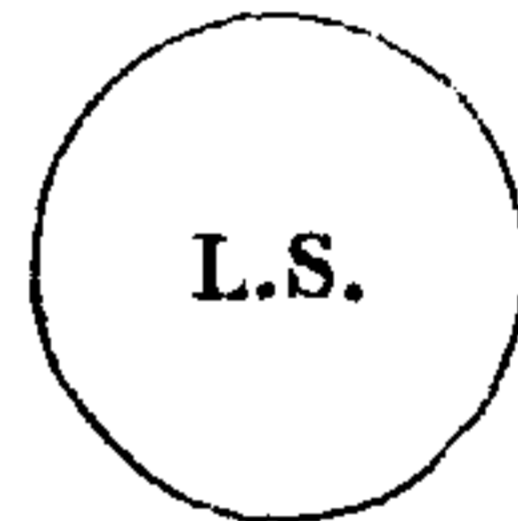
The seal of the Glamorgan County Council }
was hereto affixed in the presence of— }

T. H. MORRIS

A member of the County Council.

T. MANSEL FRANKLEN

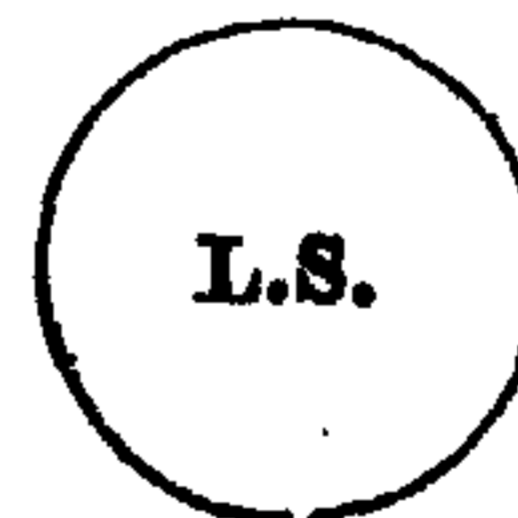
Clerk of the County Council.



The seal of the Bridgend Gas and Water }
Company was hereunto affixed in the }
presence of— }

S. H. STOCKWOOD Director.

J. H. DYER Secretary.



A.D. 1920.

THE SIXTH SCHEDULE.

PARTICULARS OF LOANS OUTSTANDING ON THE 31ST DAY OF
MARCH 1920.

Original Amount of Loan.	Date of Borrowing.	Term of Years.	Annual Instalment of Principal and Interest.	Rate of Interest per Cent.	Balance outstanding 31st March 1920.
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MAESTEG URBAN DISTRICT COUNCIL.

£			£ s. d.		£ s. d.
4,500	29.6.1895	30	221 13 3	3½	1,206 10 4
492	14.6.1895	30	25 6 11	3¼	179 18 8
738	12.7.1898	30	32 3 4	2¾	85 10 0
2,495	28.5.1900	30	121 5 6	3¼	559 0 0
1,100	5.1.1904	30	58 18 8	3¼	423 0 0
				Total	£2,453 19 0

PENYBONT RURAL DISTRICT COUNCIL.

£			£ s. d.		£ s. d.
1,100	2.8.1898	30	47 0 0	2¾	311 14 4
313	13.7.1903	30	15 12 9	3¼	139 15 0
4,627	15.6.1901	30	228 12 6	3¼	1,816 0 0
1,638	15.6.1901	30	94 12 7	3¼	661 10 0
2,730	15.6.1901	30	133 6 11	3¼	1,102 10 0
1,918	15.6.1901	30	93 9 2	3¼	767 0 0
2,700	19.6.1909	30	156 18 10	3½	1,755 0 0
2,605	12.3.1910	30	253 11 2	3½	1,908 0 0
2,832	12.3.1910	30	195 17 0	3½	1,472 0 0
1,820	20.6.1914	30	134 4 5	3½	1,106 4 9
£22,283				Total	£11,039 14 1

COWBRIDGE RURAL DISTRICT COUNCIL.

£			£ s. d.		£ s. d.
500	21.9.1895	30	16 13 4	Instalment plus interest on balance remaining due.	42 8 4
851	1.3.1898	30	28 8 0		385 4 0
599	1.3.1898	30	20 0 0		258 10 0
165	16.7.1913	30	5 10 0		2,531 3 4
165	16.7.1913	30	5 10 0		441 8 11
3,430	3.10.1905	30	114 6 8		
1,380	14.7.1906	30	46 0 0		
590	16.7.1913	30	9 16 8		
£7,680				Total	£3,658 14 7

OGMORE AND GARW URBAN DISTRICT COUNCIL.

Nil.

COWBRIDGE BOROUGH.

Nil.

THE SEVENTH SCHEDULE.

A.D. 1920.

PROPERTIES OF WHICH PORTIONS ONLY MAY BE ACQUIRED.

Parish.	Numbers on deposited Plans.
Cwmdu - - - - -	49.
Llangynwyd Middle - - - - -	83 84 85 117A.
Bettws - - - - -	36 59 64.
Llandyfodwg - - - - -	18 20 21 27.
Llangeinor - - - - -	18 21 22.
Tythegston Higher - - - - -	6.

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