CHAPTER xxx.

An Act to amend an Act passed in the fifth and sixth year of the reign of His late Majesty King William IV., intituled "An Act for improving and regulating the town of "Aberystwyth in the county of Cardigan, and for supply-"ing the inhabitants thereof with water," to authorise the Commissioners executing such Act to construct additional waterworks, to purchase gasworks, establish markets, to extend the limits of the district, to borrow further moneys; and for other purposes. [27th June 1872.] A.D. 1872.

WHEREAS an Act was passed in the session of the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled "An Act for improving and regulating the "town of Aberystwyth in the county of Cardigan, and for supplying "the inhabitants thereof with water," (in this Act called the Act of 1835,) and the limits of the town of Aberystwyth were for all the purposes of that Act to be deemed and taken to comprise the then present liberties thereof, except where the same were otherwise enlarged or restricted by that Act: 5 & 6 W. 4. c. xlvi.

And whereas the Commissioners appointed under that Act proceeded to put the Act into execution, and established thereunder waterworks and supplied and are now supplying the inhabitants of the town of Aberystwyth with water, and the Commissioners have also constructed sewers and have paved and lighted some of the streets of the town of Aberystwyth, and have otherwise improved and regulated the town of Aberystwyth:

And whereas the Commissioners have from time to time adopted various sections and portions of "The Local Government Act, 1858," and of "The Local Government Act (1858) Amendment Act, 1861," and the Commissioners are now acting as the Local Board within the limits stated in the Act of 1835:

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And whereas by a provisional order under the "Local Government Act, 1858," dated the ninth day of June one thousand eight hundred and sixty-eight, and confirmed by an Act (Local) of the thirty-first and thirty-second years of Her present Majesty, intituled "The Local Government Act, 1868," (No. 6,) sections 25 and 95 of the Act of 1835 were amended as therein stated, and the several sections of the Act of 1835 enumerated in such provisional order and in such last-mentioned Act were thereby repealed:

And whereas the population of the town and neighbourhood of Aberystwyth has since the passing of the Act of 1835 greatly increased and is still increasing, and the town and neighbourhood is frequented in the summer by large numbers of visitors, and the present waterworks and water supply are inadequate to meet the wants of the inhabitants of the town of Aberystwyth and the visitors resorting thereto, and it is expedient that the Commissioners, being the Local Board, be authorised to construct and maintain the additional waterworks as by this Act provided:

And whereas by the Act of 1835 the Commissioners are authorised to erect gasworks and to supply gas in the town of Aberystwyth, but they have not hitherto exercised such powers, and the town of Aberystwyth is now supplied with gas by a company or association called the Aberystwyth Gas and Coke Company, and it is expedient that the Commissioners be authorised to purchase by agreement the gasworks and undertaking of that company:

And whereas the markets in the town of Aberystwyth are now held partly in the streets of the town, and it is expedient that the Commissioners and the Local Board be authorised to establish and provide markets within the limits comprised in this Act, and for that purpose by agreement to purchase or lease of the mayor and burgesses of the borough of Aberystwyth land within the said limits, and also to purchase or lease slaughter-houses belonging or reputed to belong to the said mayor and burgesses, and that the said mayor and burgesses be empowered to sell or lease the same respectively:

And whereas the private slaughter-houses now used in the district are offensive and objectionable, and an inspector appointed by the Local Government Act Office reported in the year one thousand eight hundred and sixty-seven that it would be a great benefit to the district to compel all animals to be killed at the public slaughter-houses, and it is expedient that the powers in this Act contained with respect to slaughtering be conferred upon the Commissioners and Local Board:

And whereas it is expedient that the limits of the district as defined by the Act of 1835, and which are also the limits of the

existing district of the Local Board, be extended and enlarged as herein-after provided : A.D. 1872.

And whereas it is expedient that the Commissioners be authorised to make and lay out public walks, rides, and drives as herein-after mentioned :

And whereas under the provisions and for the purposes of the Act of 1835 various sums of money have been borrowed by the Commissioners, and there were on the thirtieth June one thousand eight hundred and seventy-one and now are owing in respect thereof sums amounting in the aggregate to twelve thousand pounds, and the Commissioners acting as the Local Board under the provisions and for the purposes of the Local Government Act, 1858, by virtue of a provisional order under that Act, dated the fifteenth day of June one thousand eight hundred and sixty-nine, and confirmed by an Act (Local) of the thirty-second and thirty-third years of Her present Majesty, intituled "The Local Government Supplemental Act, 1869," (No. 2,) have also borrowed the sum of one thousand one hundred and forty-four pounds upon security of the general district rates :

And whereas estimates have been prepared by the Commissioners and Local Board for the purchase of land for and the execution of the various works by this Act authorised, and such estimates are as follows :

	£
For waterworks - - - - -	12,000
For markets and purchase of slaughter-houses -	6,989
For drainage and paving purposes - -	6,927

And whereas the several works included in such estimates respectively are permanent works within the meaning of section 57 of the Local Government Act, 1858 :

And whereas it is expedient that the Commissioners and Local Board be authorised to borrow further moneys as well to provide for the repayment of the sums so owing by them as Commissioners and as the acting Local Board as for the various purposes of this Act :

And whereas it is expedient to repeal, amend, and enlarge the powers and provisions of the Act of 1835 for the purposes herein-after mentioned, and for the other purposes of this Act :

And whereas plans and sections showing the lines and levels of the waterworks by this Act authorised, and the lands to be taken compulsorily for the purposes thereof, and a book of reference to such plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of such lands, have been deposited with the clerk of the peace for the county of Cardigan :

A.D. 1872.

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

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

PART I.

Preliminary.

Short title.

1. This Act may be cited for all purposes as the "Aberystwyth Improvement and Water Act, 1872."

Provisions of general Acts herein named incorporated.

2. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Gasworks Clauses Acts, 1847," except the provisions thereof with respect to the amount to be received by the undertakers when the gasworks are carried on for their benefit, "The Gasworks Clauses Act, 1871," (except clauses 24 to 27 inclusive and clause 35), "The Markets and Fairs Clauses Act, 1847," "The Commissioners Clauses Act, 1847," "The Towns Improvement Clauses Act, 1847," (except clauses 6 to 21 inclusive, 23, 27, 28, 29, 50, 64, 65 to 86 inclusive, 108, 116 to 131 inclusive, 134, 143, 156 to 173 inclusive, 175 to 209 inclusive, 211, 214 to 216 inclusive), "The Waterworks Clauses Acts, 1847 and 1863," (except the provisions of "The Waterworks Clauses Act, 1847," with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit), and the provisions of "The Railways Clauses Consolidation Act, 1845," with respect to the temporary occupation of land near the railway during the construction thereof, so far as the provisions of these Acts respectively are applicable for the purposes of and are not expressly varied by or inconsistent with the provisions of this Act, are respectively incorporated with and form part of this Act; and for the purposes of this Act the expressions "the railway," "the Company" in the last-mentioned Act respectively mean the waterworks by this Act authorised and the Aberystwyth Improvement Commissioners acting as the Local Board.

Same meanings to words in incorporated Acts as in this Act.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or rendered applicable hereto shall have the same respective meanings, unless the same be varied by this Act, or unless there be something in the subject or context repugnant to such construction: Provided always, that in the Acts wholly or partially incorporated with this

Act the expressions "the promoters of the undertaking," "the undertakers," or "the Company," shall mean the Commissioners acting in the execution of this Act, and the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute. A.D. 1872.

Interpretation of terms.

4. In this Act and the several schedules thereto the following words and expressions shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; (that is to say,)

The expression "the Commissioners" shall mean the Commissioners acting under the Act of 1835 and this Act:

The expressions "the Commissioners and Local Board," "the Commissioners or Local Board," or any like expressions, shall mean and include the Commissioners (who are now acting as the Local Board for the district of Aberystwyth) and the Local Board for the district of Aberystwyth, who are and shall act together as one body in the execution of this Act as hereinafter provided:

The expression "the district" shall mean the district or limits of the Commissioners and Local Board as the same are respectively extended by this Act:

The expression "the association" shall mean the partnership or association called "The Aberystwyth Gas and Coke Company:"

The expression "the Corporation" shall mean the mayor and burgesses of the borough of Aberystwyth:

The expression "undertaking" as applied to the association shall mean the gasworks of every description of the association, together with their buildings, meters, mains, pipes, and other works, real and personal estate, effects, easements, and all rights, powers, privileges, and authorities of the association:

The expressions "the deposited plans," "the deposited sections," "the book of reference," shall respectively mean the plans, sections, and book of reference deposited for the purposes of the application for this Act with the clerk of the peace for the county of Cardigan:

The words "slaughter-house or slaughter-houses" shall mean the slaughter-house or slaughter-houses authorised by this Act, and shall include the buildings and places commonly called slaughter-houses and knacker's yards, and any building or place used for slaughtering cattle or animals of any description for sale:

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The words "the market," "the markets," "any market," shall mean the market or markets authorised by this Act or any of them:

The word "cart" shall mean any vehicle with two wheels only made or used for the conveyance of goods or chattels:

The expression "the Public Health Acts" shall mean and include "The Public Health Act, 1848," "The Local Government Act, 1858," and "The Local Government (1858) Amendment Act, 1861," and all other Acts amending those Acts, or any of them.

This Act and Act of 1835 and Public Health Acts to be read as one Act.

5. This Act and so much of the Act of 1835 as now remains in force and unrepealed shall be construed together as one Act: Provided that in any case in which the provisions of this Act are inconsistent with any such provisions of the Act of 1835, the provisions of this Act shall supersede such provisions of the Act of 1835, and, except so far as any of the provisions of the Public Health Acts are excepted, varied, or otherwise provided for by this Act, and so far as the provisions of the Public Health Acts are applicable to the purposes of this Act, the Public Health Acts and this Act shall be read and have effect together as if the provisions and purposes of this Act were provisions and purposes of the Public Health Acts.

Limits of Act.

6. This Act and the Act of 1835 shall, except where it is expressly provided otherwise, apply to and within the district.

Appointment of committees by Commissioners.

7. For the purpose of carrying this Act and the Public Health Acts, or any of them, into execution, the Commissioners and Local Board from time to time may appoint out of their own body such and so many committees consisting of such number of persons as they think fit for the execution of any of the purposes of this Act and the Public Health Acts which in the discretion of the Commissioners and Local Board would be better regulated and managed by means of such committees, and may delegate to any such committee such of the rights, powers, and duties of the Commissioners and Local Board under this Act and the Public Health Acts as they think fit, including power to sign or execute in the name and on behalf of the Commissioners and Local Board any deed, document, or proceeding, and to affix the common seal of the Commissioners and Local Board thereto, and the acts and proceedings of every such committee within the limits of such delegation shall be deemed the acts and proceedings of the Commissioners and Local Board without any confirmation by them, so that the acts of every such committee shall, if the Commissioners and Local Board so order, but not otherwise, be submitted to the Commissioners and Local Board for their approval, and the quorum

of any such committee shall be such as the Commissioners and Local Board direct, and the Commissioners and Local Board may from time to time make such time regulations as they think fit for the guidance of any such committee, and the Commissioners and Local Board may from time to time remove any members of any such committee, and appoint in the stead of them or any of them other members of the Commissioners and Local Board, and the attendance at and conduct of business at such committees shall be limited to the members of such committees and their officials.

Title of Commissioners.

8. The Commissioners executing this Act may be styled "The Aberystwyth Improvement Commissioners and Local Board."

Act to be executed by Commissioners as the Local Board.

9. This Act shall be executed by the Commissioners as the Local Board, with the powers and indemnities and according to the provisions of the Act of 1835 and the Public Health Acts, and those Acts shall in relation to the Commissioners and Local Board and the several objects and purposes of this Act be read and construed as if the purposes and provisions of this Act were purposes and provisions of the Act of 1835 and of the Public Health Acts, so far as the same shall be applicable thereto, and except so far as any of the provisions of the Act of 1835 and of the Public Health Acts are expressly varied or otherwise superseded or provided by this Act.

PART II.

Extension of District.

Limits of district extended.

10. The limits of the existing district as at present defined and limited by the Act of 1835 and under the Public Health Acts shall be and the same are hereby extended and enlarged, so that for all purposes the district shall henceforth include therein the whole of the Parliamentary borough of Aberystwyth as such Parliamentary borough now exists, and is described in schedule 6 to the Public General Act, 2nd William IV. cap. 64, and the district shall henceforth be the same as and co-extensive with the said Parliamentary borough, as described in the said schedule 6.

Lands, &c. added to district to be subject to Acts.

11. The lands, houses, buildings, roads and works, precincts and places, by this Act added to the existing district, and included within the limits thereof as aforesaid, shall henceforth be and be deemed part of the district to all intents and purposes whatsoever as if they had been comprised in the existing district, and subject to the provisions in this Act all the powers and provisions of the

A.D. 1872.

Act of 1835 now in force and of the Public Health Acts now applicable to the existing district or any part thereof shall respectively apply to the same lands, houses, buildings, roads and works, precincts and places, and to the district and to the owners of lands therein, and to the inhabitants thereof and other persons therein, and shall henceforth be exercised and put in force throughout the same in all respects as if the district had been described or referred to in the Act of 1835 and the said Public Health Acts instead of the existing district.

Commissioners to continue seised of estates, &c.

12. Notwithstanding the extension of the boundaries of the existing district, the Commissioners and Local Board of the district shall continue by the name of the "Aberystwyth Improvement Commissioners and Local Board," and by that name shall continue seised and possessed of all estates and property of every description now vested in them in any capacity, and, subject to the provisions of this Act, shall, in addition to the powers, rights, privileges, advantages, and immunities conferred on them by this Act, have, hold, possess, enjoy, and exercise, for the benefit of the district, all the powers, rights, privileges, advantages, and immunities which at the commencement of this Act are vested in the Commissioners and Local Board for the benefit of the existing district.

District exempt from highway rates.

13. On and after the commencement of this Act all lands, buildings, and hereditaments within the district, and all persons in respect of the same, shall be exempt from the payment of and all liability to be assessed to any highway rates of the several townships of Vainor, Ucha Vainor, Issa, and Issayndre respectively in the parish of Llanbadarn fawr from time to time raised by those townships and parish.

Exemption from rates not to affect rates payable before commencement of Act.

14. Provided that the aforesaid exemptions shall not exempt any person from the payment of any rate assessed and payable before the commencement of this Act, but all such rates assessed and payable before that date shall be paid and recovered as if this Act were not passed; nor shall such exemption exempt any person now liable to the same from the payment of any county or other rate to be levied for the purpose of maintaining so much of the north turnpike roads as lie between the Aberystwyth north turnpike gates and the limit of the district in those directions respectively.

Portions of north turnpike roads to remain vested in county roads board.

15. Notwithstanding the extension of the limits of the district by this Act authorised, so much of the north turnpike roads respectively as lie between the Aberystwyth north gates and the limits of the district in those directions respectively, shall for all purposes remain vested in and be maintained by the Cardiganshire

County Roads Board as if this Act had not been passed, and shall not be under the jurisdiction or control of the Commissioners and Local Board. A.D. 1872.

PART III.

Water.

Power to Commissioners to supply water.

16. Subject to the provisions of this Act the Commissioners and Local Board, by means of the waterworks now belonging to the Commissioners, and the additional waterworks by this Act authorised to be made, or any of them, may from time to time supply water within the district, and may sell and dispose of such water within the district as they from time to time think fit.

Power to make waterworks and take lands.

17. Subject to the provisions of this part of this Act and of the incorporated Acts, the Commissioners and Local Board may make and maintain in the line and according to the levels shown upon the deposited plans and sections, the reservoirs, aqueducts, conduits, and other works shown on the deposited plans, with all necessary and suitable sluices, outlets, embankments, filter beds, pumping stations, shafts, wells, approaches, works, and conveniences connected therewith respectively, and for that purpose may enter on, take, and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for that purpose.

Reservoirs and works.

18. The reservoirs and works by this Act authorised and hereinbefore referred to are the following; (that is to say,)

(1.) A receiving reservoir, well, or shaft, and pumping station at Plas-crug:

(2.) An aqueduct or line of pipes from Ffynnon-y-gors Well to the receiving reservoir Number 1:

(3.) An aqueduct or line of pipes from Ffynnon Simon Well to the receiving reservoir Number 1:

(4.) An aqueduct or line of pipes from Ffynnon Cae Francis Well to the aqueduct Number 2:

(5.) A storage reservoir in Craiglais otherwise Cwmglais Dingle:

(6.) An aqueduct or line of pipes from the receiving reservoir Number 1 to the storage reservoir Number 5:

(7.) An aqueduct or line of pipes from the storage reservoir Number 5 to the existing main service pipe of the Commissioners at the junction of the road from Aberystwyth to Bryn-y-mor, with the road to the existing reservoir of the Commissioners.

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Lateral and vertical deviations.

19. The Commissioners and Local Board in constructing the works by this Act authorised may make lateral and vertical deviations from the line of such works, but, except with such consent as herein-after mentioned, not exceeding the limits of deviation shown on the deposited plans, and may deviate from the levels of the reservoirs and of the other works as delineated on the deposited sections to any extent not exceeding in the case of the reservoirs seven feet, and in the case of the other works five feet, unless with the consent in writing of the owners, lessees, and occupiers of the lands to be affected by any such deviation; provided that when any of the said works are to be made along any public road, the boundary line of such road, unless where and as shown to the contrary on the deposited plans, shall be the limits of deviation laterally.

Period for compulsory purchase of lands.

20. The powers of the Commissioners and Local Board for the compulsory purchase of lands for any of the purposes of this part of this Act shall not be exercised after the expiration of five years from the passing of this Act.

Power to acquire additional lands.

21. In addition to the lands, streams, and waters which the Commissioners and Local Board are by this part of this Act authorised to purchase compulsorily, they may for any of the purposes of this part of this Act, but subject to the provisions of this Act, from time to time by agreement purchase in fee, either absolutely or in consideration of any yearly or other rent, or take on lease any additional quantity of land not exceeding in the whole ten acres, or any easement or right (not being an easement or right to take water in which other than the parties to the agreement have a right or interest) in or over such additional lands, which they may from time to time think requisite for any of the purposes of this Act.

Owners may grant easements.

22. The persons empowered by "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," respectively, to sell or convey or lease lands, shall subject to the provisions of those Acts respectively have full power to grant to the Commissioners and Local Board in fee, either absolutely or in consideration of any yearly or other rent, any lands, streams, or waters, or any easement, right, privilege, power, or authority in, over, or affecting any lands, streams, or waters by this Act authorised to be purchased by the Commissioners and Local Board compulsorily, and which the Commissioners and Local Board from time to time think requisite for any of the purposes of this Act.

Power to take waters.

23. The Commissioners and Local Board for the purposes of this part of this Act may collect and impound, take, use, appropriate, and divert into the intended reservoirs and works, and thence distribute and supply the waters of the several springs and wells shown on the deposited plans, and any other springs or wells found by them in the lands shown on such plans, and taken by the Commissioners and Local Board.

Application of Lands Clauses Act, 1860, to easements.

24. For the purposes of this Act the provisions of "The Lands Clauses Consolidation Acts Amendment Act, 1860," with respect to lands and rentcharges, shall extend and apply to easements and rentcharges granted or reserved by grants of easements under this Act.

Period for completion of waterworks.

25. If the waterworks by this Act authorised to be constructed shall not be completed within seven years from the passing of this Act, then on the expiration of that period the powers of the Commissioners and Local Board under this Act for making the waterworks or otherwise in relation thereto shall cease to be exercised, except as to so much as is then completed: Provided always, that subject to the provisions of this Act the Commissioners and Local Board from time to time may alter, enlarge, and extend their engines, machinery, wells, mains, and pipes, in such way and manner as shall be necessary for supplying water within the district, and without being subject to such limitation of time.

Water need not be constantly laid on under pressure.

26. The water to be supplied by the Commissioners and Local Board need not be constantly laid on under pressure, and need not be supplied to an elevation greater than can be afforded by gravitation from the existing service reservoir of the Commissioners, or from the service reservoir by this Act authorised, so soon as the same shall have been completed.

Want of supply when excused.

27. The Commissioners and Local Board shall not in the absence of special agreement be liable to any penalty under this Act or otherwise, or to any damages, for not supplying water as required by this Act, if the want of such supply arises from frost, unusual drought, or other unavoidable cause or accident.

Rate at which water is to be supplied for domestic purposes.

28. The Commissioners and Local Board shall at the request of the owner or occupier of any house or part of a house in any street in which any pipe of the Commissioners and Local Board shall be laid, or on the application of any person who, under the provisions of this Act, or any of the incorporated Acts, shall be entitled to demand a supply of water for domestic purposes, furnish to such owner or occupier or other person a sufficient supply of water for domestic use, including one watercloset, at yearly rates not ex-

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ceeding ten pounds per centum upon the assessed value of such house to the general district rates of the district in which it is situate; provided that the Commissioners and Local Board shall not be obliged to furnish any such supply at any less sum than twopence per week.

Rates for private baths.

29. If there be any private bath or private baths in such dwelling-house, then in addition to the rates computed as above specified the following rates shall be payable; (that is to say,)

For each such private bath the sum of ten shillings per annum: Provided always, that the Commissioners and Local Board shall not be compelled to supply with water any watercloset or private bath, or the apparatus or pipes connected therewith, unless the same shall be so constructed and used as to prevent the waste or undue consumption of the water of the Commissioners and Local Board, and the return of foul air and other noisome or impure matter into the mains or pipes belonging to or connected with the mains or pipes of the Commissioners and Local Board, nor any private bath which shall be so constructed as to contain when filled for use more than fifty gallons of water.

Rates for shipping.

30. The Commissioners and Local Board from time to time may agree with any persons requiring water for the purpose of supplying shipping, and may demand and take from such persons such sum as may be agreed on, not exceeding one shilling for any quantity up to one hundred gallons, and the sum of ninepence for every additional one hundred gallons or any less quantity, and may require payment for the same in advance.

Water supplied by agreement.

31. The Commissioners and Local Board may from time to time supply any person, body, or corporation with water for any purpose for which no specific rates are by this Act limited, for such remuneration and upon such terms and conditions as shall be agreed on between the Commissioners and Local Board and the person, body, or corporation desirous of having such supply.

When several tenements supplied with water by one pipe.

32. When several tenements or premises in the occupation of several persons shall be supplied with water by one common pipe, the several owners and occupiers of such tenements or premises shall be liable to the payment of rent for the supply of water at and after the same rate as they would have been liable to if each of such several tenements or premises had been separately supplied with water from the works of the Commissioners and Local Board by a distinct pipe, and such several rents in case of nonpayment shall and may be recovered in like manner as other rents may be recovered under the authority of this Act.

Service pipes.

33. The service pipes to communicate with the mains and pipes of the Commissioners and Local Board and the fittings connected therewith shall be laid, placed, and removed under the superintendence of the Commissioners and Local Board, and at the expense of the persons requiring or having the supply, and at their option either by themselves or by the Commissioners and Local Board.

Penalty for improperly fitting service pipes.

34. If any person connects any service pipes or other fitting with any of the mains or pipes of the Commissioners and Local Board otherwise than under the superintendence and in accordance with the reasonable requirements of the proper officer of the Commissioners and Local Board, every person so offending shall for every such offence forfeit and pay to the Commissioners and Local Board a sum not exceeding five pounds, and shall pay for all water taken by means of the service pipes or other fitting so improperly connected, water rates of fourfold the amount which would otherwise be payable in respect of the supply.

Commissioners may sell by measure.

35. The Commissioners and Local Board may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

Notice to Commissioners of putting up water meters.

36. Before any person connects or disconnects any water meter by which any of the water of the Commissioners and Local Board has been or is intended to be registered, he shall give not less than twenty-four hours notice in writing to the Commissioners and Local Board of his intention so to do.

Penalty for fraudulently injuring water meter.

37. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any water meter or fixing belonging to the Commissioners or Local Board, or fraudulently alters the index to any water meter or prevents any water meter from duly registering the quantity of water supplied, or fraudulently connects with a water meter any water meter calculated to interfere to the prejudice of the Commissioners and Local Board with the due action of the water or water meter, or effaces or alters any mark applied to a water meter, shall, without prejudice to any other right or remedy for the protection of the Commissioners and Local Board or the punishment of the offender, forfeit and pay to the Commissioners and Local Board for every such offence a sum not exceeding five pounds, and the Commissioners and Local Board may in addition thereto recover the amount of any damages by them sustained; and, notwithstanding any contract with respect to the supply of water to the person so offending, the Commissioners and Local Board may discontinue the supply of water to him until the damage or injury is

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remedied and the amount of the damages are paid; and the existence of artificial means for the alteration or prevention when the water meter is in the custody or control of the consumer shall be primâ facie evidence that the same has been fraudulently, knowingly, and wilfully caused by the consumer using the water meter.

Register of water meter to be primâ facie evidence of water consumed.

38. The register of the water meter shall be primâ facie evidence of the quantity of water consumed by any customer of the Commissioners and Local Board, and in respect of which any rate is charged and sought to be recovered by the Commissioners and Local Board.

Power to Commissioners for ascertaining quantity consumed by meter and for removing meters, &c.

39. The officers of the Commissioners and Local Board may enter any house, building, or lands to, through, or into which water is supplied by the Commissioners and Local Board by measure in order to inspect the meters, instruments, fittings, apparatus, and works for conveying, measuring, and regulating the supply of water or for the purpose of ascertaining the quantity of water supplied or consumed, and may from time to time enter any house, building, or lands to which water has ceased to be supplied for any cause except the default of the Commissioners and Local Board for the purpose of removing or carrying away any meter, instrument, pipes, fittings, apparatus, or other works the property of the Commissioners and Local Board; and if any person hinders any such officer from entering and making such inspection or effecting such removal, he shall for every such offence be liable to a penalty not exceeding five pounds, but, except with the consent of a justice, such power of entry shall not be exercised except between the hours of ten in the forenoon and four in the afternoon, and after not less than twenty-four hours notice to the occupier.

Power to cut off water in certain cases.

40. If any person supplied with water by the Commissioners and Local Board wrongfully does or causes or permits to be done anything in contravention of any of the provisions of the incorporated Acts and this Act respectively, or wrongfully fails to do anything which under any of those provisions ought to be done for the prevention of the waste, misuse, undue consumption, or contamination of the water of the Commissioners and Local Board, they may cut off any of the pipes by or through which water is supplied by them to him or for his use, and may cease to supply him with water so long as the cause of injury remains or is not remedied, and may also recover from him the amount of any loss, damage, or injury sustained by the Commissioners and Local Board by or in consequence of any such act or failure by action at law in any court of competent jurisdiction.

Regulations for preventing waste, &c. of water.

41. For the purpose of preventing the waste, misuse, or undue consumption or contamination of the water of the Commissioners and Local Board, they may from time to time make such rules and regulations as they may think necessary to be observed by the persons supplied with such water, and may thereby direct the use and prescribe the size, nature, strength, and materials and the mode of arrangement, alteration, and repair of the pipes, valves, cocks, cisterns, baths, soil pans, waterclosets, and other apparatus or receptacles or any of them to be used by such persons respectively for conveying, delivering, and receiving such water, and may thereby interdict any arrangement and the use of any pipes, valves, cocks, cisterns, baths, soil pans, waterclosets, and other apparatus or receptacles, which in their judgment will be likely to occasion any such waste, misuse, undue consumption, or contamination, and shall not be bound to supply or continue to supply water to any such person unless such rules and regulations be and continue to be duly observed by him, and the pipes, valves, cocks, cisterns, baths, soil pans, waterclosets, and other apparatus and receptacles used or to be used shall be made of such size, nature, strength, and materials and shall be so arranged, kept, and repaired as the Commissioners and Local Board shall from time to time so prescribe or otherwise approve; and in case of the neglect or refusal of any such person to observe such rules and regulations, or any of them, the Commissioners and Local Board may after twenty-four hours notice in writing, and by or under the direction of their duly authorised officer, repair, replace, or alter, or cause to be repaired, replaced, or altered, any pipe, valve, cock, cistern, bath, soil pan, watercloset, or other apparatus or receptacle of any person supplied by them, and the expense of every such repair, replacement, or alteration shall be repaid to the Commissioners and Local Board by the person on whose credit the water is supplied, and may be recovered by them as damages for the recovery of which no special provision is made: Provided that such rules and regulations shall not be of any legal force until they shall have been approved by the President of the Local Government Board.

Domestic supply not to be prejudiced.

42. No person, body, or corporation shall be entitled under this Act to a supply of water for any purposes other than domestic purposes when the supply would interfere with the proper supply by the Commissioners and Local Board of water for domestic purposes.

Recovery of water rates, &c.

43. In case default be made by any person in payment of any water rate or sum for the supply of water due to the Commissioners and Local Board under the authority of this Act, it shall be lawful for the Commissioners and Local Board to separate the pipe sup-

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plying with water the person so making default and communicating with the waterworks of the Commissioners and Local Board, and to stop the water from flowing or passing into the premises of such person, and if any person shall neglect or refuse to pay the amount due from him to the Commissioners and Local Board in respect of the water rates or rents, or the sale or hire of water meters, mains, pipes, or tubes, for the space of seven days after the demand thereof by the Commissioners and Local Board, their agent or collector, it shall be lawful for any justice to issue his summons to such person requiring him to appear at a time and place named therein, and then and there to show cause why the amount so demanded should not be paid; and if on the appearance of such person, or in default of appearance after proof of service of the summons either personally or at the last known place of abode or business of such person, no sufficient cause can be shown to the contrary, it shall be lawful for any justice to issue his warrant of distress for the seizure and the sale of the goods and chattels of such person for the recovery of the amount which may be proved before such justice to be due from such person, together with such costs, including the costs of cutting off the water if the same shall have been cut off by the Commissioners and Local Board, as to such justice shall seem just and reasonable, or the Commissioners and Local Board may recover such rents in any manner in which private improvement expenses may be recovered by the Commissioners and Local Board.

Incoming tenants not to be liable for arrears.

44. In case any person supplied with water by the Commissioners and Local Board shall leave the premises where such water has been supplied to him without paying to the Commissioners and Local Board the water rent or meter rent due from him, the Commissioners and Local Board shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant shall have undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Power to Commissioners to remove water or gas pipes from unoccupied premises.

45. If and whenever any house, building, or premises which shall have been supplied with water or gas by the Commissioners and Local Board shall be unoccupied, the Commissioners, their agents, servants, or workmen, after giving twenty-four hours previous notice to the owner by serving the notice on him or sending the same by post addressed to him at his usual place of abode or business, or, if the owner or his usual place of abode or business be not known to the Commissioners and Local Board after inquiry, by affixing the same for three days on some conspicuous part of such house, building, or premises, may enter into such house, building, or premises

between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon and remove and carry away any pipe, meter, fittings, or other works the property of the Commissioners and Local Board. A.D. 1872.

PART IV.

Gas.

The Commissioners may purchase undertaking of Aberystwyth Gas and Coke Company by agreement.

46. The Commissioners may by agreement purchase from the association their undertaking for such consideration and on such terms and conditions as the Commissioners and Local Board and the association may respectively agree on, or failing such agreement being come to with the unanimous consent of all the shareholders or members of the association who are not under any legal disability or incapacity, as may be settled by arbitration in manner provided by the "Lands Clauses Consolidation Act, 1845," for settling by arbitration questions of disputed compensation, provided that such arbitration shall only take place in the event of the association being willing to sell their undertaking, and with their consent and concurrence to be signified as herein-after mentioned: Provided that in the event of such terms of purchase being settled by agreement between the Commissioners and Local Board and the association, the same shall be subject to the approval of the Local Government Board.

As to agreement for sale and execution of transfer.

47. A resolution passed by three fourths of the shareholders or members of the association present at a meeting of the association specially convened for that purpose, agreeing to sell the undertaking of the association to the Commissioners and Local Board, shall be binding upon all the shareholders or members of the association, and an agreement for sale and a deed of conveyance or transfer of the said undertaking may be signed and executed by any three of the shareholders or members of the association who are for the time being acting as members of the committee of management thereof, one of such three members being the chairman of such committee, without its being necessary to obtain the signature or execution of such agreement or deed by the other shareholders or members of the association, and the chairman for the time being of the committee of management of the association may sign and execute any appointment of arbitrators, and all notices, documents, and proceedings necessary to ascertain and determine the consideration, terms, and conditions of such sale and purchase, and to carry out and to give effect to the pur-

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chase, sale, and transfer of the undertaking to the Commissioners and Local Board.

Remaining sections of this part of this Act to apply only on transfer of undertaking.

48. The remaining sections and provisions of this part of this Act shall take effect only in the event of the transfer of the undertaking of the association to the Commissioners and Local Board being carried out.

Transfer of undertaking to be by deed.

49. The sale by the association of their undertaking to the Commissioners and Local Board shall be carried into effect by a deed of conveyance or transfer or assignment duly stamped, truly stating the consideration, and on the execution thereof by such three members of the committee of management as aforesaid, on behalf of the association, and on payment of the consideration, the undertaking shall by virtue thereof and of this Act become and the same shall thenceforth be transferred to and be vested in the Commissioners and Local Board for all the estate and interest of the association, and of every member of the association therein, and shall thenceforth be and form part of the estates and property of the Commissioners and Local Board.

Receipt of three members of the committee to be a discharge for purchase money.

50. The receipt of such three members as aforesaid of the committee of management for the time being of the association for the purchase money or consideration indorsed on such deed of conveyance or transfer shall be a sufficient discharge to the Commissioners and Local Board for the same, and the Commissioners and Local Board shall not be bound to see to the application or be answerable for the mis-application or non-application thereof.

After transfer, association to cease to supply gas, &c.

51. After the transfer the association shall cease to supply gas, gas fittings, meters, and apparatus within the district.

The debts of the association to be paid by them.

52. All debts, rents, rates, charges, and sums of money, actions, suits, and proceedings, and causes of action, suit, or proceeding, which at the time of the transfer are due or owing from or pending or existing against the association shall be paid, discharged, settled, and satisfied by them, and they shall if required by the Commissioners and Local Board, on or before receiving the purchase money for their undertaking, either produce to the Commissioners and Local Board valid and sufficient receipts and discharges for or evidence of settlement and satisfaction of the same, or enter into with the Commissioners and Local Board a sufficient security for the due payment, discharge, settlement, and satisfaction of the same, or of such of them as are not then paid, discharged, settled, and satisfied, and for the indemnity of the Commissioners and Local Board against the same.

Commissioners to be primarily

53. If at any time after the transfer any claim is lawfully made for any debt, rent, rate, charge, or sum of money which at the time

of the transfer is due or owing from the association, but is not paid or discharged by them, then and in every such case the Commissioners and Local Board shall be primarily liable to satisfy such claim, without prejudice to any remedy over against the association under any security given by them to the Commissioners and Local Board as aforesaid, or otherwise.

liable for gas association's debts unpaid.

54. If at the time of the transfer any action, suit, or proceeding is pending against the association, the same shall not abate or be discontinued by reason of the transfer or of anything in this Act, but the same may be continued and prosecuted against the Commissioners and Local Board as and when it might have been continued and prosecuted against the association if this Act had not been passed, but not further or otherwise, without prejudice to any remedy over against the association under any security given by them to the Commissioners and Local Board, or otherwise.

Pending actions, &c. against gas association.

55. If at the time of the transfer any cause of action, suit, or proceeding is existing against the association, the same shall not be in anywise prejudicially affected by the transfer or by anything in this Act, but the same may be enforced against the Commissioners and Local Board as and when it might have been enforced against the association if this Act had not been passed, but not further or otherwise, without prejudice to any remedy over against the association under any security given by them to the Commissioners and Local Board, or otherwise.

Causes of action, &c. against association.

56. The association shall hold the purchase money of their undertaking when paid, and all other money for the time being belonging to them, on trust to pay and discharge thereout all their debts and liabilities, and to distribute the residue among the shareholders or members of the association, their executors, administrators, or assigns, rateably and according to their priorities, and the directors of the association may exercise all powers necessary for paying and discharging the debts and liabilities, distributing the assets, and winding up the affairs of the association.

Application of purchase money.

57. When and as soon as the assets of the association have been distributed in manner aforesaid, and their affairs have been wound up, the association shall by virtue of this Act be dissolved.

Association to be dissolved.

58. From and after the transfer of the undertaking to the Commissioners and Local Board they may, in and upon the land described in the first schedule to this Act, being the land now belonging or reputed to belong to the association, and now occupied by gasworks, and used for gas purposes, from time to time maintain,

Commissioners may maintain works and manufacture and supply gas.

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alter, improve, enlarge, and extend gasworks, retorts, gasometers, machinery, and other works, apparatus, and conveniences, and may thereon from time to time make, erect, lay down, provide, and maintain or remove additional or other gasworks, buildings, retorts, gasometers, machinery, and other works, apparatus, or conveniences, and may do all such acts as they think proper for making and storing gas, and for supplying gas within the district, and may make, store, and supply gas accordingly for public and private lighting and consumption, and may manufacture, sell, store, and dispose of coal, coke, tar, pitch, asphaltum, ammoniacal liquor, oil, and other matters and products of the coal or other materials employed in the manufacture of gas, and may also manufacture and sell, let, or deal in gas fittings, tubes, meters, pipes, and all other articles and things in any way connected with gasworks or with the supply of gas to the consumer thereof, in such manner as the Commissioners and Local Board may think fit.

Power to hold licenses under letters patent.

59. After the conveyance and transfer of the undertaking of the association, the Commissioners and Local Board may take, hold, and use any license or authority (not being exclusive) under any letters patent for the use of any invention relative to the manufacture or distribution of gas, or the utilization of residual products.

Prescribed pressure, number of candles, burner, and testing place.

60. After the expiration of six months from the transfer, the prescribed pressure shall be such as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe.

The prescribed number of sperm candles, of six in the pound, shall be fourteen:

The prescribed burner shall be an argand burner, consuming five cubic feet of gas per hour:

The prescribed testing place shall be the gasworks of the Commissioners and Local Board:

The prescribed time for providing the testing place with apparatus shall be six months after the transfer.

Power to lay pipes against buildings.

61. The Commissioners and Local Board, with the consent of the owner or occupier of any building, may lay any pipe, branch, or other necessary apparatus from any main or branch pipe into, through, or against such building for the purpose of lighting it or any street, and may with the like consent provide and set up any apparatus necessary for securing to such building or street a proper and complete supply of gas, and for measuring and ascertaining the

extent of such supply, and may with the like consent from time to time repair, replace, alter, or discontinue and remove any such pipe, branch, or apparatus.

Limiting price of gas.

62. The maximum price at which gas shall be sold by the Commissioners and Local Board to all persons who shall burn the same by meter shall not exceed six shillings per thousand cubic feet.

Cost of experiments to be paid according to event.

63. The costs of and attending any experiment pursuant to "The Gasworks Clauses Act, 1871," including the remuneration to be paid to the person making the same and the costs of the proceedings before the justices, shall be ascertained by such justices, and in the event of any penalty being imposed on the Commissioners and Local Board, shall be paid together with such penalty by the Commissioners and Local Board; but in the event of no penalty being imposed, such costs shall be in the discretion of the justices.

Accounts of gas undertaking.

64. The Commissioners and Local Board shall make up on or before the 25th day of March in each year an annual statement of accounts of their gas undertaking made up to the 31st day of December then next preceding, in such form and containing such particulars as the Board of Trade may from time to time require, and they shall keep copies of such annual statement at their office and sell the same to any applicant at a price not exceeding one shilling for each such copy. In case they make wilful default in complying with the provisions of this section, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues, such penalty to be recovered as if the same were a penalty under "The Gasworks Clauses Act, 1871."

PART V.

Markets and Slaughter-houses.

Commissioners may purchase or lease lands for and establish markets.

65. The Commissioners and Local Board may by agreement purchase or take on lease any lands within the district belonging to the Corporation, who are hereby authorised and empowered to sell, transfer, or lease the same to the Commissioners and Local Board for such sum, rent, or consideration, and upon such terms and conditions, as may be agreed on, and upon such transfer or lease being made the Commissioners and Local Board shall have the following powers; (namely,)

They may from time to time appropriate and use such land as a place for the holding of, and they may there establish and hold, markets for the sale of provisions and marketable articles of every kind:

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They may from time to time erect, provide, and maintain suitable market places, market houses, stalls, sheds, buildings, and erections for the sale of provisions and marketable articles of every kind, with all proper approaches, works, and conveniences:

They may demand, levy, receive, and recover from persons selling, offering, or exposing for sale commodities, merchandise, and things in the markets, or using the markets, buildings, or conveniences, or using the weighing houses or places, weights, measures, scales, or machines therein, tolls, stallages, rents, rates, dues, and charges not exceeding the sums respectively specified in the second schedule hereto:

They may from time to time when and as they may think fit make, alter, and rescind byelaws and regulations for all or any of the following purposes; (namely,) appointing the days on which and the hours during which any market is to be held, for regulating the use of the markets, buildings, weighing houses, and the slaughter-houses and conveniences, and for preventing the bringing therein respectively of any diseased, injured, offensive, or objectionable article, and for preventing nuisances and obstructions therein, or in the approaches thereto, and damage and danger thereto, and for fixing the amount of the tolls, stallages, rents, rates, dues, and charges which the Commissioners will levy, demand, and receive in respect of the markets, weighing houses and places, and for regulating the times when the same shall become due and payable, and the collection thereof:

And the Commissioners and Local Board may by any byelaws impose penalties for offences against the same, not exceeding in respect of any single offence five pounds, and so that all byelaws be so framed as to allow of part only of the maximum penalties being inflicted.

Removal of markets from streets.

66. As soon as any such place for the holding of markets as aforesaid is provided under this Act and opened for public use, all markets now held on the public highways or streets or elsewhere in the district shall cease to be so held, and if any person at any time thereafter publicly sells or exposes for sale any provisions, vegetables, merchandise, marketable articles, or goods in any such highway or street or elsewhere in the district, or from any caravan, waggon, cart, or other vehicle or otherwise, or places any stand, pen, or stall or articles for sale or exhibition in any such highway or street or elsewhere in the district, he shall for every such offence be liable to a penalty not exceeding five pounds: Provided that

this provision shall not apply to any person selling or exposing for sale any provisions, vegetables, merchandise, or goods in any shop, dwelling-house, building, or land of which he is the owner or occupier.

Market inspectors may be made constables.

67. The Commissioners and Local Board may cause the inspectors of markets and all persons appointed to assist them permanently or otherwise to be sworn before a justice as constables, and the men so sworn shall have all such powers, authorities, and privileges, and shall perform and be liable to all such duties and responsibilities, as constables appointed under the Municipal Corporation Acts.

Power to lease stands, &c. in markets.

68. It shall be lawful for the Commissioners and Local Board to let any of the stalls, standing places, pens, or other conveniences in the market, or any room, offices, shops, buildings, or grounds belonging thereto, to any person or persons for any term not exceeding two years, for such rents and on such conditions as the Commissioners and the Local Board and their lessees mutually agree.

Tolls to be payable by successive occupiers of shops.

69. The several tolls in the market payable with respect to the occupation of any house, shop, stall, pen, bench, compartment, or space of ground shall be paid not only by the original taker or occupier thereof for the part of a day or other time, but also by any subsequent taker or occupier thereof for any other part of the same day or time.

Tolls to be paid by successive sellers of articles.

70. The several tolls in the markets payable in respect of any article shall be paid not only by the original seller, but also by any subsequent seller or person who offers such article again for sale, and such tolls shall become payable before such article is sold or offered for sale.

Tolls for weighing carts, &c.

71. It shall be lawful for the person for the time being appointed to attend the machines and measures belonging to the Commissioners and Local Board for weighing or measuring waggons, carts, or other articles, to demand from the person requiring the same to be weighed or measured such tolls as the Commissioners and Local Board may from time to time appoint, not exceeding in any case the amount set forth in the second schedule to this Act annexed: Provided always, that it shall not be obligatory upon the Commissioners and Local Board to provide weighing machines or measures for weighing or measuring waggons or other articles unless and until they shall think fit.

Seizure of false weights, &c.

72. If any person is found using any false scales, weight, or measure, the superintendent of the market or other authorised

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officer of the Commissioners and Local Board or any peace officer may seize and detain the same, and on conviction of the offender the same shall be forfeited to the Commissioners and Local Board, and such forfeiture shall be in addition to any penalty or punishment to which such person is or may be liable for using such false scales, weight, or measure.

Forfeiture of articles left in market.

73. Every article brought into any market and left therein after the hour of closing (except such as are left in charge of the superintendent of the market) may be taken possession of by the superintendent, and if the same being of a perishable nature are not claimed within one hour after the closing, or not being of a perishable nature are not claimed within one month thereafter, then and in every such case the same may be sold by the Commissioners and Local Board, who shall return the surplus proceeds of such sale, after deducting any unpaid stallage, rent, or toll due in respect thereof, and the expenses of detention and of sale, to the owner on demand, if such demand is made within one month after the sale, but if demand is not so made the proceeds of the sale shall be forfeited to the Commissioners and Local Board.

Commissioners may purchase slaughter-houses.

74. The Commissioners and Local Board may by agreement purchase or take on lease the slaughter-houses and the buildings and appurtenances connected therewith situated at Morfa Mawr within the district and belonging to the Corporation, who are hereby authorised and empowered to sell, transfer, or lease the same to the Commissioners and Local Board for such price and upon such terms and conditions as may be agreed on, and upon such transfer or lease being made the Commissioners and Local Board may from time to time maintain, add to, alter, enlarge, and improve such slaughter-houses, buildings, and appurtenances. After such slaughter-houses shall be opened for public use by the Commissioners and Local Board, it shall not be lawful for any person or persons to maintain or continue the use of any slaughter-house within the district, provided that the Commissioners and Local Board shall give not less than twenty-eight days notice of the time when the same will be so opened, by advertisement in a newspaper circulating in the district, and by printed bills posted in conspicuous places in the district.

Prohibition of slaughtering elsewhere.

Penalty for slaughtering elsewhere after notice.

75. After the opening of such slaughter-houses and the expiration of twenty-eight days from such notice, no cattle, calf, sheep, lamb, or pig, or carcase of a cattle, calf, sheep, lamb, or pig, shall be slaughtered or dressed for sale in any place other than such slaughter-houses, and every person who shall after such opening and time, and so long as the Commissioners and Local Board provide sufficient

slaughter-houses, slaughter for sale any cattle, calf, sheep, lamb, or pig, or dress for sale any such carcase thereof respectively in any place other than one of such slaughter-houses, shall for every such offence forfeit not exceeding five pounds.

Penalty for slaughtering near public highway beyond limits of district.

76. If after the opening of such slaughter-houses, and the expiration of such notice, any butcher carrying on business within the district shall slaughter or dress for sale the carcase of any cattle, calf, sheep, lamb, or pig, upon any public highway within half a mile of the limits of the district, or within fifty yards of any such highway, in a manner to cause any nuisance or annoyance, such butcher, or any person so slaughtering or dressing for sale for such butcher, shall for every such offence forfeit not exceeding five pounds, which the Commissioners are hereby authorised to recover in the same way as other penalties are recoverable under the powers of this Act.

Rates, &c. for slaughter-houses.

77. The Commissioners and Local Board may demand and receive from the persons using the slaughter-houses, rates, tolls, and charges not exceeding the sum specified in the third schedule to this Act, and such rates, tolls, and charges shall be paid before using the said slaughter-houses.

Moneys paid by Commissioners to Corporation to be paid into borough fund.

78. All moneys to be paid by the Commissioners and Local Board to the Corporation for or in respect of the purchase or lease of the land for the markets and for the slaughter-houses respectively shall be paid into and form part of the borough fund of the town, borough, and liberties of Aberystwyth, and shall be dealt with and applied as part thereof by the Corporation.

PART VI.

Rates and Application of Income, &c.

Expenditure by the Commissioners and Local Board under Act.

79. All costs, charges, and expenses of and incident to the executing by the Commissioners and Local Board of this Act, and all moneys from time to time borrowed by the Commissioners and Local Board under this Act, and the interest thereon, and all other the expenses and liabilities of the Commissioners and Local Board under and with respect to this Act and for the purposes and execution thereof, are by this Act charged on and shall in the first instance be paid out of the revenue of the Commissioners and Local Board arising under this Act, and the rates by this Act authorised,

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and any deficiency thereof shall be charged on and shall be paid out of the general district rates, and any surplus of such income from the waterworks and gasworks respectively which in any year may remain after satisfying and paying such charges, expenses, liabilities, interest, and sums of money properly chargeable to the water and gas accounts respectively, and after setting apart the prescribed sum as a sinking fund on account thereof respectively, shall respectively be applicable, first, to such extension of the waterworks and gasworks, and the mains thereof respectively, and to such other purposes connected with their waterworks and the gas undertaking (if and when acquired by them), as shall from time to time in the judgment of the Commissioners and Local Board be requisite and desirable; and, secondly, together with the surplus income derived from any other sources under this Act, in payment of any charges or expenses for the time being payable out of the general district rates, or to such works and improvements within their district as the Commissioners and Local Board shall approve and direct.

Amount of rate to include expenses of recovering it.

80. The amount of any rate made by the Commissioners and Local Board under the Act of 1835 and "the Public Health Acts" and this Act may, if they think fit, be of such amount as in their judgment will be sufficient to raise or discharge, not only the sum in respect of which the rate is made, but also such a sum as will meet the expenses, or what is in their judgment a due proportion of the expenses, incurred in and about making and recovering the rate.

Separate accounts to be kept.

81. For the purposes of this Act the Commissioners and Local Board shall keep distinct and separate accounts of all their receipts, credits, payments, and liabilities under this Act with respect to the execution thereof for the following purposes; namely,

(*a.*) Waterworks and supply of water.
(*b.*) Gasworks and supply of gas.
(*c.*) Markets and slaughter-houses.
(*d.*) Drainage and paving.

Income of Commissioners under Act.

82. All the moneys from time to time borrowed by the Commissioners and Local Board under this Act, and all moneys from time to time received by or for the use of the Commissioners and Local Board under this Act, or in carrying it into execution, shall from time to time forthwith after the receipt thereof be paid to the treasurer of the Commissioners and Local Board, and be carried by him to the credit of the proper account.

General district rate and estimates to include sums

83. After any money shall have been borrowed or re-borrowed under the powers of this Act, the amount of the general district rates and of the estimates to be prepared of the amount required, in

the judgment of the Commissioners and Local Board, for the purposes of the general district rates, shall respectively include such sums (if any), in addition to the income to be derived under this Act, as in the judgment of the Commissioners and Local Board are necessary to be provided for the payment of any moneys from time to time due or accruing due as interest upon or in respect of such mortgages, and the sinking fund to be set apart in accordance with the provisions of this Act, and all other the expenses and liabilities of the Commissioners and Local Board under and with respect to this Act and the Act of 1835 respectively, and the purposes and execution thereof respectively.

payable on mortgage under this Act.

84. Nothing in this Act contained shall prejudice or affect the powers of the Commissioners and Local Board, acting as the Local Board under the provisions of the Public Health Acts and any supplemental Act, of making and levying general district and other rates for the purposes of such Acts or any of them in addition to the purposes of this Act.

Not to affect rating powers of Local Board under Public Health Acts.

PART VII.

Borrowing.

85. The Commissioners and Local Board may from time to time, for defraying the expenses of the execution by them of this Act, in addition to any existing mortgage debt, borrow, at interest on the security of the estates, property, and revenue of the Commissioners and Local Board, and the rates authorised to be raised and levied for the purposes of this Act, and the general district rates under the Public Health Acts or of any of such Acts, either together or separately, any sum not exceeding in the whole thirty-three thousand pounds, and may mortgage their estates, property, and revenue and the general district rates to secure repayment thereof accordingly.

Power to borrow money.

86. The sanction of a Secretary of State or of the President of the Local Government Board shall not be required for the exercise by the Commissioners and Local Board of the powers of borrowing expressly conferred on them by the preceding section of this Act, or the power of re-borrowing herein-after authorised.

Sanction of Secretary of State not required to borrowing.

87. The money so borrowed by the Commissioners and Local Board shall be applied for the following purposes:

Application of money borrowed.

1. In discharging in whole or in part, as the Commissioners and Local Board shall determine, the costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act:

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2. In executing the additional waterworks by this Act authorised and in connexion with the supply of water, not exceeding twelve thousand pounds:

3. To the purchase of the gasworks by this Act authorised and in connexion with the supply of gas, not exceeding seven thousand pounds:

4. For the purchase of lands for and erecting the markets and purchasing the slaughter-houses, not exceeding seven thousand pounds:

5. For drainage and paving purposes, not exceeding seven thousand pounds.

Provisions of Commissioners Clauses Act as to mortgages to apply.

88. The sections of "The Commissioners Clauses Act, 1847," with respect to mortgages to be executed by the Commissioners, shall, save where the same are altered or modified by this Act, be incorporated with this Act, and shall be applicable to the Commissioners and Local Board and to their mortgages under the provisions of this Act.

Protection to lenders from inquiry as to application of money.

89. Any person lending money to the Commissioners and Local Board shall not be bound or entitled to inquire as to the observance by them of any provision of this Act or of the Acts wholly or partially incorporated herewith, or be bound to see to the application or be answerable for any loss, misapplication, or non-application of such money or any part thereof.

Money borrowed to be carried to separate accounts.

90. All money borrowed by the Commissioners and Local Board under this Act shall be carried to one of the separate accounts herein-before mentioned.

Power to re-borrow.

91. If the Commissioners and Local Board pay off any money borrowed by them under this Act, or by the Commissioners and Local Board, or either of them, under the Act of 1835 or under the Public Health Acts, and remaining owing at the commencement of this Act, otherwise than by means of a sinking fund or annual instalments, they may re-borrow the same in addition to the sum they are herein-before authorised to borrow, and so from time to time, but nothing herein contained shall enable the Commissioners and Local Board to re-borrow any money paid off by means of a sinking fund or by annual instalments.

Priority of existing mortgages of Commissioners and Local Board.

92. All mortgages and bonds granted by the Commissioners and Local Board, or either of them, in pursuance of the powers of the Act of 1835 and the Public Health Acts respectively, and subsisting at the passing of this Act, shall, during the continuance of such mortgages and bonds, and as to the rates and property comprised

therein, have priority over any mortgages to be granted by virtue of this Act.

Restriction of Public Health Acts as to borrowing moneys not to apply.

93. The powers of the Commissioners and Local Board of borrowing under this Act given shall not be in any way restricted by any of the provisions of the Public Health Acts, and in calculating the amount which the Commissioners and Local Board may borrow under the Public Health Acts the amount which they may borrow under this Act shall not be reckoned.

Coupons for interest on mortgage.

94. The Commissioners and the Local Board may from time to time, if they think fit, issue to holders of mortgages of the Commissioners and Local Board coupons for the interest from time to time to fall due on the respective mortgages, which coupons may be in such form as the Commissioners and Local Board from time to time think fit, so as every coupon do refer to the mortgage to which it relates, and do specify the amount and time of payment of one half year's interest to fall due on the principal money secured by the mortgage, and be authenticated by the signatures of two persons thereunto expressly authorised by the Commissioners and Local Board (which authorisation shall be presumed until the contrary is shown).

Payment of coupons.

95. On presentation to the treasurer of the Local Board of any such coupon, the treasurer shall pay to the person so presenting the coupon the amount of interest therein expressed and appearing by the coupon to be then due and payable, and on the audit of the treasurer's accounts the coupon shall be accepted as a sufficient warrant for the payment by him of the amount for which the coupon was issued.

For indemnity of treasurer.

96. Provided that the treasurer shall not be bound, unless he sees fit, to make any payment of interest beyond the amount of the money of the Commissioners and Local Board then in his hands and applicable in that behalf.

Repayment of money borrowed by instalments or sinking fund.

97. Notwithstanding the provisions in the Act of 1835 and the Public Health Acts in that behalf contained, the time for discharge of the principal sums of money owing by the Commissioners and Local Board shall be enlarged as herein-after mentioned; that is to say, the Commissioners and Local Board shall on the passing of this Act compute the amounts of money then owing by them on mortgage of rates or otherwise under the Act of 1835 and the Public Health Acts, or otherwise, and with respect to such amounts of money then owing, and all money to be borrowed under or by virtue of this Act, they shall pay off the same by annual or other instalments or otherwise within eighty years, or else set apart and appropriate as a

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sinking fund every year, and until the respective moneys so borrowed are fully paid off, a sum not less than one eightieth part of the respective moneys so borrowed, and such respective sinking fund shall be invested, accumulated, and applied according to section eighty-four of "The Commissioners Clauses Act, 1847," and it shall be lawful for the Commissioners and Local Board to repay the same loans respectively by equal half-yearly or yearly payments of principal combined with interest, and to compute the amounts requisite to be paid every year in order to the repayment of the respective loans within the said period of eighty years, according to the principles of calculation on which are based the tables printed by Messieurs Eyre and Spottiswoode for Her Majesty's Stationery Office, and purporting to have been examined by the Actuary of the National Debt Office for the objects of and in connexion with "The Local Government Act, 1858," but it shall not be obligatory upon the Commissioners and Local Board to set apart or appropriate any money to or for the purposes of such sinking fund or such annual or other instalments until the expiration of five years from the passing of this Act.

Receiver for mortgagees.

98. The mortgagees of the Commissioners and Local Board under this Act may enforce payment of the arrears of interest or principal, or of principal and interest, due to them by the appointment of a receiver. The amount of principal in arrear to authorise the appointment of a receiver shall be one tenth of the whole amount for the time being due on mortgages made under this Act.

Accounts open to mortgagees.

99. The books of account of the Commissioners and Local Board shall be open at all reasonable times to the inspection of the mortgagees of the Commissioners and Local Board, with liberty to take extracts therefrom, without payment.

Priority to mortgages granted under Act over debts contracted after passing of Act.

100. All money borrowed or to be borrowed by the Commissioners and Local Board on mortgage or bond under the provisions of this Act shall have priority against the Commissioners and Local Board and their property from time to time over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act; but this priority shall not affect any claim against the Commissioners and Local Board in respect of any rentcharge granted by them in pursuance of the Lands Clauses Consolidation Act, 1845, or the Lands Clauses Consolidation Act Amendment Act, 1860.

PART VIII.

Miscellaneous.

Commissioners may lay out walks, &c.

101. The Commissioners and Local Board may, in their discretion, as well beyond as within the district, by agreement with the owners, lessees, and occupiers of lands through or adjoining which the same may be made, lay out, make, form, and maintain walks, rides, and drives for the use and enjoyment of the inhabitants and visitors of the district, and may pave, metal, drain, channel, plant, and fence such walks, rides, and drives, and provide seats, refuges, shelter places, and other conveniences thereon, and may defray the expenses and costs to be incurred by them in that behalf out of the general district rates, and may levy and charge the same upon the owners, lessees, and occupiers of property within the district as a part of the general district rate or as a separate and distinct rate.

Streets under control of Commissioners.

102. It shall not be necessary for the Commissioners and Local Board, before they proceed to open or break up for any of the purposes of this Act any turnpike or other road, street, bridge, sewer, drain, or tunnel not under their control, to give any notice of their intention so to do in the event of any accident or unforeseen event arising rendering the opening or breaking up of such turnpike or other road, street, bridge, sewer, drain, or tunnel necessary.

Remedy against persons quitting before payment of rates.

103. If any person quit or be about to quit any rateable property before he has paid all rates, charges, and sums of money then payable by him in respect thereof, or of any gas or water supply, and do not pay the same on demand, the collector or any constable may by warrant under the hand of a justice (which warrant any justice is hereby authorised and required to grant without issuing any previous summons to such person, upon proof to his satisfaction of such removal or intended removal, or that there is reason to suspect the same) distrain the goods and chattels of such person and sell the same, rendering the overplus (if any), after having deducted the reasonable expenses attending such distress and sale, together with the rates, charges, and sums of money so due, to the owner of such goods and chattels, upon demand.

Payment of salaries, &c. under Act.

104. The salaries, wages, and allowances of all officers or servants employed by the Commissioners and Local Board solely for the purposes of this Act, and any additional salaries, wages, and allowances allowed by the Commissioners and Local Board for services under this Act to any officers or servants employed by them for other purposes, shall be payable out of the income of the Commissioners and Local Board arising under this Act.

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Contracts for supply of gas, &c. not to disqualify Commissioners or members of Local Board.

105. No person shall be disqualified from being, continuing, or acting as a commissioner or member of the Local Board by reason of his being concerned in any contract entered into by the Commissioners and Local Board, or either of them, for a supply of gas or water, or other matters, articles, or things under this Act, or the Act of 1835, or the Public Health Acts, or any of them, or for the sale of any land for the purposes of this Act or of the Act of 1835, or of the Public Health Acts, or of his being interested in any contract with any newspaper in which advertisements are inserted for the Commissioners and Local Board, or either of them, nor shall any mortgagee of the gas, water, or other rents, rates, and tolls and charges to be charged, levied, and taken under this Act be disqualified as a commissioner or as a member of the Local Board by reason of his being a mortgagee, but no commissioner or member shall vote upon any question in which he is interested personally, otherwise than as a consumer of the gas or water of the Commissioners and Local Board.

Forms of Public Health Acts may be used.

106. The forms provided by any of the Public Health Acts, except where otherwise in this Act provided, may be used for purposes of this Act, with such modifications thereof respectively as are expedient for referring to this Act, and for rendering them applicable to those purposes.

Authentication of notices, &c.

107. Any summons, demand, or notice, or other such document under or for the purposes of this Act or the Public Health Acts, or any of them, may be in writing or print, or partly in writing and partly in print, and if the same require authentication by the Commissioners and Local Board, the signature thereof by the clerk of the Commissioners and Local Board shall be a sufficient authentication thereof.

Contents of summons or warrant.

108. Any summons, warrant, notice, demand, or other process issued for any of the purposes of this Act may contain in the body thereof, or in a schedule thereto, several names and several sums.

Costs of distress.

109. Any warrant of distress under this Act may order that the costs of the proceedings for the recovery of the rate or sum be paid by the person liable to pay the rate or sum, and the costs shall be ascertained by the justice or justices issuing the warrant, and shall be included in the warrant of distress for the recovery of the rate or sum.

Remedies to be cumulative.

110. Remedies of the Commissioners and Local Board, or either of them, under this Act for any purpose shall be in addition to their remedies for the same purpose independently of this Act.

Penalties not to be cumulative.

111. Penalties imposed for one and the same offence by several Acts of Parliament shall not be cumulative, and for such purpose this Act and the Acts incorporated herewith shall be deemed several Acts, and all penalties recoverable by the Commissioners and Local Board, or either of them, by virtue of this Act, or of the Acts or parts of Acts incorporated herewith, shall be paid to the Commissioners and Local Board, and shall be placed by them to the credit of the general district rate.

Saving general law as to nuisance.

112. Nothing in this Act contained shall prevent the Commissioners and Local Board from being liable at law or in equity in respect of any nuisance which they may create by any of their works or operations carried on under this Act, and the Commissioners and Local Board shall in respect of any such nuisance be subject in all respects to the same liabilities as they would have been if this Act had not been passed.

Saving rights of Commissioners.

113. Except as is by this Act expressly provided, this Act, or anything herein contained, shall not take away, lessen, alter, or prejudice any of the estates, rights, powers, or privileges of the Commissioners and Local Board, or either of them.

Expenses of Act.

114. All the costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be borne by the Commissioners and Local Board, and shall be paid by them out of the first moneys coming to their hands under the powers of this Act, or of the Act of 1835, or of the Public Health Acts.

The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

Lands for Gasworks.

Lands now occupied by the gasworks of the association, and used by them for gas purposes, and belonging or reputed to belong to Sir Pryse Pryse and the Corporation, or one of them, situate in the town, borough, and liberties of Aberystwyth, and bounded on the north by houses and premises fronting to Mill Lane, on the south by the public open sewer, on the east by the road leading from Lewis Terrace to the new slaughter-house, and on the west by the tannery and premises belonging or reputed to belong to Richard James.

THE SECOND SCHEDULE.

General Market Tolls.

Shops.

	£	s.	d.
To be paid by the occupier of every enclosed shop for the sale of butchers meat, game, poultry, fish, vegetables, fruit, china, glass, earthenware, baskets, hardware, or other marketable commodities, according to the size and dimensions of the shop, namely, for every lineal foot of the frontage thereof, and so in proportion for less than a foot,—			
If let by the year, any yearly sum not exceeding - - -	1	10	0
If let by the half year, any half-yearly sum not exceeding - -	1	0	0
If let by the quarter, any quarterly sum not exceeding - -	0	10	0
If let by the week, any weekly sum not exceeding - -	0	1	0

Butchers Stalls.

To be paid by the occupier of every butcher's stall, according to the size and dimensions of the stall, namely, for every lineal foot of frontage thereof, and so in proportion for less than a foot,—			
If let by the year, any yearly sum not exceeding - - -	1	0	0
If let by the half year, any half-yearly sum not exceeding - -	0	10	0
If let by the quarter, any quarterly sum not exceeding - -	0	5	0
If let by the week, any weekly sum not exceeding - -	0	0	6
If otherwise let or occupied, for every market day or other lawful day, any daily sum not exceeding - - - -	0	0	3

Vegetable and other Stalls.

	£	s.	d.
To be paid by the occupier of every stall raised above the ground for the sale of vegetables, fruit, fish, game, poultry, china, glass, earthenware, baskets, hardware, or other marketable commodities, according to the size and dimensions of the stall, namely, for every lineal foot of frontage thereof, and so in proportion for less than a foot,—			
If let by the year, any yearly sum not exceeding - - -	0	13	0
If let by the half year, any half-yearly sum not exceeding - -	0	8	0
If let by the quarter, any quarterly sum not exceeding - -	0	5	0
If let by the week, any weekly sum not exceeding - -	0	0	6
If otherwise let or occupied, for every market day or other lawful day, any daily sum not exceeding - - - -	0	0	2

Stands or Benches.

To be paid by the occupier of every stand or bench according to the size or dimensions of the same, namely, for every superficial square foot or fraction of a superficial square foot thereof,—			
If let by the year, any yearly sum not exceeding - - -	0	2	0
If let by the half year, any half-yearly sum not exceeding - -	0	1	0
If let by the quarter, any quarterly sum not exceeding - -	0	0	6
If let by the week, any weekly sum not exceeding - -	0	0	2
If otherwise let or occupied, for every market or any other lawful day, any daily sum not exceeding - - - -	0	0	1

Ground Space.

To be paid by the occupier of every compartment or space on the surface of the ground, according to the size and dimensions of the same, namely, for every superficial square foot or fraction of a superficial square foot thereof,—			
If let by the year, any yearly sum not exceeding - - -	0	1	6
If let by the half year, any half-yearly sum not exceeding -	0	0	8
If let by the quarter, any quarterly sum not exceeding - -	0	0	5
If let by the week, any weekly sum not exceeding - -	0	0	2
If otherwise let or occupied, for every other market day or other lawful day, any daily sum not exceeding - - -	0	0	1

Rents, Tolls, and Stallages in the General Market.

For every couple of ducks or fowls respectively - - -	0	0	1½
For every turkey or goose respectively - - - -	0	0	1½
For every bird not herein-before mentioned - - -	0	0	1
For every hare - - - - - - -	0	0	2
For every rabbit - - - - - - -	0	0	1
For every chest of oranges or pot of fruit - - -	0	0	2
For eggs or articles, not specifically charged, carried in a basket on the arm - - - - - - -	0	0	2

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	£	s.	d.
For articles carried about for sale by any one person - -	0	0	2
Ditto, for two persons - - - - - -	0	0	4
For articles in a basket on the ground, and not specifically charged, the following sums, namely :—			
If occupying not more than one square foot - - -	0	0	1
If occupying more than one square foot, then for every square foot and fraction of a square foot - - - -	0	0	2
For every umbrella reversed to contain articles for sale - -	0	0	2
For articles spread on the ground, and not herein-before charged, the following sums, namely :—			
If not occupying more than one square yard - - - -	0	0	2
If occupying more than one square yard, then for every square yard and fraction of a square yard - - -	0	0	2
For every agricultural or other implement - - -	0	0	6
For articles sold by mock auction or by a hawker out of a vehicle -	0	2	0
For articles in a wheelbarrow - - - - -	0	0	2
For articles in a truck, hand-cart, or other vehicle, not drawn by any animal, the following sums, namely :—			
If occupying not more than one square yard - - -	0	0	2
For vegetables or other articles contained in a cart - -	0	0	6
For vegetables or other articles contained in a waggon - -	0	1	0
For articles, not specifically charged, placed upon a stall not exceeding three feet wide, per foot in length - - -	0	0	1
For articles, not specifically charged, placed upon a stall exceeding three feet, but not exceeding four feet, per foot in length -	0	0	1½
For articles, not specifically charged, on a table or stand, the following sums, namely :—			
If occupying not more than one square yard - - -	0	0	2
If occupying more than one square yard, then for every square yard and fraction of a square yard - - -	0	0	2
For articles in a tub or cask, capable of containing more than two, but not more than three bushels - - - -	0	0	4
For articles in a tub or cask, capable of containing more than three bushels - - - - - - -	0	0	6
For articles of every description, not herein-before charged, each -	0	0	1

Wholesale Market Tolls.

For every waggon used by any person for exposing, or in which shall be exposed to sale any marketable commodity, for every market day or other lawful day, any daily sum not exceeding -	0	0	6
For every cart used by any person for the like purpose, for every market day or other lawful day, any daily sum not exceeding—			
If drawn by one horse or other animal - - - -	0	0	6
If drawn by two or more horses or other animals - -	0	1	0

	£	s.	d.
For every compartment or space on the surface of the ground used by any person for the like purpose, according to the size or dimensions of the same, namely, for every superficial square foot thereof, or fraction of a superficial square foot thereof, any daily sum not exceeding - - - - -	0	0	1

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WEIGHING AND MEASURING TOLLS FOR ALL ARTICLES AND THINGS.

If weighing not more than 28 lbs. avoirdupois - - -	0	0	0½
If weighing more than 28 lbs. and not less than 112 lbs. - -	0	0	2
And for every entire hundredweight or fraction of a hundredweight, not less than half a hundredweight beyond one hundredweight - - - - - -	0	0	2

FOR MEASURING EVERY QUANTITY OF THINGS SOLD BY MEASURE.

If not exceeding one bushel - - - - -	0	0	1
If exceeding one bushel and not exceeding two bushels - -	0	0	1½
And for every bushel beyond two bushels - - -	0	0	0½

CART-WEIGHING TOLLS.

For weighing every waggon, whether loaded or unloaded - -	0	1	0
For weighing every cart, whether loaded or unloaded - -	0	0	6
For weighing every package, parcel, or other article not herein described - - - - - - -	0	0	2

THE THIRD SCHEDULE.

SLAUGHTER-HOUSE TOLLS.

For every bull, ox, cow, bullock, steer, or heifer - - -	0	2	6
For every calf - - - - - - -	0	1	0
For every sheep or lamb - - - - -	0	0	6
For every hog or pig - - - - - -	0	0	8
For every other animal - - - - -	0	2	0

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