CHAPTER lxxxvi.

An Act to authorise the Barmouth Local Board to make Waterworks to make further and better provision for the improvement health and good government of the District to raise further Moneys and for other purposes. [3rd July 1891.]

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WHEREAS in the year one thousand eight hundred and seventy-two a local board was established for the district of Barmouth in the parish of Llanaber in the county of Merioneth (which local board is in this Act referred to as "the Local Board" and which district is in this Act referred to as "the district") and the Local Board is the urban sanitary authority for the district:

And whereas the Local Board by virtue of a Provisional Order dated the fifth day of May 1874 confirmed by the Local Government Board's Provisional Orders Confirmation Act 1874 (No. 2) were authorised to borrow any sum not exceeding the sum of five thousand six hundred pounds for the purpose of certain works of water supply:

And whereas the Local Board by virtue of a Provisional Order dated the fourth day of May 1875 confirmed by the Local Government Board's Provisional Orders Confirmation Act 1875 (No. 3) acquired certain lands and premises for among other purposes the carrying out of certain works of sewerage and water supply for the district and constructed a reservoir and other waterworks and commenced to supply and have since supplied water for public and private purposes within the district:

And whereas the population of the district has been of late and still is increasing and the sources of water supply available from the present water undertaking of the Local Board are inadequate to meet the present and future wants of the district for a supply of water:

And whereas it is expedient that the Local Board be empowered to make and maintain additional works in connection with their water undertaking in order to obtain an increased supply of water:

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And whereas it is expedient that the Local Board be authorised to raise money by borrowing for the purposes of this Act and for the general purposes of their water undertaking:

And whereas it is expedient that such further powers be conferred upon the Local Board and such further provisions made with respect to the Local Board and their water undertaking as are in this Act expressed and contained:

And whereas an estimate has been prepared by the Local Board for the purchase of land for and the execution of the additional works in connection with their water undertaking and such estimate amounts to the sum of twenty thousand pounds:

And whereas the several works included in such estimate are permanent works within the meaning of section two hundred and thirty-four of the Public Health Act 1875:

And whereas it is expedient that the Local Board should be authorised to pay or contribute towards the payment of a band for the performance of music within the district:

And whereas it is expedient to make further and better provision with respect to streets and buildings and for regulating the traffic and preventing obstructions in the streets and the good government of the district:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas an absolute majority of the whole number of the Local Board at a meeting held on the twenty-sixth day of August 1890 after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Cambrian News Merionethshire Standard and Welsh Farmers' Gazette a local newspaper circulating in the district such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the general district rate of the district:

And whereas such resolution was published twice in the Barmouth and County Advertiser and Visitors' List a local newspaper published and circulating in the district and has received the approval of the Local Government Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Local Board at a further special meeting held in pursuance of a similar notice on the twentieth day of January 1891 being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the district by resolution in the manner provided by the Third Schedule of the

Public Health Act 1875 consented to the promotion of the Bill for this Act: A.D. 1891.

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 as the Barmouth Local Board Act 1891.

Division of Act into parts.

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

Part I.—Preliminary.
Part II.—Waterworks.
Part III.—Water Supply.
Part IV.—Street Traffic and Police.
Part V.—Streets.
Part VI.—Licences.
Part VII.—Borrowing Powers.
Part VIII.—Miscellaneous.

Incorporation of general Acts.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act namely:—

The Lands Clauses Acts:

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 except the words in section forty-four of that Act "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner"):

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof but these provisions shall apply only in respect of the embankment and service reservoir by this Act authorised and the works immediately

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connected therewith except sections thirty and thirty-one which shall also apply to the conduits or lines of pipes by this Act authorised.

Interpretation of terms.

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

"The promoters of the undertaking" "the Undertakers" or "the Company" means the Local Board:

"The railway" means the embankment service reservoir and conduits by this Act authorised to be constructed and the works immediately connected therewith:

"Centre of the railway" means with respect to the embankment by this Act authorised to be constructed the boundary or shore of Llyn Bodlyn and with respect to the conduits by this Act authorised to be constructed the limits of deviation for the same as shown on the deposited plans:

And in this Act—

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

"Water revenue" means all money received by the Local Board in respect of water supply on revenue account under the Public Health Act 1875 or this Act:

"The water undertaking" means the water undertaking of the Local Board:

"The Public Health Acts" means the Public Health Act 1875 and any Act for the time being in force amending the same:

"The clerk" "the surveyor" and "the treasurer" mean respectively the clerk surveyor and treasurer to the Local Board:

"Daily penalty" means a penalty for each day on which the offence is continued or repeated after conviction thereof:

"Street" means and includes for the purposes of this Act public road public place sands or sea beach:

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 to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Water limits.

5. The limits of this Act for the supply of water (in this Act called "the water limits") shall be the district of the Local Board and so much of the townships of Llanaber-is-mynydd and Llanaber-uwch-Mynydd in the parish of Llanaber in the county of Merioneth as are coloured yellow with a pink edging on a map signed by George Woodyatt Hastings Esquire the Chairman of the Select Committee on Police and Sanitary Regulations of the House of Commons to whom the Bill for this Act was referred in its progress through Parliament and which map has been deposited in the Private Bill Office of the House of Commons and copies of which map signed as aforesaid have been deposited in the Office of the Clerk of the Parliaments in the office of the clerk of the peace for the county of Merioneth with the clerk of the Barmouth Local Board and with the parish clerk of Llanaber Provided that the Local Board shall when so required by the sanitary authority of any area beyond the boundaries of the district sell to such sanitary authority all mains pipes and fittings belonging to the Local Board within such area other than and except any mains pipes or fittings used for such service beyond the limits of the district of such sanitary authority at a price to be fixed in default of agreement by an arbitrator to be appointed by the Local Government Board on application of either party And after such sale the Local Board shall cease to supply water within such area and shall be discharged from all duties in connection with such supply and such purchase by the sanitary authority shall be deemed to be a purpose of the Public Health Act 1875 Provided also that if at the expiration of five years from the passing of this Act the Local Board shall not have made adequate provision for the supply of water throughout so much of the said townships as hereinbefore described the restriction imposed by section fifty-two of the Public Health Act 1875 on the construction of waterworks by the local authority (as defined by that Act) shall within such townships cease to apply.

Act to be executed by Local Board.

6. This Act shall be executed by the Local Board with the powers and indemnities and according to the provisions of the Public Health Act 1875.

PART II.—WATERWORKS.

Power for Local Board to supply water.

7. Subject to the provisions of this Act the Local Board by means of the works by this Act authorised to be made or any of them may from time to time supply water within the water limits and may sell and dispose of the water within the water limits as they from time to time think fit.

Power to construct waterworks.

8. Subject to the provisions of this Act the Local Board may make and maintain in and according to the lines situations and

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levels shown on the deposited plans and sections the works hereinafter described and may enter upon take and use all or any of the lands delineated upon the deposited plans and described in the deposited book of reference as may be required for that purpose The works hereinbefore referred to will be wholly situate in the county of Merioneth and are—

(1.) An embankment for damming-up and impounding the waters of Llyn Bodlyn situate wholly in the parish of Llanddwywe to be made across the stream known as Ysgethin commencing at a point distant one hundred and twenty yards or thereabouts measured in a northerly direction from the northern bank of the said stream where it issues from Llyn Bodlyn aforesaid and terminating on the southern side of the said stream at a point distant two hundred and twenty yards or thereabouts south of the said point of commencement:

(2.) A conduit or line of pipes (No. 1) commencing in Llyn Bodlyn aforesaid at a point distant sixty yards or thereabouts measured in an easterly direction from the northern bank of the said stream at its point of issue and terminating in the town of Barmouth in the main road leading to Dolgelley at a point distant fifty yards or thereabouts measured in a south-westerly direction from the south-western corner of Aberamffra Terrace which conduit or line of pipes will be wholly situate in and pass from in through or into the parishes of Llanddwywe and Llanaber:

(3.) A service reservoir wholly in the parish of Llanddwywe on lands numbered 371 on the twenty-five-inch Ordnance map of the said parish and belonging or reputed to belong to William Ansell and in the occupation of Evan Owen:

(4.) A conduit or line of pipes (No. 2) wholly in the parish of Llanaber commencing by a junction with the aforesaid conduit No. 1 in the high road leading from Harlech to Barmouth at a point distant twenty yards or thereabouts from the Ceilwart stream measured in a southerly direction from that stream at the point where it crosses the said road and terminating in the eastern corner of the existing service reservoir at Ceilwart belonging to the Local Board:

Together with all necessary and proper approaches embankments discharge tunnels roads ways filtering beds wells tanks dams weirs gauges sluices culverts aqueducts conduits channels outfalls syphons drains pipes engines machinery and conveniences connected with the said works or any of them or necessary in connection with the impounding collecting utilising and distributing the waters of Llyn Bodlyn the springs and streams and other waters which

by this Act the Local Board are empowered to divert impound and appropriate Provided that nothing in this Act shall exonerate the Local Board from any action indictment or other proceeding for nuisance in the event of any nuisance being caused by them under the powers of this section.

Power to take waters.

9. Subject to the provisions of this Act the Local Board may from time to time for the purposes of their waterworks undertaking collect impound take use divert and appropriate—

All such springs streams and waters as will or may be intercepted by the works authorised by this Act or as may be found in upon or under any lands for the time being belonging to the Local Board or which or easements over or in respect of which they may acquire under the powers of this Act and especially the lake and stream mentioned in section eight of this Act (that is to say) Llyn Bodlyn and Ysgethin.

Compensation water to be given by Local Board.

10. The Local Board shall before and as a prior condition to their taking appropriating or using for the supply of their district any of the waters aforesaid during every lawful working day deliver from Llyn Bodlyn into the stream Ysgethin at a point situate not more than two hundred and twenty yards from the foot of the outer slope of the embankment by this Act authorised to be made across the said stream not less than four hundred and eighty thousand gallons of water such delivery to be as nearly as possible regular and continuous throughout each such day.

Local Board to maintain gauge.

11. The Local Board shall provide and at all times maintain at a point not more than two hundred and ten yards below the embankment authorised by this Act a suitable gauge for measuring the quantity of water delivered from the said lake into the said stream Ysgethin in pursuance of the provisions of the last preceding section of this Act.

Gauge to be open for inspection.

12. The said gauge shall at all reasonable times be open to the inspection and examination of all persons interested in the flow of the waters of the said stream Ysgethin.

Local Board to repair gauge.

13. If at any time such gauge be out of repair or in an unfit condition for the purpose for which it is intended the Local Board shall forthwith put the same in proper repair and condition and if they fail to do so within fourteen days after notice in writing given to them in that behalf by any person interested in the flow of the water then any such person may cause the said gauge to be put in proper repair and condition and may recover the reasonable cost of so doing from the Local Board with costs of the proceedings in any court of competent jurisdiction.

Waters not to be taken until gauge provided.

14. The Local Board shall not take appropriate or use any of the said waters until they have provided such gauge as aforesaid.

Penalty for non-delivery of compensation water.

15. In case of the failure of the Local Board to deliver the said quantity of water into the stream Ysgethin from the said lake they shall be liable to a daily penalty not exceeding five pounds to be recoverable summarily with the costs of the proceeding by any person interested in the subject matter of the complaint.

Settlement of difference as to fitness of gauge.

16. If any difference shall arise between the Local Board and any person interested with respect to the construction or use of the said gauge such difference shall be settled and determined by an engineer to be appointed by the Local Government Board whose decision shall be final and the costs of and incidental to the investigation and determination thereof shall be borne as the said engineer shall direct.

Foregoing provisions full compensation for water taken.

17. The provisions of sections ten to sixteen (both inclusive) of this Act shall be accepted and taken by all persons interested in the waters of the stream Ysgethin as full compensation for the waters which can be diverted taken appropriated and used under the powers of this Act.

Fishery provision.

18.—(1.) The Local Board shall make and for ever after maintain in an efficient state in the embankment or wall by this Act authorised and as part of the structure thereof a fish pass in such position and form and of such dimensions and with such appliances as may be determined by the Board of Trade.

(2.) The Local Board shall not at any time divert take appropriate or use any water from Llyn Bodlyn unless and until the flow of water passing down the said fish pass shall exceed the rate of three hundred and thirty-three gallons per minute.

(3.) The Local Board shall erect and maintain in an efficient state across every channel used for taking water from the stream Ysgethin one or more gratings of such form and dimensions and in such manner and position and with such appliances as may be determined by the Board of Trade.

(4.) The Local Board shall construct and supply to the satisfaction of the Board of Trade and for ever thereafter maintain in an efficient state to the satisfaction of such Board such works and appliances as such Board shall deem necessary to carry into effect the provisions of this section and the said works shall at all times be open to inspection and examination by the Board of Trade and their inspectors engineers and surveyors.

(5.) The Local Board shall not divert take appropriate or use any water from the said lake until the works and appliances by this

section required to be made and supplied have been fully completed and put in operation.

(6.) If the Local Board shall at any time make default in complying with the requirements of this section or shall contravene the provisions thereof they shall be liable to a penalty not exceeding twenty-five pounds for every day on which such default or contravention shall occur and it shall be lawful for the Board of Trade to cause to be done any work by this section required to be done by the Local Board and to recover the expense of so doing in a summary manner from the Local Board.

(7.) If at any time any of the said works or appliances shall in the opinion of the Board of Trade be in an unfit state of repair or condition for the purposes for which they are intended the Local Board shall on receipt of notice in writing given to them by or on behalf of the Board of Trade forthwith put the same into a proper and efficient state of repair and condition to the satisfaction of the Board of Trade and if they fail so to do within twenty-eight days after receipt of such notice it shall be lawful for the Board of Trade to cause such repairs and alterations to be done and performed in connection with the said works and appliances as shall be necessary in the opinion of the Board of Trade to put the same in a proper and efficient state and condition and to recover the expenses of such repairs and alterations from the Local Board with full costs of suit against the Local Board in any court of competent jurisdiction without prejudice to the penalties provided by this Act.

For the protection of Cors-y-gedol Estate.

19. The following provisions shall apply for the protection of the owners for the time being of the Cors-y-gedol Estate hereinafter in this section called "the owners":—

(1.) The Local Board shall not raise the water level of Llyn Bodlyn more than ten feet above the present ordinary level of the lake nor to a greater height than one thousand two hundred and sixty feet above Ordnance datum except with the consent in writing of the owners for the time being The embankment shall not be raised a greater height than thirteen feet above the present ordinary level of the lake or more than one thousand two hundred and sixty-three feet above Ordnance datum.

(2.) The pipes between Llyn Bodlyn and the proposed service reservoir shall not exceed seven inches internal diameter and shall be laid at the levels shown on the deposited sections Provided that for the length between the embankment and the point marked 0 miles 40 chains on the deposited plans and sections the internal diameter of so much of the said pipes shall not exceed six inches and that at the point at which they issue

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from the embankment they shall be laid at the level of one thousand two hundred and fifty feet above Ordnance datum and terminate at the level of one thousand one hundred and seventy-five feet above Ordnance datum at the said point marked 0 miles 40 chains on the deposited plans and sections and between the said points shall be laid at such levels as the engineer to the Local Board may deem necessary.

(3.) Upon the request in writing from the owners the Local Board shall at the cost of the Local Board insert in or connect to the said pipes between Llyn Bodlyn and the service reservoir a water meter with a junction pipe attached thereto of such a size and at such a level as will efficiently supply (subject to the provision made in the following sub-section) any portion of the Cors-y-gedol Estate below Llyn Bodlyn from and at a point to be agreed upon between the owners and the Local Board or failing agreement as shall be settled by arbitration as hereinafter provided.

(4.) The Local Board shall at the request of the owners supply for the purposes of the Cors-y-gedol Estate through the said meter any lands forming part of and houses and premises built or to be built on any part of the Cors-y-gedol Estate with water at the charge or rate of sixpence for every thousand gallons Provided that all works for conveying such water from the said water meter shall be constructed by the owners and at their expense and provided also that in case the quantity of water required by the owners at any time exceeds one hundred thousand gallons a day the Local Board shall be entitled to substitute for the aforesaid six-inch pipe a larger main or lay another pipe sufficient to meet the increased demand made by the owners.

(5.) The Local Board shall erect and maintain a fence of wire or iron with proper gates and appliances thereto around Llyn Bodlyn and shall re-erect or reconstruct the present boathouse at the margin of the lake and shall if required by the owners re-erect or reconstruct in a suitable position the sheep folds and sheep washing places which may be interfered with by the Local Board The whole of the works to be provided and executed under this sub-section shall be of such form and character and in such position as shall be approved by the owners and if any difference shall arise between the owners and the Local Board as to the form character or position of such works the same shall be settled by arbitration as hereinafter provided.

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(6.) The Local Board shall not take or acquire the fee of any portion of the soil of the said lake or of the land adjoining thereto required for waterworks purposes or any land for the construction of the embankment or fish pass or conduit or line of pipes (No. 1) but the owners shall if so required by the Local Board sell and the Local Board may acquire an easement or right of covering the lands adjoining the said lake with water in accordance with sub-section one of this section and of excavating the same and of dredging from time to time the soil of the said lake with liberty to deposit and spread the soil so excavated or dredged on the adjoining land to the reasonable satisfaction of the owners and of constructing and maintaining the said embankment and fish pass and of laying and maintaining the said conduit or line of pipes together with a right of way for the purposes of the Local Board (but not for other persons) along the line of the said pipes not exceeding three yards wide on either side thereof and also reasonable access along or over the shore of the said extended lake of Llyn Bodlyn for waterworks purposes only Provided nevertheless that the Local Board shall with all due dispatch after laying the said conduit or line of pipes cover in and at all times (save when necessary to open the same for the purpose of maintaining relaying or repairing the said conduit or line of pipes) keep covered in to the reasonable satisfaction of the owners the soil and surface of the land occupied by the said conduit or line of pipes The provisions of the Lands Clauses Acts shall apply to this section as if easements were included in the word lands.

(7.) Notwithstanding anything in this section the owners shall at the request of the Local Board sell and convey to the Local Board for the purposes of the waterworks undertaking a piece or pieces of land within the limits of deviation shown on the deposited plans of such an area in such a position and at such a price as shall be agreed upon between the owners and the Local Board or failing agreement as shall be settled by arbitration as hereinafter provided.

(8.) The exclusive right of fishing together with the rights of fowling and sporting in and over Llyn Bodlyn are hereby reserved to the owners together with liberty to keep not more than two boats upon the lake and to use the boathouse Provided nevertheless that such rights powers and authorities shall not be exercised so as to foul the waters of the lake and shall not in any way interfere with the right power and authority of the Local Board to do all such acts matters and

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things whatsoever as may be necessary for maintaining the supply and preserving the purity of the water of the said lake also for the inspection repair and maintenance of the works connected therewith and for preventing the accumulation of fish to such an extent as to affect the quality of the water in the said lake.

(9.) If any dispute or difference shall arise at any time between the Local Board and the owners in respect of any of the matters in this section contained the same shall be settled by arbitration in manner provided by the Lands Clauses Acts with reference to questions of disputed compensation and the costs of any such arbitration shall be borne in manner provided by those Acts.

For the protection of John Griffith Wynn Griffiths estate.

20. The following provisions shall apply for the protection of the owners for the time being of John Griffith Wynn Griffiths estate hereinafter in this section called "the owners":—

(1.) Save as hereinafter provided the Local Board shall not under the powers of this Act acquire any part of the land of the owners shown and numbered on the Parliamentary plans deposited by the Local Board.

(2.) The Local Board shall at the time of the completion of the grant of waterleave hereinafter provided for pay to the owners the sum of thirty pounds in full satisfaction for all claims to compensation which the owners have or may have in respect of the supply of water to the waterwheel at Tyddyn y felin but such payment shall be in addition and without prejudice to the rights of the owners in respect of compensation water under this Act.

(3.) The owners shall grant to the Local Board a perpetual waterleave over their lands within the limits of deviation shown on the Parliamentary plans deposited by the Local Board in the parishes of Llanddwywe and Llanaber for the purpose of laying conduit pipes for the carriage of water to Barmouth and the Local Board shall pay to the owners in respect of such waterleave an annual rentcharge of one shilling for each lineal chain of such pipes so laid by them.

(4.) The Local Board shall be entitled to enter upon the lands of the owners for the purposes of laying renewing or repairing the pipes doing as little damage as possible to such lands or the timber underwood products vegetation or fences thereof and making full compensation to the occupiers of such lands or any part thereof for all loss damage or inconvenience whether caused in the course of the original laying of the

pipes or by entry upon the lands at any time for the purpose of renewing or repairing the same. A.D. 1891.

(5.) The Local Board shall cause the pipes to be so laid that the upper side thereof shall be three feet at the least below the level of the surface of the ground and so that the level of the surface shall not be altered and shall restore the surface to the same state as the same was in previous to the entry of the Local Board upon the lands and shall at their own expense carry away all soil earth or other substance taken by them out of any excavation made by them which is not used in restoring the surface of the lands Provided that the owners may at their option require the Local Board by notice in writin g to leave such soil earth or other substance or any part thereof on the lands for the use of the owners and on being so required the Local Board shall leave the same accordingly.

(6.) The Local Board shall complete the laying of the pipes within six months from the time of their first entry on the lands or any part thereof and shall make good all damage caused to the drainage whether artificial or natural of the lands by reason of the laying of the pipes.

(7.) The Local Board shall at all times keep the pipes in good working order and shall not after the pipes have been laid as in this section provided make any alteration in the line thereof without the consent in writing of the owners.

(8.) If and whenever the rentcharge in this section mentioned shall be in arrear and unpaid for twenty-eight days after the same shall have become due or on default by the Local Board in the observance of the condition in this section contained and on their part to be observed it shall be lawful for the owners to re-enter on the said lands.

(9.) The grant of waterleave to be granted by the owners to the Local Board pursuant to this section shall contain an arbitration clause and all other usual clauses and agreements and in case of difference between the parties the same shall be settled by one of the conveyancing counsel to the Chancery Division of the High Court.

(10.) The Local Board shall be at liberty to purchase and the owners if required by the Local Board shall sell the fields numbered 55 56 and 57 respectively on the Parliamentary plans deposited by the Local Board at a price to be agreed on between the owners and the Local Board or on default of agreement to be fixed in manner provided by the Lands Clauses Acts.

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(11.) The owners shall obtain the concurrence of all necessary parties to the grant of waterleave and to the sale of land and each of them respectively authorised by this section.

(12.) The Local Board shall pay to the owners all costs charges and expenses of and incident to the grant of waterleave and the sale of land authorised by this section in accordance with the scale provided by the Solicitors' Remuneration Order 1882 Schedule II Provided that in case of arbitration under the Lands Clauses Acts the costs of such arbitration shall be dealt with under the provisions of such Acts and shall be borne and paid accordingly And the grant of waterleave and the sale and transfer of land shall be evidenced by a deed of grant and a deed of conveyance respectively in which the considerations shall be fully set forth and within three months after the execution of such deeds the Local Board shall produce the same to the Commissioners of Inland Revenue duly stamped with the ad valorem stamp duties in respect of the considerations and in default of such production the ad valorem stamp duties with interest thereon at the rate of five pounds per centum per annum from the date of vesting shall be recoverable from the Local Board with full costs of suit and all costs and charges attending the same.

(13.) The grant of waterleave and the sale of land if required by the Local Board shall be made and completed within twelve months from the passing of this Act and the rentcharge in this section mentioned shall become due from the Local Board to the owners as and from the passing of this Act and shall be payable on the twenty-ninth day of September in each year.

(14.) The Local Board shall at their own expense lay and carry a good galvanised iron service pipe from their main to a point to be selected by the owners in 'the field numbered 52 on the Parliamentary plans deposited by the Local Board and shall erect and fix at such point a drinking cistern with ball cock and all necessary fittings and shall thereafter maintain the same so long as the said field shall be used for agricultural purposes And shall also lay and carry a like service pipe of one inch internal diameter at the least from their main situate under the high road near Llanaber Church to some point to be selected by the owners in a field belonging to the owners and lying between the said high road and the sea and shall erect and fix at such point a similar cistern and fittings and shall thereafter maintain the same so long as the said field be used for agricultural purposes and shall also lay and carry a like service pipe of like diameter to a cistern near to Bodgwilim

House and shall provide and fix all necessary fittings for the same. A.D. 1891.

(15.) All water supplied to any persons through the said service pipes shall be paid for by the persons to whom the same is supplied at the rates provided by this Act except the water supplied to the field numbered 52 in the Parliamentary plans deposited by the Local Board which shall be supplied free so long as the said field is used for agricultural purposes.

Lateral and vertical deviation.

21. The Local Board in constructing the works by this Act authorised may make deviations from the line of such works but not exceeding the limits of lateral deviation shown on the deposited plans and may deviate from the levels delineated on the deposited sections to any extent not exceeding ten feet upwards and ten feet downwards Provided that nothing in this section contained shall authorise the Local Board to raise the water level of Llyn Bodlyn and the height of the embankment to any greater extent than is provided in the section of this Act the marginal note whereof is "For the protection of Cors-y-gedol Estate."

Period for compulsory purchase of lands.

22. The powers of the Local Board for the compulsory purchase of lands for any of the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Power to acquire additional lands by agreement for water undertaking purposes.

23. In addition to the lands and waters which the Local Board are by this Act authorised to purchase compulsorily they may for the purposes of their water undertaking from time to time purchase by agreement but not otherwise and hold 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 any right or interest) in or over such additional lands which they may from time to time think requisite for their water undertaking but the Local Board shall not erect any buildings upon such lands other than such buildings as may be required for or used in connection with the water undertaking by this Act authorised or create or permit the creation of any nuisance on any such lands.

Power to take easements, &c., by agreement.

24. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant or demise to the Local Board any easement right or privilege (not being an easement or right to take water in which other than the parties to the agreement have any right or interest) required for the purposes of their water undertaking in over and affecting any such lands and the provisions of the Lands Clauses Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply

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to such grants demises and conveyances and to such easements rights and privileges as aforesaid respectively.

Reservation of water rights &c. on sale.

25. The Local Board on selling any lands acquired for or in connection with their water undertaking and not required for that purpose may reserve to themselves all or any part of the water rights or other easements belonging thereto and may also make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Power to hold lands for protection of works.

26. The Local Board may hold any lands acquired by them under the powers of this Act necessary for the purpose of protecting their water undertaking against nuisances encroachment or injury and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts Provided always that the Local Board shall not erect or authorise or permit the erection on any such lands whilst so held by them of any buildings except buildings necessary for or connected with their water undertaking.

Application of moneys derived from sale &c. of surplus lands.

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

Period for completion of works.

28. The waterworks and other works by this Act authorised shall be completed within seven years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Local Board for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof as shall then be completed but nothing in this section shall restrict the Local Board from time to time altering enlarging extending renewing or removing their engines machinery tanks filters beds mains and pipes in such way and mannner as shall be necessary for supplying water under this Act.

Restriction on taking houses of labouring class.

29. The Local Board shall not under the powers of this Act without the consent of the Local Government Board take ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers For the purposes of this section "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

For the protection of Crown rights in water.

30. Nothing contained in this Act shall as between Her Majesty and the Local Board be held or deemed to estop or to have estopped or to prevent or prohibit Her Majesty Her heirs or successors or the Commissioners of Woods or Her or their grantee or grantees from exercising any rights which the Crown may now possess or but for the passing of this Act would or might have possessed of taking and using from time to time and at all times an adequate and sufficient supply of water from the said lake known as Llyn Bodlyn and the stream known as Ysgethin or either of them or the brooks springs streams and waters feeding or running into or issuing from the same for the purpose of working and developing any mines minerals quarries and beds of stone slate or other substrata vested in Her Majesty or render the Crown liable to any claim for damages or otherwise from or in consequence of any diminution in the quantity or supply of the water in the said lake or stream or the brooks springs streams and waters feeding or running into or issuing from the same or otherwise in consequence of the exercise of any such rights as aforesaid incidental to the working by Her Majesty Her heirs or successors or the Commissioners of Woods or such grantee or grantees as aforesaid of the said mines minerals quarries and beds of slate and stone or other substrata.

Part III.—Water Supply.

Supply and pressure.

31. The Local Board shall not be required to supply water in any case at a pressure greater than that to be afforded by gravitation from the said intended reservoir.

Rents for domestic supply.

32. Subject to the provisions of this Act the Local Board shall furnish to every occupier of a private dwelling-house or part of a dwelling-house at his request a sufficient supply of water for the domestic use of every such occupier at rates according to the rateable value as defined in the next succeeding section not exceeding

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the following (that is to say) Where the rateable value of the premises so supplied with water shall not exceed five pounds at a rate not exceeding twopence per week where such rateable value shall exceed five pounds at a rate not exceeding ten pounds per centum per annum.

Water rent to be according to rateable value.

33. The rateable value shall for the purposes of the last preceding section mean the rateable value of the premises as ascertained by the valuation list in force at the commencement of the quarter in which the water rent accrues or if there is none by the last rate made for the relief of the poor Provided also that where the water rent is chargeable on the rateable value of a part only of any premises in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole premises ascertained as aforesaid The apportionment in case of dispute to be determined in manner provided by the sixty-eighth section of the Waterworks Clauses Act 1847.

Incoming tenant not liable for arrears of water rent except by express agreement.

34. If any consumer leave the premises to which water has been supplied without paying to the Local Board the water rent or charges due from him the Local Board shall not require from the next tenant of the premises payment of the arrears so left unpaid by the defaulting consumer unless the incoming tenant shall have agreed with the Local Board or with the defaulting consumer to pay the arrears.

Detection of waste.

35. Subject to the provisions of this Act the Local Board may for the purpose of preventing and detecting waste from time to time affix and maintain meters and similar apparatus on the service pipes and mains of the Local Board and stop cocks in the service pipes and mains of the Local Board and stop cocks supplying houses with water and may insert in the roads and footways the necessary covers or boxes for giving access and protection thereto and may from time to time for that purpose break up and interfere temporarily with public and private streets roads lanes footways thoroughfares tramways and gas or water pipes and other works Provided that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section fifteen of the former Act apply.

Byelaws for preventing waste of water.

36. The Local Board may from time to time make byelaws for the purpose of preventing waste or misuse erroneous measurement or contamination of water and may by such byelaws prescribe the size make nature materials workmanship and strength and the mode of arrangement connection disconnection and repair of the pipes meters cocks ferrules valves soil-pans water-closets baths tanks

cisterns and other apparatus fittings means contrivances receptacles or appliances whatsoever to be used and forbid any arrangements and the use of the several things before mentioned or any or either of them which may allow or tend to waste or misuse erroneous measurement or contamination.

Power to Local Board to enter and do necessary repairs or alterations.

37. In case of failure of any person to observe such byelaws for the prevention of waste or misuse erroneous measurement or contamination of water as are for the time being in force the Local Board may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe meter valve cock ferrule tank cistern bath soil-pan water-closet or other apparatus means contrivance or receptacle fittings or appliances belonging to or used by such person and the expense of every such repair replacement or alteration shall be repaid to the Local Board by the person on whose credit the water is supplied and may be recovered by them as water rent is recoverable.

Notice to Local Board of connecting or disconnecting meters.

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

Water rent payable by owner for small houses.

39. Where the rateable value of a house supplied with water upon which such house is assessed to the water rent does not exceed ten pounds or a house supplied with water is let to monthly or weekly tenants or tenants holding for any period less than a quarter of a year the owner instead of the occupier shall pay the water rent for the supply but the water rent may be recovered in the first instance from the occupier Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him since notice to pay the amount shall have been given to him and every such occupier shall be entitled to deduct from the rent payable by him the sum so recovered from him.

Supply of water for other than domestic purposes.

40. The Local Board may supply water within the water limits for purposes other than domestic purposes by measure or otherwise and on such terms pecuniary and otherwise and conditions as shall be agreed on between the Local Board and the person requiring the supply and the moneys payable for the supply shall be recoverable

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as water rates are recoverable under the Waterworks Clauses Act 1847 and sections sixty-eight to seventy-four (both inclusive) of that Act shall have effect accordingly Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply prejudices the sufficiency of the supply of water for domestic purposes within the water limits.

Power to supply water to local authorities and others.

41. It shall be lawful for the Local Board to supply water by agreement in bulk or otherwise and for domestic or other purposes to any local or sanitary authority company or person on such terms and conditions in all respects and for such periods as the Local Board and such local or sanitary authority company or person from time to time agree Provided that nothing in this section shall authorise the Local Board to supply or to continue to supply water within the limits of supply of any sanitary or local authority company or corporation except with the consent of such authority company or corporation nor shall the Local Board under any such agreement supply water so as to interfere with their giving a proper supply for all purposes to persons within the water limits.

Part IV.—Street Traffic and Police.

Byelaws for regulating street traffic.

42. The Local Board may from time to time make byelaws for all or any of the following purposes (that is to say):—

For regulating the driving of cattle and dangerous beasts in or through the district and for prohibiting the driving thereof through certain streets and for prescribing the hours during which and the manner in which the same may be driven and for limiting the number which may be driven at one time:

For prohibiting at such times and in such places as the Local Board may prescribe by such byelaws the practice of touting for lodgers and the delivery or distribution of hand-bills circulars and advertisements:

For prescribing the hours within which during any fair or at any other time any show booth caravan circus or exhibition may be kept open and for preventing such places being open on Sundays and for preserving order therein.

Obstruction of highways by vehicles.

43. For the purposes of this Act section twenty-eight of the Town Police Clauses Act 1847 shall extend and apply to any bicycle tricycle velocipede bath chair or perambulator.

Street musicians to depart.

44. Any householder personally or by his servant or by any constable may require any street musician or singer to depart from the neighbourhood of the house of such householder and every such person who shall sound or play upon any musical instrument or sing

in any street near or within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

Penalty on persons obstructing footway.

45. If two or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers or if any of such persons shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall assault insult or annoy any foot passenger he shall be liable to a penalty not exceeding forty shillings.

Betting and gambling in streets prohibited.

46. Any three or more persons assembled in any part of any street for the purpose of betting or gambling shall be deemed to be obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings.

Part V.—STREETS.

Local Board may define future line of streets.

47. When any street in the district is in the opinion of the Local Board narrow or inconvenient or without any sufficiently regular line of frontage the Local Board may from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of any such street The line which in any case the Local Board propose to prescribe and define shall be distinctly marked and shown on a plan to be signed by the clerk to the Local Board and deposited with the surveyor of the Local Board and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Local Board formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to every owner interested whose name and address they can ascertain No new building erection excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street than such line The Local Board may purchase the land lying between any such line as aforesaid and the centre of the street and the same when purchased shall vest in the Local Board as part of the street.

Compensation to be made by Local Board.

48. Whenever in any of the above cases the Local Board shall require the said line to be observed and kept they shall make full compensation to the owner and other persons interested in any new erection for any loss or damage they may sustain in consequence of such new erection being set back and the Local Board shall also make to the owner of any adjoining land or building and to all other persons interested in any such land or building full compensation in respect thereof for all loss damage or injury (if any)

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sustained by them by reason of the Local Board requiring the said line to be observed and kept All compensation under this section shall in case of difference be settled by arbitration in manner provided by the Public Health Act 1875.

Power to define streets.

49. For the purpose of prescribing the line in which any house or building shall be erected the Local Board may from time to time by order declare the limits at or within which any street is to be taken as beginning or ending.

Penalty for non-observance of prescribed future line of street.

50. If after any such line shall be so defined and prescribed as aforesaid any person shall wilfully or negligently contravene the provisions of the section of this Act of which the marginal note is "Local Board may define future line of streets" he shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding the same sum.

Continuation of existing streets to be deemed new streets.

51. Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any byelaws made thereunder and for the time being in force within the district be deemed to be a new street.

PART VI.—LICENCES.

Byelaws for licensing owners of bathing machines and registration of same.

52. The Local Board may from time to time make byelaws to provide for the licensing of persons owning or in charge of bathing machines let for hire within the district and for the registration of such bathing machines as after inspection by the Local Board or some person duly appointed on their behalf shall be in the opinion of the Local Board fit for use such byelaws may provide for the payment of fees for such licences and certificates of registration for the duration inspection and revocation of such licences and certificates for affixing notice of registration to such bathing machines for the regulation of the conduct of persons in charge of the bathing machines and for fixing the charges to be made for the use of such machines.

Penalties for using registered and unregistered bathing machines.

53. Any person owning or in charge of any bathing machine using or allowing to be used any registered bathing machine without the words "Registered Bathing Machine" and the registered number painted thereon or affixed thereto shall be liable to a penalty not exceeding twenty shillings for each offence and any person owning or in charge of any bathing machine using or permitting to be used any unregistered bathing machine with the words "Registered Bathing Machine" painted thereon or affixed thereto shall be liable to a penalty not exceeding twenty shillings for each offence.

Power to persons following certain callings to be licensed.

54. The Local Board may from time to time grant to any person whom they think fit a licence to carry on the calling of luggage porter light porter public messenger or commissionaire in the district and may charge a fee of one shilling for any such licence.

Conditions as to licences. Licence may be suspended or revoked.

55. Every licence authorised by section fifty-four of this Act may be suspended or revoked or endorsed by the Local Board whenever they shall deem such suspension or revocation or endorsement to be necessary or desirable in the interests of the public Provided that the existence of this power to suspend or revoke or endorse a licence shall be plainly set forth in the licence itself.

Expiration of licence.

56. Every licence granted in pursuance of the provisions of section fifty-four of this Act whensoever issued shall expire on the thirty-first day of March next following the date of its issue and may contain conditions as to the badge (if any) which the holder of any such licence shall wear.

Penalty on persons misrepresenting themselves as licensed.

57. If any person while unlicensed represents himself to be licensed or wears any badge for the purpose of holding himself out as licensed to carry on any of the callings specified in this part of this Act he shall be liable to a penalty not exceeding twenty shillings.

PART VII.—BORROWING POWERS.

Power to borrow.

58. The Local Board may from time to time independently of any other borrowing power borrow at interest for the following purposes the sums hereinafter mentioned (that is to say) :—

For the construction of the waterworks by this Act authorised and for the purchase of land and water rights therefor and other the purposes of their undertaking incidental thereto such sums as they shall think fit not exceeding in the whole the sum of twenty thousand pounds and (with the consent of the Local Government Board) any further sum or sums not exceeding in the whole five thousand pounds :

For the payment of the costs provided for by the section of this Act the marginal note of which is "Expenses of Act" the amount of such expenses :

And the Local Board may mortgage the district fund and general district rate and the revenue of their water undertaking to secure the repayment of the moneys borrowed with interest.

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

59. Sections two hundred and thirty-six to two hundred and thirty-nine (both inclusive) of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act.

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Certain regulations of of Public Health Act as to borrowing not to apply.

60. The powers of borrowing money by this Act authorised shall not be restricted by any of the regulations contained in section two hundred and thirty-four of the Public Health Act 1875 and in calculating the amount which the Local Board may borrow under that Act any sums they may borrow under this Act shall not be reckoned.

Application of borrowed moneys.

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

Period for discharge of borrowed moneys.

62. The Local Board shall out of the revenue of their water undertaking and out of the district fund and general district rate discharge or make provision for the discharge of such sums as they may borrow under the authority of this Act by means of equal yearly or half-yearly instalments of principal or of principal and interest or by means of a sinking fund or partly in one way and partly in the other within the periods hereinafter prescribed from the time when such moneys are respectively borrowed but the Local Board shall be bound to create a sinking fund and commence repayment by instalment within twelve months from the date of borrowing The periods hereinbefore referred to are—

In respect of the said sum of twenty thousand pounds or any part thereof sixty years:

In respect of the sum to be borrowed for the payment of the costs of this Act ten years:

In respect of the said further sum of five thousand pounds to be borrowed with the consent of the Local Government Board or any part thereof such period as the Local Government Board shall prescribe.

Power to reborrow.

63. If the Local Board pay off any moneys borrowed by them under this Act otherwise than by instalments appropriations or annual repayments or by means of a sinking fund or out of the proceeds of the sale of land or other property or out of fines or premiums on leases or other moneys received on capital account not being borrowed moneys they may from time to time reborrow the same but all moneys so reborrowed shall be repaid within the prescribed period and shall be deemed to form the same loan as the moneys originally borrowed and the obligations of the Local Board with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such reborrowing.

Regulations as to sinking fund.

64. If the Local Board determine to pay off by means of a sinking fund any moneys borrowed under the authority of this Act the following regulations shall be observed :—

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(1.) Such equal yearly sums shall be paid by the Local Board out of the revenue of the water undertaking and the district fund and general district rate into the sinking fund as being accumulated at compound interest at a rate not exceeding three pounds per centum per annum would be sufficient to pay off the borrowed moneys within such period not exceeding the prescribed period from the date of borrowing as the Local Board may in each case determine.

(2.) All sums paid into the sinking fund shall as soon as may be be invested by the Local Board in securities in which trustees are for the time being authorised to invest or in the mortgages bonds debenture stock or other securities duly created and issued by any local authority as defined by the Local Loans Act 1875 other than the Local Board and any such investments may be from time to time varied or transposed and all dividends and other sums received in respect of such investments shall as soon as may be after they are received be paid into the sinking fund and invested by the Local Board in like manner Provided that if in any year the income arising from the investments of such sinking fund does not equal the prescribed rate of accumulation any deficiency shall be made good out of the current rates and revenues of the Local Board.

(3.) The Local Board may at any time apply the whole or any part of any sinking fund created under this Act in or towards the discharge of the moneys or any part of the moneys for the discharge of which the fund was created.

(4.) Whenever any of such principal moneys have been so paid off the Local Board shall thenceforward until the whole of such principal moneys have been paid off pay into the sinking fund every year in addition to the other sums hereinbefore required to be paid into the fund a sum equivalent to the interest which would have been produced by the sinking fund or part of the sinking fund so applied at the rate per centum on which the equal annual payments to the sinking fund are based.

(5.) Whenever and so long as the amount standing to the credit of the sinking fund shall be equal to the amount of the loan outstanding for the repayment of which it was set aside the Local Board may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to the sinking fund of the yearly sums hereinbefore required to be paid thereto.

Annual Return to Local Government Board.

65. The clerk to the Local Board shall within one month after the expiration of each year during which any sum is required by this Act to be paid as an instalment or set apart for a sinking fund

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in respect of moneys borrowed by the Local Board under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested or applied for the purpose of such sinking fund during the year next preceding the making of such return and the description of the securities on which any investment has been made and the purposes to which any portion of the moneys invested for the sinking fund and any interest thereof has been applied during the same period and the total amount (if any) remaining invested at the end of the year In the event of wilful default in making such return the said clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appears to the Local Government Board by that return or otherwise that the Local Board have failed to pay any instalment or set apart any sum required for any sinking fund or have applied any portion of the money so set apart for that fund or any interest thereof to any purposes other than those authorised they may by order direct that a sum not exceeding double the amount in respect of which default has been made shall be set apart and invested or applied as part of the sinking fund and any such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court and the provisions of this section shall mutatis mutandis apply to appropriations and annual repayments.

Power to borrow under Local Loans Act 1875.

66.—(1.) The Local Board if they think fit in lieu of borrowing on the security of mortgages as hereinbefore provided may borrow any moneys which they are by this Act authorised to borrow or any part thereof under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another.

(2.) Any moneys borrowed in manner by this Act authorised shall be a charge on the revenue of the water undertaking and the district fund and general district rate and such revenue fund and rate shall be deemed to be the local rate within the meaning and for the purposes of the Local Loans Act 1875.

(3.) Every such loan shall be discharged within the prescribed period.

Priority of existing mortgages

67. All mortgages or debentures granted by the Local Board before the passing of this Act shall during their continuance have

priority of charge on the security therein comprised over all mortgages or other securities granted or issued by the Local Board in exercise of the borrowing powers conferred by this Act on the Local Board.

or other securities granted by Local Board.

68. A person lending money to the Local Board shall not be bound to see to the application or be responsible for the non-application or misapplication of the money lent or any part thereof.

Protection of lenders from inquiry.

69. The Local Board shall not be bound to recognise or see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person or any one of the persons or (as the case may be) of the personal representative or representatives of the person or the last survivor of the persons in whose name or names any loan or security for a loan stands in the books of the Local Board shall from time to time be a sufficient discharge to the Local Board in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Local Board have had express or implied notice of any trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered on their books and the Local Board shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application thereof.

Local Board not to regard trusts.

70. The Local Board shall keep accounts in respect of their water undertaking separate from all other accounts distinguishing therein capital from income and shall apply all money from time to time received by them in respect of their water undertaking except borrowed money and money properly applicable on capital account as follows:—

Application of water revenue of Local Board.

In payment of the expenses properly chargeable to revenue of conducting managing and maintaining the waterworks and otherwise carrying on the water undertaking of the Local Board:

In payment of the interest upon money borrowed by the Local Board for their existing waterworks:

In payment of the interest upon money borrowed under this Act:

In providing the requisite instalments appropriations annual repayments or sinking fund in respect of money borrowed by the Local Board for their existing waterworks and in respect of money borrowed under this Act:

In making such extension of water mains and works as they from time to time think requisite and any surplus revenue

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after deducting therefrom such reasonable sum as the Local Board may think fit for the purpose of carrying on the water undertaking shall be carried to the credit of the district fund.

Audit of accounts.

71. Separate accounts of the water undertaking of the Local Board shall be kept by the Local Board and sections two hundred and forty-five two hundred and forty-seven (except so much thereof as is repealed by the District Auditors Act 1879) two hundred and forty-nine and two hundred and fifty of the Public Health Act 1875 relating to accounts and their audit and the provisions of the District Auditors Act 1879 so far as the same are applicable shall apply to the accounts of the Local Board under this section and to the audit of such accounts.

Deficiency of water account to be made good out of general district rate.

72. If in any year the amount standing to the credit of the water account be insufficient for the payment of the charges thereon the deficiency shall be made up out of the general district rate by carrying an adequate sum therefrom to the credit of the water account and the Local Board from time to time in preparing the estimates of the amount required in their judgment to be raised by means of a general district rate for the purposes of the district may include therein such sums respectively (if any) as in the judgment of the Local Board are necessary to be provided in aid of the deficiency from time to time arising as aforesaid in the water account and shall collect the same as part of such general district rate.

Part VIII.—Miscellaneous.

General provisions as to byelaws.

73. All byelaws from time to time made by the Local Board under the powers of this Act shall be made under and according to the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act 1875.

Legal proceedings.

74. Offences under this Act may be prosecuted and penalties forfeitures costs and expenses recovered in like manner and subject to the same provisions as offences which may be prosecuted and penalties forfeitures costs and expenses which may be recovered in a summary manner under the Public Health Acts.

Damages and charges in case of dispute to be settled by justices.

75. Where any damages expenses costs or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such damages expenses or charges in case of dispute respecting the same may be settled and determined by the justices before whom any offender is convicted.

Application of penalties.

76. Every penalty imposed under this Act or under any byelaw thereunder (except in case of penalties recovered against the Local Board) shall be paid to the treasurer of the Local Board and be by him as to penalties in connection with the water supply carried to the credit of the water rate and as to penalties in connection with other matters to the general district rate or such fund as the Local Board may direct.

Penalties not to be cumulative.

77. Penalties imposed for one and the same offence by several Acts of Parliament shall not be cumulative and for this purpose this Act and the incorporated Acts shall be deemed separate Acts.

Saving for indictments.

78. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act.

As to appeal.

79. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence or consent or approval of or by the Local Board or of or by any officer or valuer of the Local Board or by any conviction or order by a court of summary jurisdiction under any provision of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of section two hundred and sixty-nine of the Public Health Act 1875 as amended by the Summary Jurisdiction Acts.

Bands of music.

80. The Local Board may from time to time pay or contribute towards the payment of a band or bands of music to perform in any street within the district as the Local Board may prescribe provided that the amount of such payments or contributions shall be paid out of the district fund and shall not exceed in any year one penny in the pound on the rateable value of the district.

Regulating the working of the Graigfach town quarry.

81. For the purpose of regulating the working of the town quarry situate at Graigfach in the district of the Local Board and subject to and in accordance with the provisions of this Act the Local Board may from time to time make byelaws for regulating the mode in which the town quarry may be worked or in which any stone or other material may be quarried got or brought from the same by any person having a right to work such quarry so as to insure the safety of the public and of the persons so working the quarry and to prevent injury to persons or property and for fixing the days and hours at or during which such working getting and removing of stone therefrom may be carried on.

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Expenses of Act.

82. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Local Board out of moneys borrowed under the authority of this Act or out of the general district rates of the district and such costs shall include the costs incurred by the Local Board in or with the object of complying with the provisions of the Act of the session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty chapter ninety-one with respect to the Bill for this Act and the matters relating thereto.

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