



CHAPTER xxxvi.

An Act to empower the Valley Rural District Council A.D. 1914.
to obtain a supply of water from the stream known as
the Bodsuran stream and from springs and streams in
the neighbourhood thereof in the parish of Llechcyn-
farwydd in the county of Anglesey and to supply
water in the parish of Llanfaelog and for other
purposes. [8th July 1914.]

WHEREAS the parish of Llanfaelog in the rural district of
Valley in the county of Anglesey is without an
adequate supply of water:

And whereas the said rural district of Valley is under the
jurisdiction of the Valley Rural District Council (in this Act
called "the Council") and it is the duty of the Council to see
that the said district is supplied with water:

And whereas in order to enable the Council to supply
water within the said parish of Llanfaelog it is expedient to
empower them to obtain water from the stream known as the
Bodsuran stream and from certain springs near thereto in the
parish of Llechcynfarwydd in the rural district of Twrcelyn and
for that purpose to acquire the lands and make and maintain
the waterworks in this Act mentioned:

And whereas it is expedient to make further and better
provision with regard to the supply of water by the Council in
the said parish of Llanfaelog:

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

And whereas the purposes of this Act cannot be effected
without the authority of Parliament:

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

For the purchase of land for and for and in connection with the construction of the works authorised by this Act - - - -	£ 20,000
For new mains extensions of mains service pipes and other waterworks purposes - - - -	2,500

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

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 Anglesey and are in this Act respectively referred to as the deposited plans sections and book of reference:

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 (that is to say):—

PRELIMINARY.

Short title. 1. This Act may be cited as the *Llanfaelog Water Act 1914.*

Incorporation of Acts. 2. 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 hereby incorporated with this Act (namely):—

- (1) The Lands Clauses Acts except section 127 (Lands not wanted to be sold within ten years after expiration of time limited for completion of works or in default to vest in owners of adjoining lands) of the Lands Clauses Consolidation Act 1845:

(2) The Waterworks Clauses Act 1847 (except sections 75 to 82 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts) but that Act shall be read and have effect as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" were omitted from section 44 (Undertakers to lay down communication pipes on request of occupier and with consent of owners) thereof: A.D. 1914.

(3) The Waterworks Clauses Act 1863:

(4) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in such provisions for the purposes of this Act "the railway" means the reservoirs aqueducts and filter beds authorised by this Act and "the centre of the railway" means the boundaries of those reservoirs aqueducts and filter beds.

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

"The Council" means the Valley Rural District Council;

"The clerk" means the clerk to the Council;

"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 Council;

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“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing 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;

“Revenues of the Council” includes the revenues of the Council from time to time arising from any land undertakings or other property for the time being of the Council and the rates or contributions leviable by or on the order or precept of the Council;

“The tribunal” means the jury arbitrators umpire or other authority to whom any question of disputed purchase money or compensation under this Act is referred.

WORKS AND LANDS.

Power to take lands.

4. Subject to the provisions and for the purposes of this Act the Council may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purposes of this Act.

Period for compulsory purchase of lands.

5. The powers of the Council for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the passing of this Act.

Council may acquire easements only in certain cases.

6.—(1) The Council 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.

(2) As regards any lands in respect of which the Council have acquired easements only under the provisions of this section the Council 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. A.D. 1914.

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

8. The quantity of land which may be taken by the Council from the common or commonable land known as Towyn-y-llyn in the parish of Llanfaelog under the powers conferred upon them by this Act shall not exceed two hundred and forty-two square yards. Limiting quantity of commonable land to be taken.

9.—(1) So soon as two justices acting for and residing in the county of Anglesey shall certify that the footpath diversion (Work No. 5) authorised by this Act has been completed to their satisfaction and is open for public use the Council may stop up and discontinue as a public highway so much of the existing footpath in the parish of Llechcynfarwydd leading from the farm known as Bodsuran to the farm known as Llain-yr-Ebol (or Llam-yr-Ebol) as lies between the commencement and termination of the said footpath diversion and they may also stop up and discontinue as public highways any roads or footpaths situate upon any part of the lands acquired by the Council for the purposes of the Bodsuran Reservoir. Stopping up of footpaths.

(2) Before applying to the justices for their certificate the Council shall give to the Twrcelyn Rural District Council and to the Llechcynfarwydd Parish Council seven days' notice in writing of their intention to apply for the same.

(3) As from the date of the said certificate all rights of way over or along the existing footpath shall be extinguished

A.D. 1914. — and the Council may subject to the provisions of the Waterworks Clauses Act 1847 with respect to mines appropriate and use for the purposes of their undertaking the sites of the portion of footpath stopped up as far as the same are bounded on both sides by lands of the Council.

(4) Provided that the Council shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Provisions as to compensation.

10. For the purposes of determining any question of disputed purchase money or compensation payable in respect of lands taken in pursuance of this Act the following provision shall apply and for the purposes of this section the expression "owner" shall mean the owner of and persons interested in the lands required by the Council:—

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 twentieth day of November nineteen hundred and thirteen 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.

Costs of arbitration &c. in certain cases.

11.—(1) The tribunal shall if so required by the Council award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Council by the claimant giving sufficient particulars and in sufficient time to enable the Council to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Council had been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

(2) Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Council to amend the statement in writing of the claim

delivered by him to the Council in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Council if they object to the amendment and such amendment shall be subject to such terms enabling the Council to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case. A.D. 1914.

(3) Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice to the effect of this section.

12. Subject to the provisions of this Act the Council may make and maintain in the lines and situations and upon the lands delineated upon the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the works in the county of Anglesey hereinafter described (that is to say):— Power to construct works.

Work No. 1 An impounding reservoir (to be called "the Bodsuran Reservoir") to be situate in the parish of Llechcynfarwydd and to be formed by means of an embankment or dam across the stream known as the Bodsuran stream:

Work No. 2 An aqueduct consisting of a line or lines of pipes to be situate in the said parish of Llechcynfarwydd commencing at a spring which is situate in the north-west corner of Enclosure No. 184 shown upon the $25\frac{1}{100}$ Ordnance map of Anglesey (2nd edition 1900) sheet No. XII.-4 and terminating in the filter bed or filter beds (Work No. 4 hereinafter described):

Work No. 3 An aqueduct consisting of a line or lines of pipes to be situate in the said parish of Llechcynfarwydd commencing at or in the Bodsuran Reservoir and terminating by a junction with Work No. 2 hereinbefore described:

Work No. 4 A filter bed or filter beds to be situate in the said parish of Llechcynfarwydd in Enclosure No. 287 shown upon sheet No. XII.-7 of the above-mentioned Ordnance map:

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Work No. 5 A footpath diversion to be situate in the said parish of Llechcynfarwydd commencing on the easterly side of the Bodsuran Reservoir by a junction with the existing footpath leading from the farmhouse known as Bodsuran to Llain-yr-Ebol (or Llam-yr-Ebol) passing across the top of the said embankment (Work No. 1 hereinbefore described) and terminating by a junction with the said existing footpath on the westerly side of the said reservoir:

Work No. 6 An aqueduct consisting of a line or lines of pipes to be situate in the parishes of Llechcynfarwydd Llandrygarn Llanbeulan Ceirchiog and Llanfaelog commencing in the parish of Llechcynfarwydd in Work No. 4 hereinbefore described and terminating in the parish of Llanfaelog in the Bodrwnsiwn Service Reservoir (Work No. 7 hereinafter described):

Work No. 7 A service reservoir (to be called "the Bodrwnsiwn Service Reservoir") to be situate in the parish of Llanfaelog in the Enclosure No. 217 shown on sheet No. XVII.-10 of the above-mentioned Ordnance map:

Work No. 8 An aqueduct consisting of a line or lines of pipes situate in the parish of Llanfaelog commencing by a junction with Work No. 6 hereinbefore described and terminating in Enclosure No. 160 shown on sheet No. XVII.-7 of the said Ordnance map:

Work No. 9 An aqueduct consisting of a line or lines of pipes situate in the parish of Llanfaelog commencing in the Bodrwnsiwn Service Reservoir (Work No. 7 hereinbefore described) and terminating in the road leading through the villages of Llanfaelog and Rhosneigr near to the entrance gate of the house known as "Glanmorfa":

Work No. 10 An aqueduct consisting of a line or lines of pipes situate in the parish of Llanfaelog commencing by a junction with Work No. 9 hereinbefore described and terminating at or near to the bridge which carries the road to Tycroes Station over the stream flowing past the mill known as Melin-y-Bont:

Work No. 11 An aqueduct consisting of a line or lines of pipes situate in the parish of Llanfaelog commencing

by a junction with Work No. 9 hereinbefore described at or near to the Llanfaelog post office passing along the road past Plas Llanfaelog and terminating by a junction with the said Work No. 9 at its termination:

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Work No. 12 A widening alteration and improvement in the parish of Ceirchiog of the road leading from Engedi Chapel to Pengarnisiog on the south-east side thereof.

13. In addition to the foregoing works the Council may upon the said lands make and maintain all such channels catch-waters culverts pipes drains sluices by-washes weirs straining-basins gauges wells tanks meters filter-beds filters banks dams retaining walls bridges roads fences rails standpipes telegraphic and telephonic apparatus engines pumps machinery buildings appliances apparatus and conveniences as may be necessary or convenient in connection with or subsidiary to the construction maintenance or use of the before-mentioned works or any of them but nothing in this section shall exonerate the Council from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them:

Subsidiary works.

Provided that any apparatus constructed by the Council under the provisions of this section shall be so constructed maintained and used as to prevent interference with telegraphic communication by means of any telegraphic line (as defined by the Telegraph Act 1878) of the Postmaster-General.

14. In the construction of the works authorised by this Act the Council may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of the Bodsuran Reservoir three feet upwards and to any extent downwards and in the case of the other works eight feet upwards and to any extent downwards Provided that—

Limits of deviation.

- (1) The Council shall not construct any dam of the Bodsuran Reservoir of a greater height above the general surface of the ground than that shown on the deposited sections in respect of the corresponding dam and three feet in addition:

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(2) Except for the purposes of crossing over a stream no part of the aqueducts 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.

15.—(1) If Work No. 1 and Work No. 3 authorised by this Act are not completed within fifteen years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease except as to so much thereof respectively as shall be then completed.

(2) If the works (other than Work No. 1 and Work No. 3) authorised by this Act and delineated on the deposited plans and sections are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall be then completed.

(3) Provided that the Council may extend enlarge alter reconstruct renew or remove any of their works and plant and in the case of the aqueducts authorised by this Act lay down additional lines of pipes as and when occasion may require.

For protection of owner of Plas Mill.

16. The following provisions for the protection and benefit of Eric James Walter Platt or other the owner for the time being of Plas Mill in the parish of Llechylched in the county of Anglesey (in this section referred to as "the owner") shall unless otherwise agreed in writing between the Council and the owner apply and have effect (that is to say):—

(1) The Council shall before they commence to collect and impound water in the Bodsuran Reservoir construct and maintain a cut or channel as near as reasonably may be to the said reservoir commencing at a point not more than one hundred and fifty yards measured in a westerly direction from the point at which the Bodsuran stream flows into the said reservoir and terminating at a point on that stream below the point or points at which the gauge weir and measuring gauge referred to in the section of this Act of which the marginal note is "Power to take waters" shall be situated and they shall also construct a further cut or channel as near as reasonably

may be to the said reservoir commencing at a point on or near to the northerly boundary of the property numbered 26 on the deposited plans and not more than two hundred yards measured in an easterly direction from the point at which the said stream flows into the said reservoir and terminating at a point on that stream below the point or points at which the said gauge weir and measuring gauge shall be situate: A.D. 1914.

- (2) The depth of such cuts or channels shall be at least three feet and the width thereof at least three feet at the surface and they shall be constructed respectively at a gradient falling from the commencement to the termination thereof and in such a manner as to prevent material percolation of water to the said reservoir therefrom respectively:
- (3) Any question arising between the council and the owner under the provisions of this section shall be referred to and determined by the arbitration of a single arbitrator to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

17.—(1) The Council may by means of Work No. 2 authorised by this Act and any works subsidiary to that work and constructed by them under the provisions of the section of this Act of which the marginal note is “Subsidiary works” collect impound take use divert and appropriate for the purposes of their waterworks and water undertaking all springs streams and waters (other than waters taken directly from the stream known as the Bodsuran stream) upon the lands on which the works authorised by this Act will be situate and all such springs streams and waters as will or may be intercepted by those works and they may also subject to the provisions of this section collect impound take use divert and appropriate for the purposes of the said waterworks and water undertaking the waters of the stream known as the Bodsuran stream and its tributaries. Power to take waters.

(2) From and after the passing of this Act and until the date upon which the Bodsuran Reservoir (Work No. 1

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authorised by this Act) is completed and filled for use for the first time the Council may take directly from the Bodsuran stream any water they may require subject to the following restrictions :—

(a) They shall place a gauge weir across the said stream at or near the proposed intake through an aperture in which fifty-six thousand gallons of water shall be allowed to pass and flow down the stream every day of twenty-four hours :

(b) On any such day during such time as the flow of water in the said stream shall be less than at the rate of fifty-six thousand gallons per day of twenty-four hours the Council shall not be entitled to draw any water therefrom but during such time as the flow is in excess of such rate the Council may take all or such part of the excess as they may require.

(3) After the date upon which the Bodsuran Reservoir has been completed and filled for use for the first time the following provisions shall apply :—

(a) The Council shall during every day of twenty-four hours discharge or deliver into the Bodsuran stream at a point therein situate not more than two hundred yards below the foot of the said embankment not less than fifty-six thousand gallons of water in a continuous flow :

(b) For the purpose of measuring the quantity of water to be so discharged or delivered into the Bodsuran stream the Council shall erect and maintain at a point on the said stream below the said embankment not more than two hundred yards from the foot thereof a proper and suitable measuring gauge over or through which the said compensation water shall flow and the same shall be open to the inspection and examination of the Board of Agriculture and Fisheries and of all persons interested therein.

(4) In case of any neglect on the part of the Council to maintain any gauge in a state of efficiency and in case of any other neglect by or in consequence of which the said respective quantities of water mentioned in subsection (2) or subsection (3) of this section shall not so flow the Council shall for every day on which such neglect occurs forfeit and

pay to each of the persons affected thereby who may have sustained loss in consequence of such neglect a penalty not exceeding five pounds. A.D. 1914.

(5) If any difference arises between the Council and the Board of Agriculture and Fisheries or any person so interested with respect to the construction or use of any gauge or the state of repair or condition thereof such difference shall be referred to the arbitration of an engineer to be nominated (unless otherwise agreed) on the application of either of them by the President of the Institution of Civil Engineers.

(6) The provisions of this section shall be accepted and taken by all persons interested as full compensation for all waters which the Council can divert collect impound or appropriate by means of the works by this Act authorised except in respect of any lands situate between the foot of the said embankment and the said point of discharge of water into the stream.

18. The Council may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of the reservoir and works by this Act authorised with reference to the execution by the Council or 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 Council flowing to upon or from such lands directly or derivatively into such reservoir and works. Power to agree as to drainage of lands &c.

19.—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Council may by agreement purchase take on lease and acquire any lands within the limits in or over which any waters which the Council are for the time being authorised to collect impound take use divert or appropriate arise or flow and may hold such lands under the powers conferred upon them by this Act so long as they shall deem it necessary or expedient for those purposes Provided that the Council 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 Power to purchase and hold lands and exercise powers for protection of water and waterworks.

A.D. 1914. connected with their water undertaking or the occupation of the land for agricultural purposes Provided also that no common shall be acquired under the powers conferred by this section except with the consent of the Board of Agriculture and Fisheries.

(2) The Council may in and upon the lands acquired within the said limits 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 Council are empowered to take from being polluted and the Council may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road in the said limits subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

Temporary discharge of water into streams.

20.—(1) For the purpose of constructing enlarging extending repairing cleansing or examining any of the works authorised by this Act the Council may cause the water in any such works to be temporarily discharged into any available stream or watercourse.

(2) In the exercise of the power conferred by this section the Council shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

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

21. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall with the necessary modifications apply as well without as within the limits of supply to the construction laying down erection and maintenance in any streets or roads of the aqueducts authorised by this Act and of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Council may and which they are hereby authorised to erect or lay down for the purposes of their water undertaking.

For protection of Postmaster-General,

22. Any telegraphic or telephonic apparatus made maintained erected or laid down by the Council under the authority of this Act shall not be used for the purpose of transmitting

telegrams which are within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869. A.D. 1914.

23. For the purpose of exercising the powers of this Act the Council shall have and may exercise the powers of a local authority under section 54 (Power of carrying mains) of the Public Health Act 1875 with respect to the carrying of water mains within and without their district. Powers in relation to water mains.

24. Subject to the provisions of this Act the Council in addition to any other lands acquired by them in pursuance of this Act may by agreement purchase take on lease acquire and hold further lands for the purposes of this Act or of their water undertaking but the quantity of lands held by the Council in pursuance of this section shall not at any time exceed five acres Provided that the Council shall not create or permit the creation or continuance of any nuisance on any such lands 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. Power to purchase additional lands by agreement.

25. The Council may purchase or take on lease dwelling-houses for persons employed by them for the purposes of their water undertaking and may erect and maintain dwelling-houses for such persons upon any lands for the time being belonging to the Council for the purposes of the said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Council for the purposes of the said undertaking. Dwelling-houses for persons in Council's employment.

26. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Council may retain hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act and required by them for the purposes of their water undertaking or for protecting any of their waters and waterworks against pollution nuisance encroachment or injury and may sell exchange or dispose of any rents reserved on the sale exchange lease or other disposition of such lands and may make do and execute any deed act or thing Power to retain sell &c. lands.

A.D. 1914. — proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Reservation of water rights &c. on sale.

27. The Council on selling any lands acquired by them in connection with their water undertaking and not required for the purposes of that undertaking may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale 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.

For protection of Twrcelyn Rural District Council.

28. The following provisions for the protection of the Twrcelyn Rural District Council (in this section referred to as "the Twrcelyn Council") shall (notwithstanding anything in this Act contained) apply and have effect unless otherwise agreed in writing between the Twrcelyn Council and the Council (that is to say): —

(1) Notwithstanding anything contained in the section of this Act whereof the marginal note is "Stopping up of footpaths" the Council shall not under the powers conferred upon them by this Act without the previous consent in writing of the Twrcelyn Council which consent shall not be unreasonably withheld but may be given upon such conditions as the Twrcelyn Council may reasonably impose stop up and discontinue as public highways or raise lower or divert any roads or footpaths vested in the Twrcelyn Council or to which or the maintenance repair and improvement whereof the Twrcelyn Council make any contribution or payment and which are situate upon any part of the lands acquired by the Council for the purposes of the Bodsuran Reservoir except and other than so much of the existing footpath referred to in subsection (1) of that section as lies between the commencement and termination of the footpath diversion (Work No. 5) referred to therein:

(2) The footpath diversion (Work No. 5) to be constructed by the Council under the provisions of this Act

shall be put in complete repair and shall be maintained in repair by and at the cost of the Council for twelve months after its completion of which the certificate of two justices referred to in the said section shall be conclusive evidence:

- (3) The Council shall at or conveniently near to the point in the road leading from Trefor to Bodedern where the pipe from the well in the field numbered 30 on the deposited plans now terminates and by means of which a public water supply for that district is provided erect and thereafter maintain to the reasonable satisfaction of the Twrcelyn Council a good and sufficient stand pipe and connection by means of a pipe of not less than one inch in diameter with or to the main pipe leading from the filter bed or beds (Work No. 4 authorised by this Act) and shall at all times thereafter keep and maintain by means of the said stand pipe and connection a proper and adequate supply of water for the use of the persons entitled to take water from or by means of the supply from the said pipe from the existing well at the date of the passing of this Act:
- (4) If the Council shall neglect or omit to provide a proper and adequate supply of water in accordance with the provisions of the last preceding subsection of this section the Council shall for every day on which such neglect or omission occurs be liable to a penalty not exceeding forty shillings which may be recovered by the Twrcelyn Council in a summary manner and shall be carried to their general fund:
- (5) All mains pipes or other works so far as the same are proposed to be laid down or constructed in along or across or in way affecting any footpath or open space vested in or repairable by or under the control of the Twrcelyn Council shall be constructed and laid down under the superintendence if the same be given and to the reasonable satisfaction of the surveyor of the Twrcelyn Council (in this section referred to as "the surveyor") and in such position as he shall by writing under his hand reasonably direct and in accordance with plans and sections to

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be reasonably approved by him in writing before the commencement of the work and the Council shall in executing any such work conform to all reasonable requirements of the surveyor and shall pay to the Twrcelyn Council any reasonable expenses incurred by them in relation to such superintendence approval and requirement. Provided that if for a period of one month after the submission of such plans to the surveyor he shall fail to signify in writing to the Council his disapproval thereof and the grounds for such disapproval he shall be deemed to have approved of the same:

- (6) All works shall when commenced be executed with all reasonable despatch and so as not to unreasonably impede or interfere with the traffic over or along any such footpath or open space:
- (7) Notwithstanding anything contained in this Act or shown upon the deposited plans the Council shall not construct any of the works authorised by this Act upon over or under the roads numbered 5 and 43 in the parish of Llechcynfarwydd upon those plans and in the book of reference or upon over or under the lands included within the limits of deviation and lying to the northward of the Road No. 5 and to the westward of the Road No. 43:
- (8) The Council shall during the construction of the works authorised by this Act take all steps which are reasonably necessary at their own expense for protecting from injury the public using the footpaths and open spaces including the footpath hereinbefore referred to and proposed to be stopped up in part and diverted under the provisions of this Act and shall indemnify the Twrcelyn Council against all damage that may be incurred consequent upon any such injury or in consequence of the neglect or omission of the Council to provide such protection and the Council shall also be liable for all damages that may be incurred by the Twrcelyn Council consequent upon any defects in any of the mains pipes or other works of the Council or any defect or default in the laying down of the same:

(9) The Council shall on demand pay to the Twrcelyn Council the reasonable costs which the Twrcelyn Council may incur in the repair and reinstatement of so much of any road footpath or open space repairable by or under the control of the Twrcelyn Council as may be injured or damaged by reason of the traffic being concentrated thereon during the construction alteration maintenance or repair of the works authorised by this Act or any part or parts thereof: A.D. 1914.

(10) Nothing in this Act contained shall in any way limit affect lessen or control the powers of the Twrcelyn Council to alter amend divert improve widen or reconstruct any footpath in alongside across or near to which such mains pipes or other works are laid in the same manner as they might have amended diverted improved removed altered widened or reconstructed any such footpath or open space if this Act had not been passed without making any compensation to the Council for any expense injury or loss to which the Council may be put in consequence of the exercise by the Twrcelyn Council of such powers and in the event of any such footpath or open space in alongside across or near to which the mains pipes or other works are laid being amended diverted improved altered widened or reconstructed as aforesaid the Council shall at their own expense and within such reasonable time as the surveyor may prescribe alter the position of such mains pipes or other works and replace the same to the satisfaction of the surveyor Provided that in altering amending or diverting any footpath or any part thereof within the district of the Twrcelyn Council nothing shall be done to impede or interfere with the said works for any greater length of time than shall be necessary for the execution of the works of alteration amendment or diversion Provided also that before such amendment diversion improvement removal alteration widening or reconstruction of any such footpath or open space shall be commenced the Twrcelyn Council shall (except in case of emergency in which case they shall give the longest possible notice) give one month's notice in writing to the Council of their

A.D. 1914.

intention to carry out such works and shall afford at the cost of the Council all reasonable facilities for temporarily carrying the mains pipes or other works along or across such footpath so as not to interrupt the continuous supply of water or diminish the pressure in the mains or pipes Provided further that any additional reasonable expense incurred by the Twrcelyn Council in carrying out any such amendment diversion improvement widening removal reconstruction or alteration as aforesaid solely by reason of the existence of such mains pipes or other works of the Council shall be borne by and recovered from the Council by the Twrcelyn Council:

- (11) If owing to the abandonment of the works authorised by this Act or any part thereof any mains pipes or other works laid down in pursuance of the powers of this Act under any such road footpath or open space shall for the space of three years be disused and such disuser be proved to the satisfaction of the Local Government Board the said Board may if they think fit by order sanction the removal of such mains pipes or other works and the Twrcelyn Council may (subject however to any agreement between them and the Council) forthwith remove the same with all reasonable care and the Council shall pay to the Twrcelyn Council the reasonable cost of such removal and of the reinstatement of such road footpath open space or approach in which the same were laid and if the Council fail to pay such costs within one month after the ascertainment of an application for the same the Twrcelyn Council may without any previous notice to the Council (but without prejudice to any other remedy they may have for the recovery of the amount) sell and dispose of the mains pipes and other works so removed either by public auction or private contract and for such sum or sums and to such person or persons as they think fit and may out of the proceeds of such sale pay and reimburse themselves the reasonable cost of such removal and reinstatement of such road footpath or open space and the cost of the sale and the balance (if any) of the proceeds of the sale shall

be paid over by the Twrcelyn Council to the Council : A.D. 1914.

- (12) The provisions of this section shall be in addition to and not in substitution for any provisions for the protection of the Twrcelyn Council contained in this Act or any Acts incorporated therewith :
- (13) If any difference shall arise between the Twrcelyn Council and the Council under the provisions of this section such difference shall unless otherwise agreed in writing between the Twrcelyn Council and the Council be settled by arbitration the arbitrator to be appointed failing agreement by the Local Government Board on the application of either of the parties in difference after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

29. The following provisions for the protection of the London and North Western Railway Company (hereinafter called "the railway company") shall unless otherwise agreed between the railway company and the Council apply and have effect (that is to say) :—

For protec-
tion of
London and
North
Western
Railway
Company.

- (1) The aqueduct (Work No. 9) authorised by this Act shall be carried over the railway of the railway company by means of a steel girder bridge with steel flooring supported on suitable piers giving a clear span measured on the square over the railway of not less than twenty-eight feet and in such positions as may be reasonably approved by the principal engineer of the railway company and so as in no way to interfere with the bridge numbered 7 on the deposited plans in the parish of Llanfaelog and such bridge for carrying the said aqueduct shall have a clear headway throughout of fifteen feet above the upper surface of the rails of the said railway at the said point of crossing and the Council shall for ever maintain the said headway above the level of the existing level of the rails and the said aqueduct shall where the same is carried over the property of the railway company and for twenty-five feet on each side thereof be constructed and maintained to the reasonable approval of the said principal engineer :

A.D. 1914.

(2) In carrying the said aqueduct (Work No. 9) over the railway of the railway company and the aqueduct (Work No. 11) under the railway of the railway company as also in effecting the maintenance repairs and renewals of the said aqueducts the same and all works connected therewith shall be done under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer of the railway company and before commencing any such works the Council shall deliver to the said engineer plans sections and specifications of the works proposed to be executed for his approval before the commencement of any such work and if at the expiration of fourteen days from such delivery the plans sections and specifications shall not be approved by the said principal engineer and he shall not have indicated his disapproval thereof he shall be deemed to have approved of the same All such works shall when commenced be completed with due despatch in accordance with such plans sections and specifications as shall have been approved by the said engineer or settled by arbitration as hereinafter provided and shall be executed by and in all things at the expense of the Council and so as not to cause any avoidable injury to the said bridge railway or works or interruption to the passage or conduct of the traffic over the said railway and if any injury shall arise to the said bridge railway or works or to the lands or property of the railway company or if any interruption shall occur to such traffic by reason of the construction maintenance existence or failure of the said aqueducts the Council shall make full compensation to the railway company in respect of such injury or interruption:

(3) The Council shall at all times maintain the said aqueducts and all other works connected therewith where the same are carried across the railway works or property of the railway company in substantial repair and good order and condition to the reasonable satisfaction of the said principal engineer and if and whenever the Council fail so to do the railway company may make and do in and upon as well the lands of the Council as their own lands all such

works and things as may be reasonably requisite in that behalf and the sum from time to time reasonably incurred by the railway company in so doing shall be repaid to them by the Council Provided that the railway company shall not (except in cases of emergency) do any such works and things unless they shall have given to the Council fourteen days' previous notice requiring the Council to do such works and things and the Council shall have failed to do such works and things:

- (4) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Council shall not without the previous consent of the railway company under their common seal purchase or acquire any lands or property of the railway company but the Council may purchase and take and the railway company shall sell and grant accordingly an easement or right of using so much of the lands of the railway company as may be necessary for the crossing of the said aqueducts over or under the said railway:
- (5) The Council shall bear and on demand pay to the railway company the reasonable expense of the employment by them during the making or maintenance of the said aqueducts and all works connected therewith over or under the said railway and works of a reasonably sufficient number of inspectors and signalmen to be appointed by the railway company for watching the said railway and the conduct of the traffic thereon with reference to and during the execution and maintenance of such portion of the works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Council with reference thereto or otherwise:
- (6) If the said aqueduct (Work No. 9) shall cease to be used by the Council for the space of six consecutive calendar months the Council shall at their own expense take down and remove the said bridge and aqueduct and all works connected therewith which

A.D. 1914.

shall have so ceased to be used as aforesaid and restore the site thereof to its original condition in default whereof it shall be lawful for the railway company after giving fourteen days' notice of their intention so to do to the Council to take down and remove the said aqueduct and works which shall have so ceased to be used as aforesaid and to restore the site thereof to its original condition without making any compensation to the Council and the reasonable expense incurred by them in so doing shall be repaid to the railway company by the Council:

- (7) In laying down or executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the railway company as part of their railway undertaking or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence (if given) and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans and in such manner as shall be previously reasonably approved by him or in the event of disapproval then in such manner as shall be determined by arbitration in manner hereinafter provided and in all things by and at the expense of the Council who also shall restore and make good the roads over any such bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Council and all such works matters and things shall be constructed executed and done so as not to cause any avoidable injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon And if any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes

or works the Council shall make compensation in respect thereof to the said railway company. Provided that if the said engineer does not express disapproval of such plans within fourteen days after the same shall have been submitted to him he shall be deemed to have approved thereof and if the said engineer shall refuse or neglect to superintend any operations within fourteen days after receiving notice from the Council of their intention to carry out such operations the Council may execute the work without his superintendence. Provided also that if urgent repairs are required in case of accident the railway company will dispense with the previous approval of plans as aforesaid but such notice must be given as the circumstances will admit and the work must be carried out to the reasonable satisfaction of their principal engineer:

- (8) If at any time the railway company shall require to make any alterations of or to widen their railway or works or to increase the railway accommodation where the said aqueducts mains or pipes will cross the same the Council shall give to the railway company every reasonable facility for the execution of such alteration widening or increase of accommodation and shall at the expense of the railway company make such alterations of and additions to the said aqueducts mains or pipes and the works connected therewith as may be reasonably necessary for facilitating the carrying out of such alteration widening or increase of accommodation:
- (9) Any dispute or difference which may arise between the railway company and the Council with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by the arbitration of an engineer or other fit person to be appointed failing agreement by the President for the time being of the Institution of Civil Engineers on the application of the railway company and the Council or either of them after notice in writing to the other and the provisions of the Arbitration Act 1889 shall subject as aforesaid apply to any such arbitration.

A.D. 1914.
For protec-
tion of
Holyhead
Waterworks
Company.

30. For the protection of the Holyhead Waterworks Company (in this section called "the company") the following provisions shall apply and have effect unless otherwise agreed in writing between the company and the Council (that is to say):—

- (1) Nothing contained in this Act shall authorise the Council except with the consent of the company under their common seal either directly or indirectly to supply water for any purpose for use within the present statutory limits of supply of the company:
- (2) The Council shall not in the construction or maintenance of any mains or pipes in the parishes of Llanfihangel-yn-Nhowyn Bodedern Llanfair-yn-Neubwll or Llanynghenedl under the powers of this Act remove displace or interfere with any mains or pipes of the company or any works in connection therewith or do anything to impede the passage of water through such last-mentioned mains or pipes:
- (3) The Council shall not in the parishes aforesaid lay any mains or pipes at a less distance than three feet from any main pipe or work of the company (except where it is necessary for the same to be laid across any such main pipe or work of the company) and any main or pipe which is to be laid across any main pipe or work of the company shall be laid down so as to leave between them a space of one foot at least for a distance of three feet at least on either side of the point of crossing:
- (4) The Council shall not under the powers of this Act construct in the said parishes any mains pipes or works which would or might prevent the company from having sufficient and convenient access to any main or pipe or apparatus connected therewith belonging to them for the purpose of the repair alteration or renewal thereof:
- (5) If any difference shall arise between the Council and company under this section or with regard to anything to be done or not to be done thereunder such difference shall be determined by an engineer or other fit person to be agreed upon between the

parties or in default of agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration. A.D. 1914.

31. The following provisions for the protection and benefit of Sir George Augustus Elliott Tapps Gervis Meyrick Baronet tenant for life of the estate of Bodorgan in the county of Anglesey or other the owner for the time being of the lands known as Treriffri Farm in the said county (in this section referred to as "the owner") shall unless otherwise agreed in writing between the Council and the owner apply and have effect (that is to say):—

For protection of Sir George Meyrick.

(1) Notwithstanding anything contained in this Act or shown upon the deposited plans the Council shall not enter upon take or use the lands numbered respectively 1 2 3 and 4 in the parish of Llechcynfarwydd upon those plans and in the book of reference thereto and shall not by any of their works interfere with or diminish the supply of water to the existing pools and springs on the said lands:

(2) If the Council construct the aqueduct (Work No. 6) through the fields numbered on the deposited plans 17 18 19 and 20 in the parish of Llandrygarn they shall construct the same at such a level that it will not for a longer period than is reasonably necessary interfere with the usual and ordinary agricultural use of the said fields and shall to the reasonable satisfaction of the owner make good any injury done to the field drains and restore the surface of the land to its previously existing level:

(3) The Council shall construct and lay down the aqueduct (Work No. 6) through the field numbered 10 in the parish of Llanbeulan on the deposited plans below the level of all farm drains existing thereon at the passing of this Act and shall to the reasonable satisfaction of the owner make good the same and restore the surface of the said field to its existing level:

A.D. 1914.
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- (4) Nothing contained in this Act shall authorise the Council for the purpose of constructing the aqueduct (Work No. 6) authorised by this Act to exercise the powers of section 32 of the Railways Clauses Consolidation Act 1845 upon any lands of the owner:
- (5) If any difference arises between the Council and the owner with reference to any of the provisions of this section such difference shall be settled by arbitration the arbitrator being appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protec-
tion of
Thomas
Williams.

32. The following provisions for the protection of Thomas Williams his heirs executors administrators and assigns (all of whom are severally and collectively in this section referred to as "the owner") shall unless otherwise agreed in writing between the Council and the owner apply and have effect (that is to say) :—

- (1) If the Council construct the aqueduct (Work No. 6) through the fields numbered on the deposited plans 1 2 3 4 and 5 in the parish of Llanbeulan they shall construct the same at such a level that it will not interfere with the usual and ordinary agricultural use of the said fields and shall to the reasonable satisfaction of the owner make good any injury done to the farm drains and restore the surface of the land to its previously existing level:
- (2) Nothing contained in this Act shall authorise the Council for the purpose of constructing the aqueduct (Work No. 6) authorised by this Act to exercise the powers of section 32 of the Railways Clauses Consolidation Act 1845 upon any lands of the owner:
- (3) The Council shall furnish a supply of water to the owner for use at Treban Farm by means of a pipe of not less than one inch in diameter at a charge of one shilling per thousand gallons the quantity supplied being measured by a meter to be supplied fixed and maintained by the Council at their own expense in such a position upon the premises numbered 8 in the

parish of Llanbeulan upon the said deposited plans as may be reasonably approved by the owner all pipes and taps on the owner's side of the meter being provided and maintained by and at the expense of the owner: A.D. 1914.

- (4) If any difference arises between the Council and the owner with reference to any of the provisions of this section such difference shall be settled by arbitration the arbitrator being appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

33.—(1) The Council shall erect fit up and maintain or provide— Accommodation for workmen employed on construction of works.

(a) such huts or buildings for the accommodation of the workmen employed in and about the construction of the works authorised by this Act; and

(b) such hospital accommodation for the treatment of cases of sickness or accident among such workmen including accommodation for dealing with infectious diseases; as shall be reasonably necessary having regard to the accommodation available in the neighbourhood of or conveniently accessible from the said works and shall provide and maintain proper and sufficient sanitary accommodation in connection with every such building and hospital.

(2) The Council shall pay all reasonable costs and expenses incurred in respect of the medical and surgical treatment of any workmen employed on the construction of the said works who is treated in any hospital accommodation provided by them except in so far as such costs and expenses are payable or provided for under the National Insurance Act 1911 or otherwise.

(3) The medical officer of health of the Anglesey County Council (hereinafter called "the county council") and any medical officer of health and inspector of nuisances for any district in which such accommodation is afforded under this section shall be entitled at any time to enter into and inspect and examine any such accommodation in order to ascertain whether overcrowding exists therein and whether proper and sufficient sanitary arrangements are provided.

A.D. 1914.
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(4) The Council shall give every such officer all facilities and information which he requires for the purpose of the performance of his duties including the right to enter upon the said works and any person obstructing such officer in the performance of his duty under this section shall be liable on summary conviction to a fine not exceeding forty shillings.

(5) If at any time it appears to the county council that the Council have failed to afford or maintain accommodation in accordance with subsection (1) of this section the Council shall afford and maintain such accommodation as the county council may require. Provided that if within fourteen days after the receipt of notice of any requirement of the county council under this subsection the Council give notice to the county council that they dispute the reasonableness of any such requirement the difference shall be determined by the Local Government Board on the application of either of the parties to the difference and the Local Government Board may make such requirements (if any) in variation of the requirements of the county council as they may think fit.

(6) If the Council fail to afford and maintain accommodation in accordance with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a further daily penalty not exceeding five pounds for every day on which the offence is continued after conviction and such penalties may be recovered by the county council.

(7) Any expenses incurred by the county council in carrying out the provisions of this section shall be repaid to the county council by the Council and shall be recoverable as a debt due from the Council to the county council.

(8) The Council shall pay to the Local Government Board any expenses incurred by that Board under this section including a sum not exceeding three guineas a day for the services of any inspector in connection with any local inquiry or investigation which they may consider necessary in the exercise of their powers under subsection (5) of this section and the expenses of any witnesses summoned by the inspector.

SUPPLY OF WATER.

Limits of
supply.

34. The limits of this Act for the supply of water (in this Act called "the limits of supply") shall be the parish of

Llanfaelog in the rural district of Valley in the county of Anglesey. A.D. 1914.

35.—(1) The Council shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house within the limits of supply entitled under the provisions of this Act to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the rates per annum hereinafter specified (that is to say):—

Rates for supply of water for domestic purposes.

- (a) For a period of five years from the date upon which the Council commence to supply water under the provisions of this Act the following rates:—

Where the annual rackrent or value of the premises so supplied with water does not exceed five pounds the sum of eight shillings and eightpence;

Where such annual rackrent or value exceeds five pounds the rate of fifteen per centum per annum upon such annual rackrent or value:

- (b) From the expiration of the said period of five years the following rates:—

Where the gross estimated rental of the premises so supplied with water does not exceed five pounds the sum of eight shillings and eightpence;

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

The gross estimated rental of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor.

(2) Provided that where the water rate is chargeable on the annual rackrent or value or gross estimated rental (as the case may be) of a part only of any hereditament such annual rackrent or value or gross estimated rental (as the case may be) shall be a fairly apportioned part of the annual rackrent or value or gross estimated rental (as the case may be) of the whole tenement the apportionment in case of dispute to be ascertained by a court of summary jurisdiction.

A.D. 1914.

(3) In addition to the foregoing charges the Council may charge in respect of every watercloset beyond the first (for which no additional charge shall be made) on any premises within the limits of this Act a sum not exceeding five shillings per annum and for every fixed bath capable of containing not more than fifty gallons a sum not exceeding seven shillings and sixpence per annum and for every fixed bath capable of containing more than fifty gallons such sum as the Council may think fit such additional sum to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

Revision of water rates.

36. Notwithstanding anything contained in this Act the Council may with the sanction of the Local Government Board at any time increase the water rates leviable by them to such extent as may after local inquiry be approved by that Board.

Rates payable by owners of small houses.

37. 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 Council 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.

Council not bound to supply several houses by one pipe.

38. The Council 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.

Notice of discontinuance.

39. A notice to the Council 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 Council or be given by the consumer personally at the office of the Council.

Byelaws for preventing waste &c. of water.

40.—(1) The Council 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 connection disconnection alteration and repair of

pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this section 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. A.D. 1914.

(2) Such byelaws shall apply only in the case of premises to which the Council 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 Council 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 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 Council as the water rates in respect of the premises are recoverable.

41.—(1) Subject to the provisions of the Waterworks Clauses Act 1847 the Council may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Council 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 stop break up and interfere temporarily with public and private streets roads lanes footways sewers courts passages tramways gas or water pipes electric lines wires and apparatus. Detection of waste.

(2) Provided that the Council shall not interfere with any electric lines wires or apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

42. The Council may supply water for other than domestic purposes on such terms and conditions as the Council 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. Supply by measure.

A.D. 1914.
Supply to
houses partly
used for
trade &c.

43. The Council 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.

Price of
supply by
measure.

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

Power to
sell meters.

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

Notice to
Council of
connecting
or discon-
necting
meters.

46. Before any person connects or disconnects any meter by means of which any of the water of the Council is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Council 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 Council and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Injuring
meters &c.

47. 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 Council 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 Council shall (without prejudice to any other right or remedy for the protection of the Council) be liable to a penalty not exceeding five pounds and the Council may in addition thereto recover the amount of any damage by them sustained:

And 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 Council 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 Council the Council 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 expense of such repair and of all such works matters and things shall be repaid to the Council by the person so offending and may be recovered by them as water rates are recoverable. The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Council when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be *primâ 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. A.D. 1914.

48.—(1) The Council 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 Council in providing such materials and executing such work shall be paid by the person requiring the same. Power to supply fittings.

(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 Council as the actual owners thereof:

Provided as follows:—

- (a) The Council shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section in connection therewith (including interest upon any moneys borrowed for those purposes) and all sums applied to sinking fund for repayment of moneys so borrowed:

A.D. 1914.

(b) Every sum charged by the Council in respect of provision of such fittings or repairing the fixing or removal thereof shall be clearly stated in every demand note delivered by the Council to the consumer :

(c) The total sums expended and received by the Council in connection with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the water undertaking of the Council for such year.

Supply of
water by
Council.

49. The foregoing provisions of this part (Supply of water) of this Act shall apply only to the supply of water by the Council within the limits of supply and shall not come into operation until the Council are in a position to afford a supply of water by means of the works authorised by this Act.

Supply to
other
parishes.

50. If the water obtainable from the works authorised by this Act shall exceed the quantity required for the supply of water within the limits of supply the Council may use the excess or any part thereof for the supply of any other contributory place within their district upon and subject to such terms and conditions as may be approved by the Local Government Board.

Power to
Council to
repair com-
munication
pipes.

51. If it should appear to the Council that by reason of any injury to or defect in any communication pipe which the Council are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Council to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Council in executing such repairs shall be recoverable by the Council from the owner of the premises supplied or in cases where the communication pipe has been laid by and belongs to the occupier of such premises from the occupier :

Provided that except in case of emergency the Council shall not under the powers of this section enter into any house or private premises unless they shall have given to the owner of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

52. When several houses or parts of houses in the occupation of several persons are supplied by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Council in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the surveyor to the Council.

A.D. 1914.
Maintenance
of common
pipe.

53. The Council may construct lay down and maintain fire-plugs and any necessary works and machinery for securing an efficient supply of water in cases of fire to be provided and maintained within any part of the whole of the limits of supply and they may paint or mark on the buildings and walls within the streets words or marks near to such fire-plugs for the purposes aforesaid as they may deem expedient.

Fire-plugs.

54. The Council may if they think fit provide and maintain in proper and convenient situations within the limits of supply urinals waterclosets lavatories and other similar conveniences for public accommodation.

Public con-
veniences
&c.

55. The Council may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the limits of this Act to any such authority company or persons 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 except with the consent of any company or person supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of this Act Provided also that nothing in this section shall authorise the Council to lay down any mains beyond the limits of their district.

Contracts for
supplying
water in
bulk outside
limits.

FINANCIAL AND MISCELLANEOUS PROVISIONS.

56.—(1) The Council may from time to time independently of any other borrowing power 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

Power to
borrow.

A.D. 1914. 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
Purpose.	Amount.	Period.
(a) For the purchase of land for and for and in connection with the construction of the works authorised by this Act.	£ 20,000	Sixty years from the date or dates of borrowing.
(b) For new mains extensions of mains service pipes and other water-works purposes.	2,500	Thirty years from the date or dates of borrowing.
(c) For paying the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The Council may also with the consent of the Local Government Board borrow such further money as may be necessary for any of the purposes of this Act 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 Local Government Board.

(3) In order to secure the repayment of the money borrowed or reborrowed under this Act and the payment of interest thereon the Council may mortgage and charge the revenue of the water undertaking authorised by this Act and the rates out of which the expenses of the execution by the Council of the provisions of this Act are payable or either of those securities.

Section 234 of Public Health Act 1875 not to apply.

57. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 and in calculating the amount which the Council may borrow under that Act any sums which they may borrow under this Act shall not be reckoned.

Mode of raising money.

58. The Council may raise all or any moneys which they are authorised to borrow or reborrow 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 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.

59. 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).

A.D. 1914.
Provisions of
Public
Health Act
1875 as to
mortgages
to apply.

60.—(1) The Council 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.

Mode of
payment off
of money
borrowed.

(2) Provided that notwithstanding anything contained in this Act it shall not be obligatory upon the Council to make the first payment to the sinking fund or to pay the first instalment of principal for the repayment of money borrowed for the purpose (a) mentioned in the section of this Act whereof the marginal note is "Power to borrow" until the thirty-first day of March nineteen hundred and twenty.

61.—(1) If the Council 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—

Sinking
fund.

(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 accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the

A.D. 1914.

repayment of which such sinking fund is formed
A sinking fund so formed is hereinafter called an
“accumulating sinking fund.”

(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 Council 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 Council towards the equal annual payments to the fund.

(4) The Council 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 Council 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 Council :

(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 fund under this Act shall be paid by the Council in addition to the payments provided for by this Act.

(7) If it appears to the Council 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 Council 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 Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as the Local Government Board may direct. A.D. 1914.

(8) If the Council 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 Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Council may reduce the payments to the sinking fund either temporarily or permanently to such amount as will in the opinion of the Local Government Board 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 Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Council may with the consent of that Board discontinue the annual payments to such sinking fund until the Local Government Board 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 Council with the consent of the Local Government Board may determine.

62. A person lending money to the Council under this Act shall not be bound to inquire as to the observance by the Council 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. Protection of lender from necessity of inquiry.

A.D. 1914.

Council not
to regard
trusts.

63. The Council 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 mortgages of the Council shall be a sufficient discharge to the Council in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Council 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.

Appoint-
ment of
receiver.

64.—(1) Any mortgagee of the Council 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.

65.—(1) The Council shall have power—

(a) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power 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 Council in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(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 period prescribed for the repayment of that loan 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 Council 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. A.D. 1914.

(4) The Council 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.

66.—(1) Where the Council are authorised by any statutory borrowing power to raise money for the purpose of their water-works undertaking they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said money either wholly or partially by using for such purpose so much of any money for the time being forming part of a sinking fund as shall be available for the repayment of a loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein. Power to use sinking fund instead of borrowing.

(2) The Council when exercising the powers conferred on them by this section shall—

- (a) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund:
- (b) Credit such sinking fund with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the sinking fund:

A.D. 1914.

(c) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from such sinking fund and thereupon the statutory 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 any enactment as to the repayment and reborrowing of sums raised under the statutory borrowing power shall apply thereto accordingly.

(3) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

(4) The Council shall furnish all such information (if any) to the Local Government Board with regard to the exercise of the powers contained in this section as that Board shall require.

Power to invest all sinking funds in statutory securities.

67. When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Council are empowered or required to form a sinking fund for the payment off of money borrowed or payable by them they may (in addition to any other powers for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities.

Return to Local Government Board as to repayment of debt.

68.—(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 Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board 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 Local Government Board 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 Local Government Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or 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 Local Government Board 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 Local Government Board 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 Local Government Board out of the High Court.

69. All moneys borrowed by the Council under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and to which capital is properly applicable.

Application
of money
borrowed.

70. So long as any lands remain to be acquired by the Council under the authority of this Act they may so far as they consider necessary apply any capital moneys received by them on re-sale 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 Council 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.

Proceeds of
sale of sur-
plus lands.

A.D. 1914. Act except to such extent and upon such terms as may be approved by the Local Government Board 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.

Expenses of execution of Act.

71. The expenses of the execution by the Council of this Act (including all sums payable by the Council in respect of interest upon money borrowed in pursuance of this Act and all sums payable as instalments or annual payments or to a sinking fund for the repayment of money borrowed) shall be defrayed out of the revenue of the water undertaking of the Council and if such revenue shall be insufficient to defray the whole of such expenses the amount thereof not defrayed out of such revenue shall be defrayed in manner directed by the Public Health Act 1875 with respect to special expenses incurred in the execution of that Act by a rural sanitary authority and all provisions relating to the payment and recovery of such special expenses or otherwise relating thereto shall so far as applicable and with the necessary modifications apply accordingly.

Application of water revenue.

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

- Firstly In payment of the working and establishment expenses and cost of maintenance of the undertaking ;
- Secondly In payment of the interest on moneys borrowed by the Council for the purposes of the undertaking ;
- Thirdly In providing the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking ;
- Fourthly In extending and improving (if the Council think fit) any works for the purposes of the undertaking ;
- Fifthly In providing a reserve fund (if the Council 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 thousand pounds which fund shall be applicable to answer any deficiency at any time happening in the income of the Council from the undertaking or to meet any extraordinary claim or demand at any time arising against the Council 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:

A.D. 1914.

And the Council shall carry to the credit of the special expenses account of the contributory place of the parish of Llanfaelog so much of any balance (including the interest on the reserve fund when such fund amounts to five thousand pounds) remaining in any year as may in the opinion of the Council not be required for carrying on the said undertaking and paying the current expenses connected therewith.

73. The Council shall keep a separate account of their receipts and expenditure in connection with their water undertaking in respect of the parish of Llanfaelog on capital and revenue account and the provisions of section 58 of the Local Government Act 1894 shall apply to the accounts of the Council and the accounts of their committees officers and servants under this Act.

Separate accounts of water undertaking to be kept.

74. The provisions with respect to byelaws contained in sections 182 to 186 of the Public Health Act 1875 shall apply to byelaws made by the Council under the provisions of this Act.

Confirmation of byelaws.

75.—(1) The Local Government Board 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 Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

Inquiries by Local Government Board.

A.D. 1914.

(2) The Council shall pay to the Local Government Board any expenses incurred by that Board 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 that Board not exceeding three guineas a day for the services of such inspector.

As to
notices &c.

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

(2) Notices demands orders 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 or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

Recovery of
penalties &c.

77. 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 and expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Informations
by whom to
be laid.

78. Save as herein expressly provided all informations and complaints under or in respect of the breach of any of the provisions of this Act may be made by an officer of the Council authorised in that behalf or by the clerk.

Penalties to
be paid over
to treasurer.

79. All penalties recovered on the prosecution of the Council or any officer of the Council on their behalf under this Act or under any byelaw thereunder shall be paid to the treasurer of the Council and be by him carried to the credit of the fund or account out of which the expenses of the execution by the Council of this Act are defrayed.

Judges not
disqualified.

80. 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.

81. 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.

A.D. 1914.
Recovery of demands.

82. Where the payment of more than one sum by any person is due under this Act or any Act or Order relating to the Council any summons or warrant issued for the purposes of such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Several sums in one summons.

83. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of this Act as if the same were with the necessary modifications re-enacted herein.

Application of section 265 of Public Health Act 1875.

84. All powers rights and remedies given to the Council by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Council or such committee (as the case may be) may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Powers of Act cumulative.

85. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council and may in the first instance be paid out of any moneys in their hands but ultimately if the Council so determine out of the moneys which the Council are authorised to borrow under this Act.

Costs of Act.

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