CHAPTER clxxxvii.

An Act to extend the borough of Cardiff in the county of Glamorgan, and to enable the Mayor, Aldermen, and Burgesses thereof to construct new streets and other works, and to purchase the Cardiff Waterworks, and to make further provisions for the improvement of the borough; and for other purposes. [2d August 1875.]

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WHEREAS the borough of Cardiff in the county of Glamorgan is a municipal borough, subject to the Acts relating to municipal corporations, and under the government of the mayor, aldermen, and burgesses of the borough, in this Act called "the Corporation:"

And whereas the Corporation by the council of the borough are the sanitary authority for the borough:

And whereas the following Acts or parts of those Acts are in force within the borough, which Acts are in this Act referred to collectively as the former Acts, and each of them separately as an Act of the year in which the same was passed:

An Act for removing the markets held in the town of Cardiff in the county of Glamorgan, and for providing other market places in lieu thereof;	5 & 6 W. 4. c. li.
An Act for better paving, cleansing, lighting, and otherwise improving the town of Cardiff in the county of Glamorgan;	7 W. 4. c. xviii.
The Public Health Supplemental Act, 1850 (Number 3);	13 & 14 Vict. c. 108
The Local Government Supplemental Act, 1859 (Number 2);	22 & 23 Vict. c. 11.
The Cardiff Borough Act, 1862;	25 & 26 Vict. c. cxxiii.
The Local Government Supplemental Act, 1865 (Number 5);	28 & 29 Vict. c. 108.
The Cardiff Improvement Act, 1871:	34 & 35 Vict. c. clxi.

Adoption of Local Government Act in Canton and Roath.

And whereas the hamlet of Canton in the parish of Llandaff, and a portion of the parish of Roath in the county of Glamorgan which lies within the parliamentary borough of Cardiff, respectively adopted "The Local Government Act, 1858," on the ninth day of June one thousand eight hundred and fifty-nine and the ninth day of May

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one thousand eight hundred and fifty-nine, and respectively became the districts of the local boards of health of Canton and Roath:

And whereas it is expedient that the municipal borough be extended so as to include the said districts, and also other portions of the said parishes of Llandaff and Roath, and a portion of the parish of Leckwith in the county of Glamorgan, and that the said local boards be dissolved, and their estates, property, rights, duties, and liabilities be transferred to the Corporation, and that the said other portions of parishes so to be included within the extended borough be detached from the jurisdiction of the rural sanitary authorities of those parishes, so that the Corporation be constituted the sole sanitary authority within the borough as extended:

And whereas there is a burial board for the parish of Roath:

And whereas the said rural sanitary authorities have not executed any works nor borrowed any money under the powers of the Sanitary Acts:

And whereas the Corporation are the burial board for the existing borough, and have provided a cemetery therefor, and it is expedient that they be authorised to enlarge the same and to acquire additional ground for that purpose, and that they be constituted the burial board for the borough as extended, and that the burial board of Roath be dissolved, and their estates and property be vested in the Corporation:

And whereas it is expedient that the Corporation be authorised to make the new streets, roads, and other improvements herein-after described:

5 & 6 W. 4. c. li.

And whereas under their Market Act of 1835 the Corporation have established various markets and slaughter-houses in different parts of the said borough, and it is expedient that the Corporation be empowered, if they think fit, to remove the said markets and slaughter-houses, or some of them, to other sites to be provided under the powers of this Act:

21 & 22 Vict. c. cv.

And whereas by the Llandaff and Canton District Market Act of 1858 "the Llandaff and Canton District Market Company" (in this Act called the "market company") were incorporated and authorised to make and maintain in the said hamlet of Canton market-houses and places and slaughter-houses, and to levy tolls in respect of the use thereof, and to enjoy within their market limits, which were by that Act defined to be the parish of Llandaff and the said borough of Cardiff, exclusive rights of market for the sale of live cattle, subject only to the rights of the Corporation to hold a market or fair for the sale of pigs, sheep, and lambs within the limits of their pig market as it existed on the first day of June one thousand eight hundred and fifty-eight:

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And whereas by the Act of 1871 the Corporation and the market company were authorised to make and carry into effect agreements for the transfer of the undertaking of the market company:

And whereas proceedings are now pending for the voluntary winding up of the company, and an official liquidator has been appointed, and it is expedient that he be empowered to transfer the market undertaking to the Corporation upon the terms in this Act contained:

16 & 17 Vict. c. xxiv.

And whereas by "The Cardiff Waterworks Act, 1853," "The Cardiff Waterworks Act, 1850," was repealed, but "the Cardiff Waterworks Company" (in this Act called "the water company") thereby incorporated were continued and empowered to supply water within the town and port of Cardiff and the parishes and places adjoining thereto in the county of Glamorgan:

23 & 24 Vict. c. cv.

And whereas by "The Cardiff Waterworks Act, 1860," the powers of the water company were extended:

And whereas it is expedient that the Corporation be authorised to purchase by agreement, and the water company to sell and transfer to the Corporation, the undertaking of the water company, and that provision be made for the dissolution of that company upon such transfer being effected:

And whereas it is expedient that the powers herein-after contained be granted to the Corporation for the providing and laying out of recreation grounds, the borrowing of money, and the improving and better governing of the borough:

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

And whereas estimates have been prepared by the Corporation for the purchase of land for, and the execution of, the following works by this Act authorised, and such estimates are as follows; namely,

For new streets and roads, and street and bridge improvements, two hundred and fifty-six thousand four hundred and forty-seven pounds;

For markets, fairs, and slaughter-houses, seventeen thousand pounds;

For enlarging the cemetery, fourteen thousand five hundred pounds;

For pleasure grounds, four thousand pounds;

For the Grange Town Sewer, five thousand seven hundred and fifty pounds:

And whereas the several works included in such estimates are permanent works within the meaning of the fifty-seventh section of "The Local Government Act, 1858:"

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And whereas an absolute majority of the whole number of the council at a meeting held on the twelfth day of November one thousand eight hundred and seventy-four, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the "Western Mail," a local paper published or circulating in the borough (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 borough fund and borough rate, and on the general district rates:

And whereas such resolution was published twice in the "Western Mail," a newspaper circulating in the borough, and has received the approval of the Local Government Board and of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the twenty-ninth day of January one thousand eight hundred and seventy-five, being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the borough, by resolution in the manner provided in "The Local Government Act, 1858," for the adoption of that Act, consented to the promotion of the Bill for this Act:

And whereas plans and sections describing the lines, situations, and levels of the works authorised by this Act, and plans showing the lands to be acquired under the powers of this Act, and a book of reference to those plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of lands in the line of those works, or within the limits of deviation as defined on the plans, and describing those lands, have been deposited with the clerk of the peace for the county of Glamorgan, 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,)

Short title.

1. This Act may be cited as "The Cardiff Improvement Act, 1875."

Provisions of certain general Acts incorporated.

2. The following Acts and parts of Acts; (that is to say,)
"The Lands Clauses Consolidation Acts, 1845, 1860, and 1869;"
The provisions with respect to the temporary occupation of lands near the railway during the construction thereof, and the

following sections, namely, section thirteen (lights on works), section eighteen (abatements of work abandoned or decayed), and section nineteen (survey of works by Board of Trade), of "The Railways Clauses Act, 1863;"

" The Markets and Fairs Clauses Act, 1847;"

Section eleven (no deviation beyond the limits defined upon the plan), section twelve (works on the shore of the sea, et cetera, not to be constructed without the authority of the Commissioners of Works, et cetera, and of the Admiralty), and section eighty-three (byelaws may be made for all or any of the purposes herein named) of "The Harbours, Docks, and Piers Clauses Act, 1847;"

"The Waterworks Clauses Act, 1847," (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit,) and "The Waterworks Clauses Act, 1863," (if and when the Corporation acquire the water undertaking);

as far as they are applicable for the purposes of and not varied by or inconsistent with this Act, are hereby incorporated with this Act.

Interpretation of terms.

3. In this Act—

"The borough" means the municipal borough of Cardiff as extended by this Act:

"The Corporation" means the mayor, aldermen, and burgesses of the borough:

"The council" means the council of the borough:

"The existing borough" means the borough as existing at the passing of this Act:

"The borough fund" and "the borough rate" mean respectively the borough fund and the borough rate of the borough:

"The local boards" means "the local boards of health of Canton and Roath:"

"The Public Health Acts" means "The Public Health Act, 1848," "The Local Government Act, 1858," and Acts amending the same:

"The Sanitary Acts" means the several Acts so defined in "The Public Health Act, 1872," "The Sanitary Law Amendment Act, 1874," and Acts amending the same:

"The Municipal Corporations Acts" means the Act of the session of the fifth and sixth years of King William the Fourth, "to provide for the Regulation of Municipal Corporations in England and Wales," and Acts amending the same or otherwise relating to municipal corporations in England:

"The Education Act" means "The Elementary Education Act, 1870," and any Act amending the same:

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"The water undertaking" means the lands, undertaking, and property of the Cardiff Waterworks Company:

"The market undertaking" means the lands, undertaking, and property of "the Llandaff and Canton District Market Company:"

"Pleasure grounds" means any public walks, pleasure grounds, and places of public resort and recreation established by the Corporation.

Terms to which meanings are assigned in enactments wholly or partially incorporated with this Act, or which have therein special meanings, have in this Act the same respective meanings, unless there be something in the subject or context repugnant to such construction; and in this Act and (for the purposes of this Act) in enactments incorporated with this Act—

"Court of competent jurisdiction" shall have effect as if the debt or demand with respect to which it is used was a common simple contract debt, and not a debt or demand created by statute; and the term "superior courts" shall include any court of competent jurisdiction.

For the purposes of this Act—

The expressions "the railway," "the centre of the railway," and "the work" in "The Railways Clauses Consolidation Act, 1845," respectively mean the works and the boundaries of works by this Act authorised;

The expression "the work" in "The Railways Clauses Act, 1863," and the expression "harbour, dock, or pier" in "The Harbours, Docks, and Piers Clauses Act, 1847," respectively means any work by this Act authorised on, in, over, through, or across any tidal lands or a tidal water.

Local boards, &c. dissolved.

4. The local boards and the burial board of Roath are hereby dissolved, but nothing in this section shall affect any right, title, obligation, or liability acquired or accrued before the passing of this Act, or any remedy or proceeding in respect thereof, and the same may be enforced and carried on by or against the Corporation instead of by or against the local boards or the burial board of Roath, as the case may require, as if this section had not been enacted, and as if the Corporation, instead of the local boards or the burial board of Roath, as the case may be, had been parties or privy thereto.

Property of local boards, *&c.* transferred to Corporation.

5. Subject to the provisions of this Act, all lands, pipes, meters, lamps, lamp-posts, works, erections, buildings, rights, privileges, powers, duties, liabilities, and easements, moneys, securities, deeds, contracts, agreements, papers, books, plans, property, chattels, choses in action, effects, claims, and demands, rights, and remedies whatsoever which immediately before the passing of this Act were

vested in either of the local boards or the burial board of Roath, or any person on their behalf respectively, or of or to which either of the local boards or the burial board of Roath, or any person on their behalf respectively, were seised, possessed, or entitled either at law or in equity, or otherwise howsoever, shall be and the same are hereby vested in the Corporation to the same extent and for the same estate and interest as the same respectively were at the time of the passing of this Act vested in the local boards or burial board of Roath, or any person on their behalf respectively, and may be held, recovered, used, and enjoyed, and shall be undertaken, exercised, and performed accordingly.

Conveyances, &c. to remain in force.

6. Subject to the provisions of this Act, all conveyances, leases, deeds, appointments, contracts, agreements, mortgages, bonds, covenants, securities, orders, notices, resolutions, and proceedings made or entered into before the passing of this Act to, with, in favour of, or by, for, or on behalf of either of the local boards or the burial board of Roath, as the case may be, or any person on their behalf, and now in force, shall be and remain as good, valid, and effectual in favour of, against, and with reference to the Corporation, and may be proceeded on and enforced in like manner to all intents and purposes as if this Act were not passed, or as if the Corporation, instead of the local boards or the burial board of Roath, as the case may be, had been party or privy thereto.

For protection of the trustees of Lord Tredegar's settled estates.

7. For the protection of Charles Octavius Swinnerton Morgan and Sir George Ferdinand Radzivil Walker, Baronet, or other the trustees or trustee for the time being of the settled estates of Lord Tredegar (herein-after called "the trustees"), the following provisions shall have effect; (that is to say,)

(A.) The contract between the trustees and the Roath Burial Board (in this section called the "burial board") for the sale to the burial board of land comprising twenty-one acres or thereabouts, part of the said settled estates, shall be enforced by the Corporation only if and to such extent as the said lands or some part thereof are or is bonâ fide required by the Corporation for the purposes of a public cemetery:

(B.) If any of the said lands shall at any time hereafter have been conveyed by the trustees or their successors in estate to the burial board or to the Corporation, and the said lands or any part thereof be not required by the Corporation for the purposes of a public cemetery, the said lands, or such part thereof as shall not be required for the pur-

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poses aforesaid, shall be reconveyed by them to the trustees or their successors in estate free from incumbrances, the trustees or their successors in estate repaying to the Corporation the purchase money or other consideration paid by the burial board or the Corporation for or upon the conveyance of the said lands, or, as the case may be, a proportionate part thereof:

(C.) The trustees or their successors in estate shall repay to the Corporation all payments made in respect of such land, whether by the burial board or by the Corporation, to any tenant or tenants of the lands reconveyed as compensation on the taking possession of the said land in respect of the then rights of the tenant or tenants thereof, or in case of a reconveyance of a part only of such land, a proportionate part of such payments:

(D.) Each party to the said contract, conveyance, and reconveyance shall pay all costs incurred by him or them of and incidental to the same respectively:

(E.) Any difference between the trustees and the Corporation as to any of the matters aforesaid shall be determined by an arbitrator to be agreed upon between the parties, or in default of agreement to be appointed on the application of either party by the Local Government Board, and the decision of the arbitrator shall be final, and the costs of the reference shall be in his discretion.

Actions, &c. not to abate.

8. Any action, suit, prosecution, or other proceeding whatsoever commenced either by or against either of the local boards or the burial board of Roath, before the passing of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but, on the contrary, may be maintained, prosecuted, or continued by, in favour of, or against the Corporation in like manner to all intents and purposes as if this Act were not passed, or as if the Corporation, instead of the local boards or the burial board of Roath, as the case may be, were parties to such action, suit, prosecution, or proceeding.

Rates due at passing of Act to be recoverable.

9. All rates, tolls, dues, rents, and moneys which immediately before the passing of this Act are due and payable or accruing due and payable to either of the local boards or the burial board of Roath shall from and after the passing of this Act be payable to and may be collected and received by the Corporation in like manner as any rates under this Act may be collected and recovered by the Corporation.

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Debts due to and by the local boards or the burial board of Roath to be paid to and by the Corporation.

10. All persons who immediately before the passing of this Act owe any sum of money to either of the local boards or the burial board of Roath, or to any person on their behalf respectively, shall pay the same, with all interest (if any) due or to accrue due for the same, to the Corporation; and all debts and moneys which immediately before the passing of this Act are due or owing by or recoverable from either of the local boards or the burial board of Roath, or for the payment whereof either of the local boards or the burial board of Roath respectively are, or but for this Act would be, liable, shall be paid, with all interest (if any) due or to accrue thereon, by or be recoverable from the Corporation.

Regulations, &c. to remain in force.

11. All byelaws, rules, regulations, notices, and orders made by either of the local boards or the burial board of Roath under any Act of Parliament, and in force on the passing of this Act, may be repealed, altered, or varied as if they had been made under the powers of the Public Health Acts or the Burial Acts, as the case may be, and shall continue in full force until the same be so repealed, altered, or varied; and such regulations, rules, notices, orders, and all penalties and forfeitures thereby respectively imposed, shall be enforced, recovered, and applied in like manner and in all respects as the same respectively might be enforced, recovered, and applied in case the same had been made and imposed respectively by or under those Acts.

Books to be evidence.

12. All books and other documents directed or authorised to be kept by either of the local boards or the burial board of Roath by any Act of Parliament, and which at the passing of this Act would be receivable in evidence, shall, notwithstanding the dissolution of those boards, be admitted as evidence in all courts of law and equity and elsewhere accordingly.

Compensation to officers of local boards.

13. The Corporation may, with the consent of the Local Government Board, make compensation to every person who by reason of the dissolution of the local boards shall be wholly or in part superseded and rendered unnecessary, or who shall at any time within the space of two years next after the passing of this Act be removed from office and not be employed in any office of equal value under the Corporation.

Extension of borough.

14. The borough shall comprise the district described in the First Schedule to this Act.

Authority of Corporation, &c. extended.

15. Subject to the provisions of this Act, the powers, rights, privileges, authorities, and duties of the Corporation as a municipal body, and of the Corporation acting in the execution of such of the provisions of their former Acts as were at the passing of this Act in

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force within the existing borough, and of the Corporation acting by the council as the sanitary authority for the district of the existing borough, and as the burial board for the existing borough, and of all officers and servants of the Corporation, shall extend to and throughout the borough, and, subject to the provisions of this Act, all enactments, byelaws, rules, regulations, and orders at the passing of this Act applicable to the existing borough shall extend and apply to the borough.

Jurisdiction, &c. of borough justices extended.

16. The jurisdiction, powers, authorities, rights, privileges, and duties of the stipendiary magistrate for the existing borough, and of the justices of the peace appointed for the existing borough, whether acting in petty sessions or out of sessions or otherwise, and of all constables of the existing borough, shall extend to and throughout the borough and the whole of the foreshore between the eastern and western limits of or adjacent to the borough.

Provisions as to school board.

17. Whereas under the provisions of the Education Act the existing borough has been constituted a school district, and a school board has been elected therefor and now exists therein for the purposes of that Act: And whereas the districts by this Act added to the existing borough are not included within any school district: Therefore, unless and until the Education Department shall, in accordance with the provisions of the Education Act, otherwise determine, the following provisions shall have effect; (that is to say,)

For the purposes of the Education Act the borough of Cardiff shall be deemed to consist only of the existing borough, as though this Act had not been passed:

The councillors for the wards of the existing borough and the aldermen of the borough, and they only, shall vote on any question involving the raising or expending of rates for the purposes of the Education Act:

The council shall from time to time levy on the wards constituting the existing borough, with and as a part of the borough rate, such a sum or sums as shall be necessary to raise and discharge the amount paid out of the borough fund or borough rate in obedience to any precept served by the school board upon the council.

Wards, &c. in extended borough.

18. The borough shall be divided into five wards, having the names and boundaries set forth and described in Part I. of the Second Schedule to this Act, and the regulations in Part II. of the same schedule respecting the number, elections, and rotation of aldermen and councillors, and other matters, shall have effect. And whereas the making out of the "ward lists" in alphabetical order

in wards comprising more than one parish or parts of different parishes is attended with delay and difficulty, therefore in any ward which comprises more than one parish or parts of different parishes the names of the persons entitled to be placed in such ward lists shall be so placed alphabetically in respect of each of such parishes or parts of such parishes, instead of alphabetically in respect of such ward.

Saving for 22 Vict. c. 35.

19. Notwithstanding anything in this Act, the provisions of "The Municipal Corporations Act, 1859" (relating to the division of boroughs into wards), and of any enactment substituted for or amending the same, shall continue to apply to the borough.

Parts added to existing borough exempt from highway rates, &c.

20. From and after the passing of this Act all lands, houses, and hereditaments within so much of the several parishes of Llandaff, Leckwith, and Roath as is included within the borough shall be exempt from all highway rates to be made in respect of those several parishes, and from the jurisdiction of and all rates to be made by the respective sanitary authorities (as such) of those parishes.

Arrears of highway rates.

21. All arrears existing at the passing of this Act of highway rates leviable within the districts by this Act added to the existing borough may be levied and collected as if this Act had not been passed.

Tolls not to be collected on turnpike roads within the borough after 31st December 1875.

22. From and after the thirty-first day of December one thousand eight hundred and seventy-five no tolls shall be collected on any road within the limits of the borough, and the several turnpike roads within the same shall cease to be turnpike roads, and all liability on the part of the Glamorganshire County Roads Board with regard to the said roads and the maintenance and repair thereof, except as herein-after mentioned, shall cease and determine, and the said roads shall thenceforward be highways and be vested in and be maintained and repaired by the Corporation: Provided that forthwith after the thirty-first day of December one thousand eight hundred and seventy-five the said county roads board shall at their own cost remove all the toll-gates, bars, and posts on or across such roads, the Corporation paying to the said board the sum of one hundred and fifty pounds as a contribution towards such removal.

Saving as to Cardiff and Penarth Road.

23. Nothing in this Act contained shall take away, lessen, or prejudice the rights, interests, powers, and authorities of the trustees of the Bute estate and the trustees of the Windsor estate under "The Cardiff and Penarth Road Act, 1871."

Deposit of borough plan.

24. The borough plan mentioned in the First and Second Schedules to this Act, signed by the chairman of the Committee of

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the House of Lords to whom the Bill for this Act was referred, shall within one week after the passing of this Act be deposited with and shall be deemed part of the deposited plans.

Limits of Act.

25. This Act, except where otherwise expressed or implied, shall apply exclusively to the borough.

Act to be executed by council.

26. This Act shall be carried into execution by the Corporation acting by the council, and according to the Municipal Corporations Acts, Public Health Acts, and Burial Acts respectively, and other Acts for the time being affecting the Corporation as a municipal body, a sanitary authority, and a burial board respectively, and with all the rights, powers, privileges, exemptions, and authorities conferred by those Acts respectively on the Corporation and on the council and committees of the council, and the officers, agents, and servants of the Corporation, with respect to matters provided for by or comprised in the Municipal Corporations Acts, Public Health Acts, and Burial Acts respectively, and (subject to the provisions of this Act) as nearly as may be in all respects as if the powers, duties, exemptions, and property vested in, imposed on, or enjoyed by the Corporation by or under this Act were vested in, imposed on, or enjoyed by them by or under the Municipal Corporations Acts, Public Health Acts, and Burial Acts respectively.

Validity of meetings.

27. Every meeting of the council or of any committee of the council shall be presumed to have been duly convened and held, and all members attending any such meeting shall be presumed to have been duly qualified, and every question at any such meeting shall be determined by a majority of votes of the members attending such meeting and actually voting on the question.

Power to make new streets and improvements.

28. Subject to the provisions of this Act, and to the powers of deviation hereby given, the Corporation may, if they think fit, in the lines and situation and upon the lands in that behalf delineated on the deposited plans and described in the book of reference, and according to the levels in that behalf shown on the deposited sections, make and maintain the works and improvements and do the things following; (that is to say,)

(A.) A new street in the parish of Saint Mary, commencing out of Custom House Street near its junction with Bute Street, and terminating in Mill Lane about thirty yards north-east of Saint Mary Street:

Provided always, that in the making of such new street between the points marked A and C upon a certain plan signed by Henry Cecil Raikes, Esquire, the chairman of the Committee of the House of Commons to whom the Bill for this Act was referred during

its progress through Parliament, and lodged in the Private Bill Office of the House of Commons, and a copy of which plan shall be deposited within one month after the passing of this Act with the clerk of the peace for the county of Glamorgan, and to which copy plan the provisions of the Act passed in the first year of the reign of Her present Majesty, chapter eighty-three, shall apply as if the same were a plan required by the standing orders of Parliament to be deposited with such clerk of the peace, the western and southern boundary of such new street, instead of being the line shown on the deposited plans as the proposed line of improvement, shall be the line, partly black and partly blue, shown on the above-mentioned plan, signed as aforesaid, and the powers of lateral deviation herein-after contained shall not apply to such new street between the said points A and C:

In connexion with such new street, and to carry the same across the Glamorganshire Canal, a bridge with all necessary piers, abutments, and works:

(B.) The widening, in the said parish of Saint Mary, of Custom House Street on both sides and for the whole length thereof:

(C.) The extension, in the said parish of Saint Mary, of Little Millicent Street in a south-westerly direction and alongside the towing-path of the Glamorganshire Canal to Custom House Bridge:

(D.) The extending, in the said parish of Saint Mary, of Tredegar Street to join Little Millicent Street as extended:

In connexion with the foregoing works, to stop up, appropriate the sites of, and extinguish all rights of way over the following or parts of the following, among other streets, namely, Charlotte Street and Court Coleman Row:

(E.) The widening on both sides and for the whole length thereof of the following streets; namely, Golate Street in the parish of Saint Mary, and Wharton Street in the parishes of Saint Mary and Saint John the Baptist:

(F.) The widening, in the said parish of Saint John the Baptist, of Trinity Street, on the east side thereof, from the south end of the parish churchyard of Saint John the Baptist to its junction with Wharton Street:

(G.) The widening of Victoria Place on the east side and for the whole length thereof:

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(H.) The widening, in the said parish of Saint John the Baptist, of Working Street for the whole length of the west side thereof, and on the east side thereof between the following points; namely, a yard therein belonging to and in the occupation of the Corporation, and the entrance to Saint John's Infant School, and from the house numbered ten to the house numbered fifteen in that street:

(I.) A new street, in the parish of Saint John the Baptist, commencing out of Working Street about twenty yards to the south of the centre line of Wharton Street, and terminating about twenty yards north of the "Stag and Hounds" beerhouse in Great Frederick Street:

In connexion therewith, and to carry the same across the Glamorganshire Canal, a bridge with all necessary piers, abutments, and works:

(J.) The widening, in the said parish of Saint John the Baptist, of Angel Street on the north side and for the whole length thereof, and in connexion therewith the stopping up, appropriating the soil of, and extinguishing all rights of way over so much of Castle Street as lies between the western extremity thereof and the entrance to Cardiff Castle:

(L.) A new road, in the said parish of Llandaff, out of the Cardiff and Penarth Road, commencing near the tanyard in the occupation of Messieurs David and Sloper, and passing through or into the parishes of Leckwith and Llandaff, and terminating in the parish of Llandaff at or near a bridge carrying the Penarth Railway over the Leckwith turnpike road:

(M.) The widening on both sides thereof of Cardiff Bridge in the said parish of Saint Mary, which carries the Cowbridge Road across the River Taff, and of the approaches thereto in the said parishes of Saint Mary and Saint John the Baptist between Westgate Street and Cathedral Road:

(N.) The widening on both sides thereof of the North Road Bridge in the said parish of Saint John the Baptist, which carries the North Road across the Glamorganshire Canal:

All necessary approaches, retaining walls, piers, abutments, embankments, conveniences, and works in connexion with the foregoing works, or any of them:

The said works will be situate wholly in the county of Glamorgan.

For the protection of

29. In the event of the exercise by the Corporation of the powers conferred upon them by this Act for the compulsory purchase of

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C. J. K. Tynte and others.

lands, with respect to the lands the property of Charles John Kemeys Tynte and Charles Kemeys Kemeys Tynte, and others, numbered 299a, 308a, 309a, 310a, 311a, 312a, 313a, 314a, 315a, 316a, 104, 105, 106, 107, 108, and 109 on the deposited plans and on a certain plan signed by Henry Cecil Raikes, Esquire, the chairman of the Committee of the House of Commons to whom the Bill for this Act was referred during its progress through Parliament, and lodged in the Private Bill Office of the House of Commons, and a copy of which plan shall be deposited within one month after the passing of this Act with the clerk of the peace for the county of Glamorgan, and to which copy plan the provisions of the Act passed in the first year of the reign of Her present Majesty, chapter eighty-three, shall apply as if the same were a plan required by the standing orders of Parliament to be deposited with such clerk of the peace, which properties numbered respectively 299a to 316a are herein-after called "Mill Lane property," and which properties numbered respectively 104 to 109 are herein-after called the "Golate Street property," the said Charles John Kemeys Tynte and Charles Kemeys Kemeys Tynte, and all other necessary parties, shall for a nominal consideration sell and convey, and the Corporation shall purchase, their estate and interest in the same lands; and the Corporation shall at their own cost and for a nominal consideration convey the fee simple of so much of the said Mill Lane property as is coloured red on the said last-mentioned plan, and also the fee simple of the land coloured yellow on the said last-mentioned plan, to such uses and with and subject to such powers, provisoes, agreements, and declarations as would for the time being have been subsisting or capable of taking effect in respect of so much of the said Mill Lane property as is so coloured red under or by virtue of the settlements or other instruments now affecting the same last-mentioned premises in case the conveyance and sale of the same last-mentioned premises herein-before directed to be made to the Corporation had never been made: Provided always, that the purchases, sales, and conveyances to be made under this enactment shall be effected in accordance with the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, so far as the same may be applicable.

Protection of Marquess of Bute as to Angel Street and Castle Street.

30. The execution by the Corporation of the powers conferred by this Act with respect to the works, improvements, and things mentioned in sub-section J. of section twenty-eight shall not prejudice the rights or interests of the Marquess of Bute, his heirs or assigns, as owners of hereditaments adjoining Castle Street on the north side thereof; and in the event of the Corporation exercising the powers last herein-before mentioned, no erection or building shall at any time be set up on any part of the site of the houses now

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situate between Angel Street and Castle Street, nor upon any part of Castle Street, without the previous consent of the Corporation and the Marquess of Bute, his heirs or assigns.

Provisions as to new road from Cathedral Road to the Cardiff and Penarth Road.

31. And whereas by the Bill for this Act the Corporation sought power to make a road (K.) from North Clive Street across the South Wales Railway and the Penarth curve of the Great Western Railway Company (in this section called "the company"): And whereas the company opposed the Bill during its progress through Parliament on the ground, amongst others, that the construction of that road would prejudicially interfere with their undertaking, and the Corporation by reason thereof have withdrawn the said power from the Bill: And whereas the communication intended to be afforded by that road can be as conveniently afforded by the construction of a substituted road (in this section referred to as "the road") in continuation of Cathedral Road from its southern termination to the Cardiff and Penarth Road, near Grange Town, and to pass under the said South Wales Railway by means of a bridge to be constructed under that railway, and the construction of the road will render unnecessary an existing level crossing in connexion with an occupation road over the said railway at a point nine hundred feet or thereabouts westward of the centre of the company's bridge over the River Taff; and it is expedient that the Corporation and the company, and all other persons interested in the construction of the road, be authorised to enter into and carry into effect agreements for the construction of the road and relating thereto: Therefore the Corporation and the company, and all other persons interested in the construction of the road, may enter into and carry into effect agreements for and with respect to the constructing of the road, and with reference thereto, in the same manner as if the same were effected under the powers of this Act; and the Corporation may apply any moneys to be borrowed under the powers of this Act for the purposes of new streets and roads, and street and road and bridge improvements, in and towards the acquisition of the land requisite for the construction of and in and towards the construction of the road and relating thereto, and upon the construction of the said road the level crossing shall be closed and all rights of using the same shall cease: Provided that nothing in this section shall authorise the Corporation to enter upon, take, or use any lands without the previous consent of the owners, lessees, and occupiers thereof in writing.

Widening of Cardiff Bridge, &c. only to be made with

32. The widening and improvement of Cardiff Bridge and the approaches thereto shall be subject to the approval of the justices of the peace for the county of Glamorgan, and shall be made under the inspection and to the reasonable satisfaction of their surveyor, nor

shall anything herein contained authorise the Corporation to execute any work that may in any way affect the main structure and arches of the said bridge without the consent of the said justices.

approval of justices of peace for Glamorganshire.

33. For the protection of the Glamorganshire Canal the following provisions shall have effect; (that is to say,)

For protection of the Glamorganshire Canal.

Every bridge to be constructed by the Corporation for the purpose of carrying any new street to be made under the powers of this Act across the said canal shall have a clear height over the whole width of the said canal and the towing-path thereof of not less than seven feet, to be measured from the level of the top of the coping of the towing-path at the place where such new street shall cross the said canal:

The side walls of all bridges to be constructed by the Corporation, and of any existing bridge to be extended or widened by the Corporation, across the said canal shall be carried down to a depth of not less than two feet below the bottom of the said canal at the place where such walls shall be built and for the whole length thereof. The said North Road Bridge and the approaches thereto, and the roadway, footways, and channelling upon such bridge and its approaches, shall from and after the extension or widening of that bridge be at all times wholly maintained by the Corporation.

34. The Corporation on the one hand, and the Taff Vale and Rhymney Railway Companies respectively on the other hand, may from time to time enter into and carry into effect any agreements with respect to the alteration, widening, and improving of all or any of the bridges belonging to those companies respectively, either by the Corporation or by those companies respectively, at the cost of the Corporation.

Corporation and Taff Vale and Rhymney Railway Companies may make agreements as to improving bridges.

35. Subject to the provisions of this Act and within the limits defined on the deposited plans, the Corporation, in connexion with the said works and improvements by this Act authorised, or any of them, and for the purposes thereof, may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works or improvements, or any of them, and may make diversions, widenings, or alterations of lines or levels of any existing streets for the purpose of connecting the same with the said works or improvements, or any of them, or of crossing under or over the same, or any of them, or otherwise.

Power to make subsidiary works.

36. In making the said works and improvements the Corporation may deviate vertically to any extent not exceeding five feet from the levels defined on the deposited sections, and may deviate laterally

Power to deviate vertically or laterally.

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to any extent within the limits of deviation defined on the deposited plans, and the Corporation may deviate beyond the last-mentioned limits with the consent of the persons through whose lands any such deviation is proposed to be made.

Extinction of rights of way over streets stopped up, &c.

37. Where under this Act the Corporation stop up any street permanently, all rights of way over and all liability to repair the street shall thereupon be absolutely extinguished, and where under this Act they stop up any street temporarily, all rights of way over the street shall be suspended until they re-open the street.

Power to alter and divert sewers, &c.

38. The Corporation from time to time may alter and divert, either temporarily or permanently, all sewers, drains, mains, and pipes within the borough which they find it necessary or convenient for any of the purposes of this Act so to interfere with, making to all persons who sustain any damage thereby compensation in that behalf, such compensation in case of dispute to be ascertained, apportioned, and recovered under "The Lands Clauses Consolidation Act, 1845," as in cases of disputed compensation for lands.

Alterations consequent on changing levels of streets to be made at expense of Corporation.

39. Where by reason of the execution of any of the works by this Act authorised the level of any street is raised or otherwise changed, or any alteration of any step, door, or entrance into any house or building, or of any pavement, sewer, drain, or culvert adjoining or belonging to any premises in the street is rendered necessary, the alteration shall be made by and at the expense of the Corporation out of the moneys applicable under this Act to street improvements.

Damage to buildings to be compensated for by Corporation.

40. Where by reason of the alteration of the level of any street or the execution of any other work by this Act authorised any house, building, or premises be damaged or otherwise injuriously affected, the Corporation shall, out of the moneys applicable under this Act to street improvements, make good the damage done, and pay to the owner and occupier of the house, building, or premises such compensation as shall be agreed on between the owner and occupier and the Corporation, or failing their agreement such compensation shall be ascertained, apportioned, and recovered under "The Lands Clauses Consolidation Act, 1845," as in cases of disputed compensation for lands.

Alterations of gas and water pipes, &c.

41. In executing any works by this Act authorised the Corporation may raise, sink, or otherwise alter the position of any watercourse, water pipe, or gas pipe belonging to or connected with any building adjoining or near to the site of any such work, and also any main or other pipe laid down or used for carrying a supply of water or gas, and also any pipe, tube, wire, or apparatus laid down for

telegraphic or other purposes, and may remove any other obstruction, causing as little detriment and inconvenience as circumstances admit, and making full compensation for damage caused by any such alteration.

Streets disused vested in Corporation for sale.

42. Where any street or ground abutting on any street and dedicated to public use or open to the passage of the public becomes, in consequence of any improvement effected by the Corporation under the powers of this Act and shown on the deposited plans, no longer required for public use or for approach to any property adjoining the same, the same is hereby vested in the Corporation, freed and discharged from the public use thereof: Provided that if any land be injuriously affected by such street or ground being so vested in the Corporation, they shall pay to the owner and occupier of such land such compensation as shall be agreed on between such owner and occupier and the Corporation, or failing their agreement such compensation shall be ascertained, apportioned, and recovered under "The Lands Clauses Consolidation Act, 1845," as in cases of disputed compensation for lands.

Elevation of buildings fronting streets to be as Corporation approve.

43. All buildings from time to time erected or altered to or towards the front of any street made, widened, or improved under the powers of this Act shall be erected or altered in such line to the street and in accordance with such elevation fronting to or towards the street as the Corporation approve, and if the owner, lessee, or occupier of any building which on the making of any such new street or on the widening or improving of any such street acquires a frontage to the street make any door or entrance opening upon or communicating with the street or any wall or fence by the side of the street, every such owner, lessee, or occupier shall make the building, wall, or fence in a line and the elevation thereof fronting to or towards the street in accordance with a plan approved by the Corporation: Provided that the Corporation shall make to every person who shall suffer any damage or loss by reason of his being deprived of any land under the provisions of this section compensation therefor, such compensation in case of dispute to be ascertained, apportioned, and recovered under "The Lands Clauses Consolidation Act, 1845," as in cases of disputed compensation.

Corporation shall acquire Grange Town Sewer.

44. The Corporation shall purchase, and the trustees of the will of the Right Honourable Other Archer late Earl of Plymouth shall, within six months after the passing of this Act, sell to the Corporation, the sewer in the parish of Llandaff known as the Grange Town Sewer for the sum of five thousand seven hundred and fifty pounds.

Corporation may purchase

45. The water company, with the approval of three fifths of the shareholders for the time being in such company who may be

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present, either personally or by proxy, at some general meeting of that company specially convened for the purpose, may sell and transfer to the Corporation, and the Corporation may, with the consent of the Local Government Board, purchase by agreement, the water undertaking.

the water undertaking.

Terms of such purchase.

46. Such sale may either be in consideration of a gross sum or of annuities for a life or lives or for terms of years not exceeding sixty years, and upon such other terms and conditions as may be mutually agreed upon.

Deed of transfer to be stamped.

47. Such transfer shall be made by deed duly stamped, and in which the consideration shall be fully set forth.

Water undertaking to vest in Corporation on transfer.

48. At the time agreed on for any such transfer taking effect, or if no time be specified for that purpose then upon and from the date of the transfer, the water undertaking shall vest in the Corporation absolutely for all such or the like estate and interest as the water company were seised or possessed of or entitled to at the time of such vesting, and subject to the contracts, obligations, debts, and liabilities of the water company.

Notice of transfer to be advertised.

49. Within twenty-one days after the execution of the said deed of transfer, a notice thereof shall be given by advertisement in "The London Gazette" and in some newspaper circulating in the borough, and a certified copy of such deed shall be deposited for public inspection at the Town Hall of the borough.

Receipt of three directors of water company to be valid discharge.

50. The receipt in writing of three of the directors of the water company for the purchase money to be paid to them by the Corporation shall effectually discharge the Corporation from the sum which in such receipt shall be acknowledged to have been received, and from being concerned to see to the application thereof, and from being answerable or accountable for the loss, misapplication, or non-application thereof.

Company's debts, &c. to be paid by them.

51. All debts, rents, 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 water company shall, unless otherwise agreed, be paid, discharged, settled, and satisfied by them, and they shall, if required by the Corporation, produce to the Corporation valid and sufficient receipts and discharges for or evidence of settlement and satisfaction of the same.

Corporation to be primarily liable for water company's debts unpaid.

52. 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 water company, but is not paid or discharged by them, the Corporation shall be primarily

liable to satisfy such claim, without prejudice to any remedy over against the water company under any security given by the water company to the Corporation or otherwise.

Pending actions, &c. against water company.

53. If at the time of the transfer any action, suit, or proceeding is pending against the water company, 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 Corporation as and when it might have been continued and prosecuted against the water company if this Act had not been passed, but not further or otherwise, without prejudice to any remedy over against the water company under any security given by the water company to the Corporation or otherwise.

Causes of action, &c. against water company.

54. If at the time of the transfer any cause of action, suit, or proceeding is existing against the water company, 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 Corporation as and when it might have been enforced against the water company if this Act had not been passed, but not further or otherwise, without prejudice to any remedy over against the water company under any security given by the water company to the Corporation or otherwise.

Judgments in respect of existing liabilities may be enforced against individual shareholders.

55. If any judgment, decree, or order be at any time after the passing of this Act obtained against the water company in respect of any debt or liability owing or incurred, or in respect of any contract made or tort committed by the water company before the transfer, and be not fully satisfied out of the property of the water company, then and in every such case the judgment, decree, or order may be enforced and execution thereon issued against the property, effects, and person of any person who was a member of the water company immediately before the transfer or at the time when such contract was made or such tort was committed, and legally responsible in respect of such debt or liability, to the same extent as if this Act had not been passed.

Reimbursement of shareholders in such case.

56. Every person against whom or against whose property or effects any such judgment, decree, or order shall be so enforced shall be entitled to recover against the water company all loss, damage, costs, and charges which he shall incur by reason of such execution, and shall be entitled to contribution for so much thereof as shall remain unsatisfied from the several other persons against whom execution on such judgment, decree, or order might in accordance with this Act have been issued, and such contribution may be recovered in like manner as contribution in ordinary cases of co-partnership.

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Payment and application of purchase money.

57. If the consideration to be paid by the Corporation for the said transfer be a gross sum, it shall be applied by the directors of the water company in manner following:

First. In discharging in accordance with their several priorities all moneys due and owing by the water company on mortgage, bond, or other direct charge on the water undertaking:

Secondly. In discharging all outstanding debts and liabilities of the water company which shall not have been so secured:

Thirdly. In making a fair rateable division of the residue thereof amongst the holders of the shares of the water company in proportion to their respective shares and interests in the water undertaking.

Eventual dissolution of the water company.

58. When and so soon as the said purchase money shall have been appropriated and divided in manner herein-before directed, and the affairs of the water company are wound up, and all their debts and liabilities paid and satisfied, the water company shall cease to exist.

After such transfer Corporation may exercise powers, &c. of water company.

59. The Corporation may, from and after the vesting of the water undertaking in them, exercise and enjoy all the rights, powers, privileges, and authorities vested in the water company immediately before such transfer, except the power of borrowing money.

Provisions if Corporation acquire the water undertaking.

60. If and when the Corporation acquire the water undertaking, the following provisions shall have effect; (that is to say,)

Water limits.

The limits for the supply of water shall be the same as those of the water company at the time of the transfer:

Regulations.

The Corporation may from time to time make such regulations as they think fit for preventing waste, misuse, undue consumption, or contamination of the water: Provided that such regulations shall have no validity unless and until they shall have been approved by the Local Government Board:

The Corporation shall not be bound under any agreement or otherwise to supply or continue to supply water to any person unless their regulations are duly observed by him:

The Corporation, if any person does not observe their regulations, may, if they think fit, after twenty-four hours notice in writing, and by or under the direction of their authorised officer, repair, replace, or alter any pipe, valve, ball tap, cock, cistern, or other receptacle or apparatus for the supply of water belonging to or used by any person supplied by them; and the power of entry given by section fifteen of "The Waterworks Clauses Act, 1863," and the provisions of that section relative thereto, shall extend and apply to entry for the purposes of such repair, replacement, or alteration, and the expenses thereof shall be repaid to the Corporation by the person on whose credit the

water is supplied, and may be recovered by them in any court of competent jurisdiction:

Corporation may require houses to be provided with a proper supply of water.

If upon the report of the medical officer of health of the borough it appears to the Corporation that any house in any street or court in the borough in which any water main of the Corporation is laid be without a proper supply of water, the Corporation may give notice in writing to the owners of such house requiring him within the time specified in such notice to obtain from the Corporation such supply for such house, and if such notice be not complied with within the time therein specified the Corporation may, and if they think fit shall, do such works as may be necessary for the providing, and may provide such supply, and the expense of such works may be recovered in a summary manner, or may be deemed to be private improvement expenses, and may be recovered by the Corporation accordingly, and the Corporation may levy the same water rent or rate in respect of such supply on the owner or occupier of such house as if he had demanded and received such supply of water.

Corporation and water company may agree.

61. Subject to the provisions of this Act, the said waterworks company, with the approval of three fifths of the shareholders for the time being in such company who may be present, either personally or by proxy, at some general meeting of that company specially convened for the purpose, on the one hand, and the Corporation on the other hand, may enter into and carry into effect any agreements for or in relation to the transfer of the water undertaking to the Corporation.

Saving rights of water company until purchase of their undertaking by the Corporation.

62. Unless and until the Corporation shall purchase by agreement the water undertaking, nothing in this Act shall take away, lessen, alter, prejudice, or interfere with any of the property, estates, rights, interests, powers, authorities, or privileges of the Cardiff Waterworks Company, whether claimed under or by virtue of any Act of Parliament, indenture, contract, or agreement, or otherwise howsoever.

Corporation may enlarge cemetery.

63. The Corporation may, for the purpose of enlarging their cemetery, add thereto all or any part of the lands described in Part I. of the Third Schedule to this Act, and the lands so added shall thenceforth form part of the said cemetery, and be under the jurisdiction and control of the Corporation accordingly; and they may stop up, appropriate the soil of, and extinguish all rights of way over the footway leading from the Llanishen Road through those lands, so far as the same are taken by the Corporation, and through the said cemetery.

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Powers of Corporation as to markets, &c. and slaughter-houses.

64. With respect to markets and fairs, and slaughter-houses, the Corporation shall have the following powers:

They may maintain on their existing sites, and alter, improve, or enlarge, or discontinue all or any or either of the markets, fairs, and slaughter-houses at the passing of this Act belonging to them, or which may be transferred to them under the powers of this or any other Act of Parliament, with all buildings, sheds, stalls, pens, approaches, works, and conveniences appropriated for or belonging thereto:

They may levy at all or any of their markets or fairs, and for the use of their slaughter-houses, fasting-houses, and weighing machines, any tolls not exceeding the tolls leviable under and by virtue of the Market Act of 1835 and the Llandaff and Canton District Markets Act, 1858, or either of those Acts:

They may from time to time make, alter, and enforce byelaws under and according to the provisions of and for all or any of the purposes mentioned in "The Markets and Fairs Clauses Act, 1847," in that behalf.

Official liquidator may sell Canton Market.

65. The official liquidator of the market company, with the approval of the Court of Chancery, may sell and transfer to the Corporation the lands, undertaking, property, rights, and privileges of the market company for such sum in gross as he and the Corporation shall mutually agree upon, or as may be fixed by arbitration under and according to the provisions in that behalf of "The Lands Clauses Consolidation Act, 1845;" and the receipt in writing of the official liquidator for the purchase money to be paid to him by the Corporation shall effectually discharge the Corporation from the sum which in such receipt shall be acknowledged to have been received, and from being concerned to see to the application thereof, and from being answerable or accountable for the loss, misapplication, or non-application thereof.

Provisions as to transfer.

66. Upon any such sale the following provisions herein-before contained with respect to the transfer of the water undertaking; namely,

Deed of transfer to be stamped; and

Notice of transfer to be advertised,

shall apply, mutatis mutandis, to the sale and transfer of the market undertaking; and the Corporation may, from and after the vesting in them of the market undertaking, exercise and enjoy within the limits of the Llandaff and Canton District Markets Act, 1858, all the rights, powers, privileges, and authorities conferred upon or given to the market company by that Act, except the right of borrowing money, and may enforce all byelaws made by the market company and in force at the date of the transfer of the market

undertaking until such time as they shall be abrogated or altered under the powers of this Act. A.D. 1875.

Power to provide public pleasure grounds.

67. The Corporation may lay out, drain, sewer, pave, gravel, turf, plant, ornament, and otherwise improve all or any of the lands described in Part II. of the Third Schedule to this Act, and any lands now vested in them or which may be acquired by them under the powers of this Act, and which shall not be required for the purposes for which they shall have been so acquired, and appropriate the same or any part thereof for the purposes of pleasure grounds.

Power to make bye-laws.

68. The Corporation may, subject to the provisions with respect to byelaws contained in section one hundred and fifteen (byelaws of local board not to be in force till confirmed by Secretary of State) and section one hundred and sixteen (byelaws to be printed, et cetera) of "The Public Health Act, 1848," as amended by "The Local Government Board Act, 1871," from time to time make bye-laws for all or any of the following purposes relating to pleasure grounds; namely,

For appointing and regulating keepers or servants employed therein:

For fixing and regulating the days and hours on and during which the pleasure grounds, or any of them, or any part or parts thereof (not exceeding with respect to each of the pleasure grounds one half thereof), or any footpath therein, may be open or shut, and the terms of and prices for admission on any special occasion to the pleasure grounds, or any or either of them, or any part or parts thereof respectively:

For preventing the posting of bills or placards, and the writing, stamping, cutting, printing, drawing, or marking in any manner of any word or character, or of any representation of any object, on any wall, railing, fence, tree, lamp-post, walk, pavement, or seat, or elsewhere in the pleasure grounds:

For the preservation of order and good conduct among persons frequenting the pleasure grounds:

For regulating the days on and hours during which and parts in which games, bands of music or other music may be permitted:

For permitting and regulating the sale of refreshments therein:

For regulating or preventing the admission of dogs thereto:

For the prevention or restraint of acts or things tending to the injury or disfigurement of the pleasure grounds, or anything in or on the same, or to interference with the use of the pleasure grounds by the public for purposes of exercise and recreation.

Power to take lands.

69. Subject and according to the provisions of this Act, the Corporation may from time to time enter upon, take, and use all or

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any of the lands delineated on the deposited plans and described in the book of reference, and any easement, right, or privilege in or over the same: Provided that the Corporation shall not enter upon, take, or use any of the following lands; (that is to say,)

Lands in the said parish of Saint Mary and in the existing borough, bounded on the south-east by the Cardiff and Penarth Road, on the north-east by lands belonging or reputed to belong to the Marquess of Bute and his trustees, on the north-west by lands belonging or reputed to belong to the Great Western Railway Company, and on the west by the River Taff:

Lands and buildings in the said parish of Roath and county of Glamorgan known as Plasnewydd, bounded on the north by the road leading from Roath to Merthyr, on the south by lands belonging or reputed to belong to Charles Henry Williams and others, on the west by Castle Road, and on the east by other lands belonging or reputed to belong to the said Charles Henry Williams:

Lands in the parish of Leckwith, adjoining Leckwith Common on the south side thereof, and belonging or reputed to belong to the Marquess of Bute and his trustees.

Corporation may extinguish rights of way over footpaths on lands acquired.

70. The Corporation may discontinue and stop up any and every footpath in or over lands acquired by them under the powers of this Act, and described in the deposited books of reference, and thereupon all rights of way over such footpath shall be extinguished.

Correction of errors as to lands.

71. If any omission, mis-statement, or wrong description of any lands, or of any owner, lessee, or occupier of any lands, described in or intended or purporting to be described in the deposited plans and book of reference be discovered, the following provisions shall have effect; that is to say,

The Corporation may apply to two justices for the correction thereof, giving ten days notice in writing to the owners, lessees, and occupiers of the lands affected by the proposed correction:

If it appear to such justices that the omission, mis-statement, or wrong description arose from mistake, they shall certify the same, stating in the certificate the particulars of the omission, mis-statement, or wrong description:

The certificate shall be deposited with the clerk of the peace for the county of Glamorgan, who shall safely keep the same in like manner and subject to the like regulations as the deposited plans and book of reference:

Thereupon the deposited plans and book of reference shall be deemed to be corrected according to the certificate, and the Corporation may enter on, take, and use the lands for the

several purposes to which they are appropriated by this Act in accordance with the certificate as if there had not been any omission, mis-statement, or wrong description:

A copy of or an extract from such certificate purporting to be under the hand of the clerk of the peace aforesaid (which copy or extract he shall give when required under his hand to any person interested) shall be conclusive evidence of such correction.

Corporation to give notice before taking dwellings of labouring classes.

72. The Corporation shall, not less than eight weeks before they take in the borough fifteen houses or more occupied either in whole or in part belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from the houses; and the Corporation shall not enter upon, take, or use any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Corporation have in manner required by this section made known their intention to take the same.

Corporation to procure accommodation for persons of the labouring class to be displaced.

73. Before taking fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers who may for the time being be the occupier or occupiers of any house or part of any house which the Corporation are by this Act authorised to acquire, the Corporation shall (unless the Corporation and such person or persons otherwise agree) procure sufficient accommodation elsewhere for such person or persons: Provided always, that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice, and the Corporation may apply for the purposes of this section any moneys they may have already raised or are authorised to raise and not required for the purposes for which they were raised.

Limitation of time for compulsory purchase of lands.

74. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of the following periods; (that is to say,)

For the purposes of the new streets and roads, and street, road, and bridge improvements, after the expiration of five years;

For any other purpose, after the expiration of three years.

Power to acquire additional lands by agreement.

75. The Corporation may (in addition to the lands they are authorised to acquire and hold under the other powers of this Act) from time to time for all or any of the purposes of this Act, by agreement, acquire in fee, either by purchase or by way of exchange or otherwise, any land not exceeding in the whole five acres, or any easement, power, or privilege therein, thereunder, thereover, or thereupon (not being an easement or privilege of water), which

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shall be deemed necessary by the Corporation, and may appropriate all or any part thereof for all or any of the purposes of this Act.

Consideration for such acquisition.

76. The consideration for any such acquisition may be either money or land, or any yearly sum or rentcharge or other rent, or a mixed consideration of money and land, and on any exchange the Corporation may give or take any money for equality of exchange.

Persons under disability may exchange, &c.

77. The persons by "The Lands Clauses Consolidation Act, 1845," empowered to sell and convey or release lands, may agree to make and may make such exchanges, and may grant in fee any such easement, power, or privilege as aforesaid; and the several provisions of the same Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," so far as the same are respectively applicable in that behalf, shall extend and apply to such grants and to such easements, powers, or privileges, and to any rentcharge created on any sale of lands.

Lands vested in the Corporation.

78. All lands acquired by the Corporation under the powers of this Act for the following purposes shall be vested in the Corporation in the following capacity:

All lands acquired for markets, fairs, and slaughter-houses, in the Corporation as a municipal corporation;

All lands acquired for cemetery purposes, in the Corporation as a burial board;

All lands acquired for other purposes, in the Corporation as a sanitary authority.

Corporation may use their own lands for purposes of Act.

79. The Corporation from time to time may appropriate and use for any of the purposes of this Act, other than for the purposes of a cemetery, any lands from time to time vested in them and being part of their corporate estates, or vested in them as a sanitary authority.

Corporation may sell or lease lands not required for purposes of Act.

80. Subject to the provisions of this Act, the Corporation from time to time, if and when they think fit, may lay out for building purposes all or any part of any lands vested in them at the passing of this Act, or acquired by them under and not required for the purposes of this Act, and may sell or exchange and absolutely dispose of or otherwise at their option demise or grant upon building or other leases for any yearly rent, with or without fine, for such estate, term, or interest not exceeding a term of ninety-nine years, and to such persons, and with, subject to, on, and under such reservations, covenants, terms, and conditions as the Corporation think fit (and in case of sale in consideration of a gross sum or of an annual rent, or of both, or of any payment in any other form), all or any part of such lands; and the Corporation may make any such

sale or lease by public auction, public tender, or private contract, and with or without special conditions and stipulations as to evidence or commencement of title or otherwise, and may fix reserved biddings and prices, buy in at auctions, and alter or rescind on terms or gratuitously any contract or agreement for sale or lease, and the consideration or rent fixed thereby, and accept surrender of any lease, and either before or after such conveyance or lease is granted may in like manner sell and dispose of any rent reserved or agreed to be reserved for any such lands, and the reversion and inheritance in fee simple in possession (subject to any such lease or agreement of or concerning such lands) of any such lands, and execute and do all deeds and things necessary to effect the several purposes aforesaid.

Consent of Treasury to sale, &c. of lands.

81. No sale, exchange, or absolute disposition, nor any lease of any lands now vested in the Corporation shall be made without the consent of the Commissioners of Her Majesty's Treasury, after due notice in accordance with the provisions of the Municipal Corporations Acts, except such leases as the Corporation are or would be authorised to grant by virtue of the Municipal Corporations Acts without such consent.

Application of moneys received on sale, &c. of lands.

82. All principal moneys from time to time received by the Corporation as net proceeds of any sale or other disposition, lease, or grant, or by way of fine on the lease of any lands acquired under the powers of this Act, or with moneys by this Act authorised to be raised, shall from time to time be applied in paying off moneys borrowed for the purposes for which the said lands from which such principal moneys arise were acquired, and the borowing powers of the Corporation shall be reduced to the extent of the moneys so paid off.

Funds out of which current expenses of carrying out Act are to be paid.

83. All expenses incurred by the Corporation in carrying into effect the provisions of this Act (except such of them as are to be paid out of borrowed moneys) shall be paid as follows:

Provisions as to markets, fairs, and slaughter-houses, and as to cemeteries,

out of the borough fund and borough rate; and

All other provisions,

out of the general district fund and rates; and all moneys received by the Corporation under the powers of this Act, other than borrowed moneys and moneys received on the sale and by way of fine on the lease of lands and on account of cemeteries and markets, fairs and slaughter-houses, shall be carried to the credit of the general district fund, and the moneys (including therein penalties and forfeitures) received on account of cemeteries and markets,

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fairs, and slaughter-houses shall be carried to the credit of the borough fund.

Power to borrow on borough fund exclusively.

84. The Corporation may from time to time, in addition to any existing mortgage of the Corporation, borrow at interest on the credit of the borough fund, borough rate, and property vested in them as a municipal corporation, any sum or sums not exceeding in the whole the sum of thirty-two thousand pounds.

Application of money borrowed on borough fund exclusively.

85. All moneys so to be borrowed by the Corporation on security of the borough fund, borough rate, and property vested in them as a municipal corporation, shall be applied to the following purposes and in the following order; (that is to say,)

In paying one half of the costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act;

In paying the costs properly payable out of capital of and incidental to the enlarging of the cemetery, and to the carrying into effect the provisions of this Act and the Act of 1872 with respect to cemeteries, markets, fairs, and slaughter-houses;

The surplus (if any) shall be carried to the credit of the borough fund.

Powers to Corporation to borrow on general district fund, &c.

86. The Corporation, in addition to any sums they may from time to time borrow under the powers of this Act upon the security of the borough fund exclusively, or under the powers of their former Acts, the Municipal Corporations Acts, the Sanitary Acts, or the Burial Acts, or any or either of them, may from time to time borrow at interest by virtue of this Act, on the security of the general district fund and rates and all property from time to time vested in them as a sanitary authority, any further sum or sums not exceeding in the whole the sum of two hundred and sixty-six thousand five hundred pounds, and if and when they purchase the water undertaking, any such further sum or sums as the Local Government Board may authorise to be raised for that purpose; and in calculating the amount which the Corporation may borrow under those Acts, or any or either of them, any sums which they may borrow under this Act shall not be reckoned.

Application of moneys borrowed on security of the general district fund.

87. The moneys to be borrowed by the Corporation under the powers of this Act on the security of the general district fund and rates and property from time to time vested in them as a sanitary authority, shall be applied in paying one half of the costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act, and in carrying into execution the powers of this Act not herein-before specifically provided for.

Limitation of capital expenditure.

88. The sums to be expended by the Corporation on capital account shall not in connexion with the following purposes exceed the following sums; (that is to say,)

In connexion with new streets and roads, and street and road and bridge improvements, two hundred and fifty-six thousand four hundred and forty-seven pounds;

In connexion with the enlarging the cemetery, fourteen thousand five hundred pounds;

In connexion with markets, fairs, and slaughter-houses, seventeen thousand pounds;

In connexion with pleasure grounds, four thousand pounds;

In connexion with the purchase of the Grange Town Sewer, five thousand seven hundred and fifty pounds.

Separate accounts.

89. The Corporation shall keep separate accounts in respect of the following matters; namely,

Street improvements;

Markets, fairs, and slaughter-houses;

Pleasure grounds;

Waterworks.

Apportionment between accounts of expenditure for common purposes.

90. Where any expenditure under this Act is incurred for purposes common to two or more accounts, the Corporation, as they think fit, may apportion the same between such accounts.

Borrowed money may be repaid by instalments.

91. All moneys borrowed or re-borrowed by the Corporation under the authority of this Act may be borrowed and re-borrowed for any term not exceeding sixty years, and, subject as aforesaid, may be repaid by yearly or half-yearly instalments, or by means of a sinking fund: Provided that when the payment shall not be made by equal instalments, the instalment or instalments payable in each year, together with the interest payable in such year in respect of the principal moneys owing of which such instalment or instalments form part, shall in every year amount to the same sum.

Sinking fund for payment of money borrowed.

92. The Corporation shall, on the first day of January one thousand eight hundred and seventy-seven, and thenceforth annually on the same day, set apart out of the borough rate, as a sinking fund for the payment of moneys borrowed under this Act on the security of the borough fund, borough rate, and property vested in them as a municipal corporation, and out of the general district rates, as a sinking fund for the payment of the money borrowed under this Act on the security of the general district fund and rates and property vested in them from time to time as a sanitary authority, such a sum as will be sufficient to pay within the period stipulated with the lender (not exceeding sixty years from the time of borrowing) such portion of the principal moneys borrowed on those re-

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spective securities as shall not be repayable by yearly or half-yearly instalments (after giving credit for moneys received in respect of the sales of land acquired under the powers of this Act), to be accumulated in the way of compound interest by investing in exchequer bills or Government securities, and the Corporation shall from time to time apply the said sinking funds respectively in repayment of such portion of those respective principal moneys until thereby or otherwise the whole of such portions have been fully paid, and the sinking fund shall in each case be set apart out of the respective fund or account on which the moneys in respect whereof it is set apart is charged.

Application of sinking funds.

93. Whenever any of the principal moneys borrowed on the security of the borough fund, borough rate, and property vested in them as a municipal corporation, or of the general district fund and rates and property from time to time vested in the Corporation as a sanitary authority, and which shall not be repayable by yearly or half-yearly instalments, have been paid off by means of the sinking fund set apart for the purpose under the provisions of this Act, the Corporation shall thenceforward, until the whole of the principal moneys whereof the moneys so paid off form part have been paid off, pay into such sinking fund every year, in addition to the other sums herein-before required to be set apart and appropriated to such sinking fund, a sum equal to the annual interest of the principal moneys paid off by means of such sinking fund: Provided that whenever and so long as the yearly income arising from such sinking fund shall be equal to the annual interest of the principal moneys then due and outstanding and to be paid off by means of such fund, the Corporation 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 such sinking fund of the yearly sums herein-before required to be paid thereto.

Annual return to Local Government Board with respect to sinking fund.

94. The town clerk shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or to be paid as an instalment 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 for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return,

such clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Local Government Board, by such return or otherwise, that the Corporation have failed to pay any instalment, or to set apart the sum required by this Act for the sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act, the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the Court of Queen's Bench.

Protection of lenders from inquiry.

95. A person lending money to the Corporation shall not be bound or entitled to inquire as to the observance by them of any provision of this Act, or be bound to see to the application, or be answerable for any loss, misapplication, or non-application of such money or of any part thereof.

Power to re-borrow.

96. If the Corporation pay off any part of any money borrowed by them under the powers of this Act otherwise than by instalments, or by means of a sinking fund, or out of the proceeds of the sale of land acquired under the powers of this Act, they may re-borrow the same, and so from time to time.

Saving for existing charges on borough fund.

97. Nothing in this Act shall prejudicially affect any charge on the corporate estates of the Corporation and the borough fund and borough rate, by way of mortgage, annuity, or otherwise, subsisting at the passing of this Act.

Regulations as to mortgages.

98. With respect to mortgages made under this Act, the following provisions shall have effect; namely,

(1.) Every mortgage shall be by deed under the corporate seal of the borough, and may be in the form in the Fourth Schedule to this Act:

(2.) The mortgagees of the general district fund and rates and of the property vested in the Corporation as a sanitary authority, and their respective representatives and assigns, shall, in proportion to the sums secured, be creditors on the property mortgaged to them respectively equally one with another, without preference by reason of priority of date or otherwise:

(3.) A register of the mortgages shall be kept by the town clerk or other authorised officer of the Corporation, and, within fourteen days after the date of each mortgage, an entry of the number and date thereof and of the names of the

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parties thereto, with their additions, shall be made in the register, which may be perused at all reasonable times by any person interested in any mortgage, without payment.

Transfers of mortgages.

99. With respect to transfers of mortgages made under this Act, the following provisions shall have effect; namely,

(1.) Any person entitled to a mortgage may transfer his interest therein to any other person by deed, which may be in the form in the Fourth Schedule to this Act:

(2.) Within thirty days after the date of every such deed of transfer it shall be produced to the town clerk or other authorised officer of the Corporation, who shall cause an entry thereof to be made in a registry of transfers of mortgages on payment of any sum not exceeding five shillings, and after such entry every such transfer shall entitle the transferee, his representatives and assigns, to the full benefit of the original mortgage in all respects (including the power of transfer).

Power for mortgagees to obtain a receiver.

100. With respect to a receiver, the following provisions shall have effect; (namely,)

(1.) If within thirty days after the interest accruing upon any mortgage made under this Act has become payable, and after demand thereof in writing, the same is not paid, the mortgagee may (without prejudice to his right to sue for the same) require the appointment of a receiver:

(2.) If within six months after the principal money owing upon any such mortgage has become payable, and after demand thereof in writing, the same is not paid, with all interest due in respect thereof, the mortgagee (without prejudice to his right to sue for such principal money and interest) may, if his debt alone amounts to one tenth of the whole amount for the time being due on mortgages made under this Act, or if his debt does not amount to the said one tenth then in conjunction with other mortgagees whose debts being so in arrear after demand as aforesaid, together with his, amount to the said one tenth, require the appointment of a receiver:

(3.) Every application for such a receiver shall be made to two justices, who may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the rates and revenue mortgaged, until such interest, or until such principal and interest (as the case may be), with all costs (including the charges of receiving the income), be fully paid, and thenceforth all such rates and revenue mortgaged, or such part thereof as

the justices order, shall be paid to the receiver so appointed, and the money so paid shall be so much money received to the use of the person on whose behalf the receiver is appointed, and after such interest and costs, or such principal, interest, and costs, have been fully paid, the powers of the receiver shall cease.

Corporation may raise money by annuities.

101. The Corporation may raise all or any part or parts of the moneys by this Act authorised to be borrowed by the grant of annuities for lives or for terms of years not exceeding sixty years on the same security as that on which the moneys for which such annuities are substituted would have been raised.

Certain provisions of Act of 1871 incorporated.

102. The following sections :—
Section forty-five (coupons for interest on mortgages) ;
Section forty-six (payment of coupons) ;
Section forty-seven (power to local board of health to arrange with mortgagees and annuitants) ;
Section forty-eight (consents to arrangements) ; and
Section forty-nine (restriction on redemption of annuities),
of the Act of 1871 shall extend and apply to the Corporation, and to and in respect of moneys borrowed and annuities granted under the powers of this Act, and are incorporated with this Act accordingly.

Provisions with respect to annuities.

103. With respect to the grant of annuities by the Corporation, the following provisions shall have effect ; namely,

In the case of any annuity granted for a life or lives, no fresh life shall be substituted for an existing or dropped life :

On the expiration of any annuity granted for a term of years, such annuity shall not be renewed, nor shall a fresh annuity be granted in substitution therefor, unless such term shall have been less than sixty years, in which case a renewed or substituted annuity may be granted for a number of years equal to or less than the difference between such term and sixty years :

As to register, &c. of annuities.

The provisions of this Act with respect to the register, transfer, and register of transfer of mortgages, and the obtaining of a receiver by mortgagees, shall apply, mutatis mutandis, to the register, transfer, and register of transfers of annuities and to the obtaining of a receiver by annuitants :

Receipts of guardians, &c.

If any annuitant be by reason of infancy or lunacy unable to give an effectual receipt, the receipt in writing of the guardian or committee of his or her estate shall be a sufficient and effectual discharge to the Corporation for the annuities due to such annuitant as and when they shall from time to time become payable :

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Annuities to shareholders in water company to represent shares in company.

If the purchase of the water undertaking be made in consideration of annuities, such annuities shall in all respects, both at law and in equity, be substituted for and represent the shares in the capital of the water company in exchange for which the same are respectively granted and paid, and the several parties to whom the annuities are granted shall be possessed thereof respectively upon the same trusts, and subject to the same powers, provisions, charges, and liabilities, as those upon and to which their respective shares in the capital of the water company were immediately before such exchange thereof held and subject, and the annuities shall accordingly pass or be affected by any will or other instrument disposing of or affecting such shares:

Transmission of annuities by other means than transfer to be authenticated by a declaration.

If the interest in any annuity become transmitted in consequence of the death or bankruptcy of any annuitant, or in consequence of the marriage of a female annuitant, or by any lawful means other than by a transfer according to the provisions of this Act, such transmission shall be authenticated by a declaration in writing as by this Act provided; and until the transmission be so authenticated any person claiming by virtue thereof shall not be entitled to receive any part of the annuity transmitted:

Contents of declaration in all cases.

Every such declaration shall state the manner in which and the party to whom the annuity is transmitted, and shall be made and signed by some credible person before a justice or before a commissioner to administer oaths in Chancery in England, and such declaration shall be left with the Corporation, and thereupon they shall enter the name of the person entitled under such transmission in the register of annuitants, and for every such entry the Corporation may demand any sum not exceeding five shillings:

Contents of declaration in case of transmission by marriage, will, &c.

If the transmission be by virtue of the marriage of a female annuitant, the declaration shall contain a copy of the register of such marriage or other particulars of the celebration thereof, and shall declare the identity of the wife with the holder of the annuity, and if the transmission be by virtue of any testamentary instrument or by intestacy, the probate of the will or the letters of administration, or an official extract therefrom, shall with the declaration be produced to the Corporation, who shall upon such production in either of those cases make an entry of the declaration in the register of transfers of annuities, and for every such entry the Corporation may demand any sum not exceeding five shillings:

Corporation not to regard trusts.

The Corporation shall not be bound to see to the execution of any trust, whether express or implied or constructive, to which any annuity may be subject, and the receipt of the party in whose name any annuity stands in the register of annuities shall from time to time be a sufficient discharge to the Corporation for any money payable in respect of such annuity, notwithstanding any trusts to which such annuity may then be subject, and whether or not the Corporation have had notice of such trusts, and the Corporation shall not be bound to see to the application of the money paid upon such receipt.

Forms in Fourth Schedule authorised.

104. The forms given in the Fourth Schedule to this Act may be used for or in respect of the purposes therein indicated, with such variations and additions as circumstances may require.

Compensation, &c. not otherwise provided for to be ascertained and recovered in mode prescribed in Public Health Acts.

105. When any compensation, damages, costs, charges, or expenses is or are by this Act directed to be paid, and no method is herein provided for the ascertaining, determining, and recovering the same respectively, they shall respectively be ascertained, determined, and recovered as compensation, damages, costs, charges, and expenses are by the Public Health Acts to be ascertained, determined, and recovered.

Compensation may be in land or works.

106. The Corporation, whenever they are by this Act required to make compensation to owners or occupiers of or persons interested in any land or building, may, by agreement with the persons entitled to such compensation, make the same wholly or in part in land or works.

Damages and charges in cases of dispute to be settled by justice.

107. When any damages or charges are by this Act 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 or charges may be settled and determined by the justice before whom the offender is convicted, and may be levied by distress.

Recovery and application of penalties, &c.

108. All penalties and forfeitures imposed by this Act or any byelaw thereunder shall be recovered and (unless by this Act otherwise directed) applied in like manner as penalties and forfeitures are by the Public Health Acts recoverable and applicable, and the information or complaint for any offence may be made as in those Acts authorised, or by any officer of or appointed by the council.

Offences on the foreshore.

109. Any person who shall, upon any part of the foreshore lying between the eastern and western limits of or adjacent to the borough, do any act or thing which if done within the borough would be an offence cognizable by a justice or two justices of the

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borough or by the court of quarter sessions, shall be liable and may be dealt with as though such act or thing had been done within the borough, and such justice or justices and court of quarter sessions shall have jurisdiction accordingly.

Power to order prosecutions, &c.

110. The Corporation may direct any prosecution or proceeding against any person for any offence against this Act, or any matter arising under this Act.

Punishment of abettors, &c.

111. Where the doing of any act or thing is made punishable by this Act or by any byelaw thereunder, the causing or procuring such act or thing to be done, or the aiding or abetting the doing thereof, shall be punishable in like manner, if the nature of the case permits, and if an intention to the contrary does not appear in this Act.

Evidence of previous conviction.

112. The justice before whom any person is convicted of any offence may transmit the conviction to the next court of quarter sessions, there to be kept by the proper officer among the records of the court, and on the prosecution of any person for any subsequent offence a copy of such conviction, certified by the proper officer of the court, or proved to be a true copy, shall be sufficient evidence to prove conviction for the former offence, and such conviction shall be presumed not to have been quashed on appeal until the contrary is shown.

Warrant of commitment not to be void from defect, &c.

113. A warrant of commitment on any conviction shall not be held void by reason of any defect therein if it be therein alleged that the person therein named has been convicted, and there be a good conviction to sustain the same.

Demand of payment by Corporation or their officers.

114. Every demand by the Corporation of any money to be paid to them may be made by their collector or any other person from time to time authorised in that behalf by the Corporation.

Corporation not exempted from indictment.

115. Nothing in this Act shall exonerate the Corporation from any indictment, action, or other proceeding for nuisance in the event of any nuisance being caused by them.

Saving rights of the Crown.

116. Nothing contained in this Act shall authorise the Corporation to take, use, or in any manner interfere with any land or hereditaments, or any rights of whatsoever description, belonging to the Queen's most Excellent Majesty in right of Her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the consent in writing of the same Commissioners, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such Commissioners are hereby respectively autho-

rised to give), neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Saving rights of the Crown in the foreshore.

117. Nothing contained in this Act shall authorise the Corporation to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade, on behalf of Her Majesty (which consent the Board of Trade may give), neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Saving rights to the foreshore.

118. Nothing in this Act shall take away, alter, or interfere with any rights or claims of any persons to the foreshore lying between the eastern and western limits of or adjacent to the borough.

Saving for rights of Marquess of Bute under indenture of 14th March 1873.

119. Nothing in this Act contained shall take away, lessen, or prejudice the rights, interests, powers, and authorities of the Marquess of Bute and his successors in title, and his and their lessees and tenants, mentioned or comprised in an indenture dated the fourteenth day of March one thousand eight hundred and seventy-three, and made between the Right Honourable James Stuart Wortley and Charles Stuart, the trustees for executing certain powers under the will of the late Marquess of Bute, of the first part, the Marquess of Bute of the second part, John Boyle and William Stuart the younger, the trustees of the term of one thousand five hundred years created by the will of the late Marquess of Bute, of the third part, and the mayor, aldermen, and burgesses of the borough of Cardiff, acting as the local board of health for the district of Cardiff, of the fourth part, a copy of which indenture is comprised in the Fifth Schedule to this Act.

Saving rights of Marquess of Bute and Lord Windsor in River Taff, &c.

120. Nothing in this Act contained shall take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Marquess of Bute and his trustees and successors in title, and Lord Windsor, his heirs or successors, or any or either of them, with respect to the rivers Taff and Ely, or the banks or foreshore thereof respectively.

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Saving rights of Corporation.

121. Except only as is by this Act expressly provided, nothing in this Act shall take away, lessen, prejudice, or alter any of the jurisdictions, franchises, estates, rights, interests, powers, privileges, or authorities of or claimed by the Corporation.

Saving rights of undertakers of Bute Docks.

122. Nothing in this Act contained shall take away, lessen, prejudice, or alter any of the estates, rights, interests, trusts, powers, authorities, discretion, or privileges of the undertakers for the time being under "The Bute Docks Act, 1865," "The Bute Docks Act, 1866," and "The Bute Docks Act, 1874," whether as trustees or otherwise, without their previous consent in writing.

SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

MUNICIPAL LIMITS OF BOROUGH AS EXTENDED.

The existing municipal borough and so much of the parishes of Leckwith and Llandaff in the county of Glamorgan as lies within the limits of the parliamentary borough, and so much of the parish of Roath as is situate in the county of Glamorgan.

The boundary of the borough is shown by a black dotted line on the borough plan.

THE SECOND SCHEDULE.

PART I.

NAMES AND BOUNDARIES OF THE WARDS FORMING EXTENDED BOROUGH.

Cardiff West Ward.

The district lying on the right hand of an imaginary line commencing at a point where the Glamorganshire Canal intersects the northern boundary of the borough, thence following the course of the said canal on the east side thereof southward to the Hayes Bridge, thence running eastward through the centre of Bridge Street, Nelson Terrace, and Wellington Terrace to the Bute Dock feeder, thence southward along the west side of the same to the Great Western Railway, and then following the course of the said railway on the northern side thereof to the point where the same intersects the western boundary of the existing borough.

The boundary of this ward is coloured brown on the borough plan.

Cardiff East Ward.

The district lying on the left hand of the imaginary line above described as forming the boundary of the West Ward, from the point where the Glamorganshire Canal intersects the northern boundary of the borough to the point where the Bute Dock feeder meets the Great Western Railway, and thence eastward along the course of the said railway on the northern side thereof to the eastern boundary of the existing borough.

The boundary of this ward is coloured blue on the borough plan.

Cardiff South Ward.

The district bounded on the north by the West Ward and East Ward, and comprising the Great Western Railway and the portion of the borough lying south of same, including the island of the Flat Holmes.

The boundary of this ward is coloured red on the borough plan.

Canton Ward.

The district lying on the western side of the existing borough, and comprising so much of the several parishes of Llandaff and Leckwith as is included within the limits of the borough.

The boundary of this ward is coloured yellow on the borough plan.

Roath Ward.

The district lying on the eastern side of the existing borough, and comprising so much of the parish of Roath as is included within the limits of the borough.

The boundary of this ward is coloured green on the borough plan.

PART II.

Regulations respecting Number of Aldermen, Councillors, &c.

1. The borough shall have ten aldermen and thirty councillors.
2. Each of the existing wards shall continue to return six councillors.
3. Each of the added wards shall return six councillors.

The first election of councillors for the added wards shall be held on the 1st day of November 1875, before the mayor of the borough, or before some person or persons to be appointed by him, and six persons shall then be elected for each of such wards.

The two councillors in each of the added wards having the least number of votes shall go out of office on the 1st day of November 1876; the two having the second number of votes shall go out of office on the 1st day of November 1877; and the others on the 1st day of November 1878; and if in either of the added wards there be no poll, or there be an equality of votes on a poll, the council shall determine the order in which the councillors of such ward shall go out of office.

The additional aldermen shall be elected by the councillors on the 9th day of November 1875, and the councillors of the added wards shall immediately after such election assign one alderman to each of such wards.

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All the retiring aldermen and councillors shall, if duly qualified, be eligible for re-election.

The first mayor of the borough shall be elected on the 9th day of November 1875 from and out of the aldermen and councillors of the borough.

Subject to the regulations of this Schedule, all elections, vacations of office, and rotations shall be governed by the Municipal Corporations Acts.

THE THIRD SCHEDULE.

PART I.

For enlarging the Cemetery.

Lands and buildings situate in the said parish of Saint John the Baptist in the county of Glamorgan, and bounded on the west by the Llanishen Road leading from Cardiff to Llanishen, on the north and north-east by the parish boundary of the parish of Saint John the Baptist, on the east by the Rhymney Railway, on the south-east by the Penywain Road, and on the south-west and south by the existing cemetery; certain other lands and buildings situate in the same parish, and bounded on the west by the said Llanishen Road, on the south-west by the road leading from Cardiff to Caerphilly, on the south-east by the said Penywain Road, and on the north-east and north by the existing cemetery.

PART II.

For Recreation Grounds.

A common known as Leckwith Common, and situate partly in the said parish of Leckwith and partly in the said parish of Llandaff.

A common situate in the said parish of Llandaff, and known as Ely Common.

A common situate in the said parish of Llandaff, and known as Canton Common.

THE FOURTH SCHEDULE.

Form of Mortgage of Borough Fund.

The Cardiff Improvement Act, 1875.

Mortgage No.

By virtue of the above-mentioned Act, the Corporation of the borough of Cardiff, in consideration of pounds paid to them by *A.B.*, of , grant to him, his executors, administrators, and assigns, the [*state fund, rates, and property to be charged*], to hold until the said sum of be repaid to him or them, with interest at the yearly rate of in the hundred, by half-yearly [*or* yearly] payments on the day of and the day of in every year from the day of the date hereof [*if required, the principal to be repaid on the day of at the option of either party*], and all payments to be made at the office in Cardiff of the treasurer of the Corporation.

Given under the seal of the borough this day of one thousand eight hundred and .

Form of Mortgage of General District Rates, &c.

The Cardiff Improvement Act, 1875.

Mortgage No. £

By virtue of the above-mentioned Act, the Corporation of the borough of Cardiff, in consideration of pounds paid to them by *A.B.*, of , grant to him, his executors, administrators, and assigns, such proportion of the general district rates, &c. [*state property mortgaged*] as the said sum of pounds doth or shall bear to the whole sum which is or shall be borrowed upon the credit of the said rates, &c., to hold until the said sum of be repaid to him or them, with interest at the yearly rate of in the hundred, by [half-yearly *or*] yearly payments on the day of and the day of in every year from the day of the date hereof [*if required the principal to be repaid on the day of at the option of either party*], and all payments to be made at the office in Cardiff of the treasurer of the Corporation.

Given under the seal of the borough this day of one thousand eight hundred and .

Form of Transfer of Mortgage.

The Cardiff Improvement Act, 1875.

I, *A.B.* of , in consideration of pounds paid to me by *C.D.* of , transfer to him, his executors, administrators, and assigns, the mortgage numbered under the above-mentioned Act for pounds and interest at the yearly rate of in the hundred, granted on the day of by the Corporation of the borough of Cardiff [*or if the transfer be by indorsement*, the within-written security], and all my right and interest in and under the same.

As witness my hand and seal this day of one thousand eight hundred and .

Form of Certificate of Annuity.

The Cardiff Improvement Act, 1875.

Certificate of Annuity No. £

By virtue of "The Cardiff Improvement Act, 1875," the mayor, aldermen, and burgesses of the borough of Cardiff in the county of Glamorgan certify that *A.B.* of is under that Act entitled to annuity [*or* annuities] of £ for years charged on the borough fund and borough rate [*or* general district fund, &c.], rates, tolls, and property by that Act charged therewith, and such annuity [*or* annuities] is [*or* are] payable to him, his executors, administrators, or assigns, at the office in Cardiff of the treasurer of the Corporation, by equal half-yearly payments on the 1st day of January and the 1st day of July yearly, the first payment to be made on the 1st day of January 187 .

Given under the seal of the Corporation this day of in the year of our Lord .

A.D. 1875.

Form of Transfer of Annuity.

The Cardiff Improvement Act, 1875.

I, *A.B.* of in consideration of £ paid to me by *C.D.* of transfer to him, his executors, administrators, and assigns, the annuity [*or* annuities] Number of £ charged by "The Cardiff Improvement Act, 1875," on the borough fund, borough rate [*or* general district fund, &c.], and other rates, tolls, and property by that Act charged therewith, and payable at the office in Cardiff of the treasurer of the Corporation by half-yearly payments on the 1st day of January and the 1st day of July yearly, and all my rights and interests therein and thereto.

As witness my hand and seal this day of in the year of our Lord .

THE FIFTH SCHEDULE.

THIS INDENTURE made the 14th day of March 1873, between the Right Honourable James Stuart Wortley, of St. James's Place in the city of Westminster, one of Her Majesty's Most Honourable Privy Council, and Charles Stuart, of Hubborne, near Christchurch in the county of Hants, Esquire, a Lieutenant-General in Her Majesty's army, (being the present trustees for executing certain powers under the will of the Most Honourable John Crichton Stuart, late Marquess of Bute, deceased,) of the first part; the Most Honourable John Patrick Crichton Stuart, Marquess of Bute, of the second part; John Boyle, of Barnard's Inn, London, Esquire, and William Stuart the younger, of Tempsford Hall, in the county of Bedford, Esquire (the present trustees of a term of 1,500 years created by the will of the said late Marquess of Bute), of the third part; and the Mayor, Aldermen, and Burgesses of the borough of Cardiff, in the county of Glamorgan, acting as the local board of health for the district of Cardiff aforesaid, and herein-after referred to, or sometimes referred to, as the said local board, of the fourth part.

WHEREAS the said John Crichton Stuart, late Marquess of Bute, made his will, dated the 28th day of July 1847, and thereby devised the estates in the county of Glamorgan (except Cardiff Castle and Cathays Park) to the use of Onesiphorus Tyndall Bruce and James Munro Macnabb, their executors, administrators, and assigns, for the term of 1,500 years, to be computed from his decease, upon the trusts therein-after declared for managing his estate and otherwise as therein mentioned, and from and after the determination of the said term, and in the meantime subject thereto, to the use of each son of his the said testator's body for life, with divers remainders over as therein mentioned; and it was by the said will now in recital provided that it should be lawful for the

Honourable John Chetwynd Talbot, therein named, and the said Charles Stuart, and the survivor of them, and the executors or administrators of such survivor, at the request and by the direction of any person for the time being entitled to the possession or receipt of the rents of the testator's estates in the county of Glamorgan, therein-before limited in strict settlement as tenant for life and of full age (such request and direction to be testified by some writing sealed and delivered in the presence of and attested by two witnesses), to dispose of and convey by way of absolute sale all or any part of the testator's estates in the county of Glamorgan limited in strict settlement as aforesaid (other than Cardiff Castle and the park adjoining) and the inheritance thereof in fee simple to any person or persons whomsoever, for such price in money as to the said John Chetwynd Talbot and Charles Stuart, or the survivor of them, or the executors or administrators of such survivor, should seem reasonable, and that for the purpose of effectuating any such sale it should be lawful for the said John Chetwynd Talbot and Charles Stuart, and the survivor of them, and the executors or administrators of such survivor, with such consent as aforesaid, by deed or instrument in writing sealed and delivered by them in the presence of and attested by two witnesses, to revoke, determine, and make void all and every or any of the uses, trusts, powers, and provisoes therein-before limited and declared concerning the same premises in the county of Glamorgan thereby made saleable as aforesaid, or any part thereof (but subject to any mortgage or other disposition of the same premises under the trusts of the term of years therein-before limited), and by the same or any other deed or instrument in writing to limit, declare, direct, and appoint any use, estate, or trust of the same premises, or any part thereof, necessary or expedient in order to effectuate any such sale, and that upon payment of the money arising by sale of the same premises it should be lawful for the said John Chetwynd Talbot and Charles Stuart, and the survivor of them, and the executors or administrators of such survivor, to sign receipts for the same, and that such receipt should be sufficient discharges to the persons to whom the same should be given for the money therein expressed to be received, and that such persons, his, her, or their executors, administrators, or assigns, should not be answerable for any loss, misapplication, or non-application, or be obliged to see to the application thereof:

And whereas the said John Crichton Stuart, late Marquess of Bute, died on the 18th day of March 1848 without having revoked or altered his said will:

And whereas the said John Patrick Crichton Stuart, the present Marquess of Bute, the only son of the said late Marquess of Bute, is now entitled as tenant for life in possession to the estates and hereditaments in the county of Glamorgan devised as aforesaid by the said late Marquess:

And whereas the said John Chetwynd Talbot died in the year 1852, and by an indenture dated the 31st day of December 1852, and made between the said Charles Stuart of the one part and the said James Stuart Wortley of the other part, the said Charles Stuart, in exercise of the power in that behalf contained in the will of the said late Marquess, appointed the said James Stuart Wortley to be a trustee in the stead of the said John Chetwynd Talbot for all the purposes for which the said John Chetwynd Talbot was appointed a trustee of the said will:

And whereas the land and hereditaments delineated on the plan hereto annexed and thereon distinguished by a green colour are now subject to the

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uses and powers declared and contained in and by the will of the said late Marquess of Bute

And whereas the said local board, being desirous of executing certain works for diverting the original main sewer and for the storage of sewage and otherwise for the more effectual drainage of the said district, entered into an agreement for those purposes with the said John Boyle and Charles Stuart, the then trustees of the said term of 1,500 years under the said will of the said late Marquess, and such agreement bears date the 21st day of November 1868, and is made between the said John Boyle and Charles Stuart as such trustees of the one part, and the said local board of the other part:

And whereas, pursuant to the said agreement of the 21st day of November 1868, a new main sewer, with the necessary outfall channel and other works and conveniences connected therewith, commencing by a junction with the original or old main sewer at the point marked A on the said plan hereto annexed to the point marked B on the said plan, situate in the parish of Roath aforesaid, has been recently constructed through or under the said land coloured green on the said plan hereto annexed, and in the line or course shown by the black line thereon:

And whereas the said new main sewer, outfall channel, works, and conveniences have been made at the joint expense of the said local board and of the trustees of the said term of 1,500 years, pursuant to the said agreement:

And whereas the said sewer and works have been constructed according to the plans approved by the said local board, and with a deviation in the line of the said new main sewer from the course indicated for the same on the plan annexed to the said agreement:

And whereas by the said agreement of the 21st day of November 1868 it was arranged that the portion of the said land coloured green on the said plan hereunto annexed through or under which the said new main sewer, outfall channel, works, and conveniences have been constructed as aforesaid, with the said new main sewer, outfall channel, works, and conveniences, should be conveyed to the said local board for the considerations and in manner herein-after appearing:

And whereas by indenture dated the 3rd day of December 1868, and made between the said John Boyle and Charles Stuart of the first part, the said John Boyle of the second part, and the said William Stuart the younger of the third part, in exercise of the power in that behalf contained in the will of the said late Marquess, the said John Boyle and Charles Stuart appointed the said William Stuart the younger to be a trustee in the stead of the said Charles Stuart for all the purposes for which the said Onesiphorus Tyndall Bruce and James Munro Macnabb were jointly appointed trustees by the said will:

Now this indenture witnesseth, that in pursuance of the said agreement, and in consideration of the sum of £500 upon or before the execution of these presents to the said James Stuart Wortley and Charles Stuart paid by the said local board, the receipt whereof the said James Stuart Wortley and Charles Stuart, as such trustees as aforesaid, do hereby acknowledge and from the same do hereby release the said local board, their successors and assigns, they the said James Stuart Wortley and Charles Stuart, in exercise of the power for this purpose contained in the said will of the late Marquess of Bute, and of every or any other power enabling them in this behalf, and at the request and by

the direction of the said John Patrick Crichton Stuart, the present Marquess of Bute, testified by this present deed, sealed and delivered by him in the presence of two attesting witnesses, do by this deed, sealed and delivered by them in the presence of two attesting witnesses, revoke, determine, and make void all and every the uses, trusts, powers, and provisoes by and in the said will of the said late Marquess of Bute limited, declared, and contained of and concerning the land and hereditaments herein-after appointed, and do hereby limit, declare, direct, and appoint that the proportion of the said land coloured green on the said plan hereto annexed through or under which the said new main sewer, outfall channel, works, and conveniences have been constructed as aforesaid, with the said main sewer, outfall channel, works, conveniences, rights, members, easements, and appurtenances thereto belonging, shall henceforth be and remain to the use of the mayor, aldermen, and burgesses of the borough of Cardiff in the county of Glamorgan, acting as the local board for the district of Cardiff aforesaid, their successors and assigns, subject to the several rights and reservations unto the said present Marquess and other the person or persons for the time being entitled to the use or enjoyment of the remainder of the land coloured green on the plan hereto annexed not hereby appointed but comprised in or subject to the uses of the said will, and his or their lessees or tenants, the free running of sewage and soil coming from any houses or premises erected or to be erected thereon in and through the said new main sewer and channel outfall constructed on the said land and hereditaments hereby appointed, and the making all necessary communications for that purpose, without being charged with or being chargeable in respect of any annual rate or other payment for or in respect of the same, but subject to such usual and necessary regulations as the said local board may from time to time make with respect to the said new main sewer and outfall, and to the intent that the said local board may have the full enjoyment of the new main sewer, outfall channel, and works, and for the outfall and carrying off of the sewage, as if the new main sewer, outfall, and other works had been constructed by the said local board entirely at their own expense wholly within the district, as in as full and ample manner as the said local board now have in respect of the present main sewer, outfall, and works:

Provided always, and it is hereby agreed and declared, that all communications with the new main sewer and channel outfall which may be required by the said present Marquess or other the person or persons entitled as aforesaid, his or their lessees or tenants, shall be made and repaired by the said local board at the expense of the person or persons requiring the same:

Provided always, that nothing herein contained shall be construed to exonerate the said present Marquess or his successors in title to the same hereditaments, or his or their tenants and lessees, from the payment of any rate which shall be made by the said board in respect of messuages, lands, or property situate within the said district of Cardiff.

And this indenture further witnesseth, that in further pursuance of the said agreement, and for the consideration aforesaid, they the said James Stuart Wortley and Charles Stuart, so far as they lawfully can or are by the will empowered to do, and at the request and by the direction of the said present Marquess testified as aforesaid, and in exercise of every power hereunto enabling them, do hereby declare, direct, and appoint that it shall be lawful for the said

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mayor, aldermen, and burgesses, and their successors, acting as aforesaid, and their agents, servants, workmen, and others, at any time or times to enter upon all or any part or parts of land immediately adjoining the said land hereby expressed to be appointed and assured for the purpose of cleansing, repairing, or connecting the said sewers and works so constructed as aforesaid, and to occupy the land so entered upon, and to place plant and materials thereon, and otherwise to use the same as may be reasonably required for the purpose aforesaid:

Provided always, that the said mayor, aldermen, and burgesses, acting as aforesaid, and their servants and workmen, shall occupy the land so entered upon no longer than shall be actually required for the purposes aforesaid, and in such a manner as shall cause the least annoyance to the present Marquess and his successors in title, and his and their tenants, and shall make to him and them fair and reasonable compensation for such use of the said land and for any injury occasioned thereby, and shall restore the land entered upon to its original state and condition in case the same shall be altered or impaired by such entry or uses, such compensation to be settled by arbitration, in case the parties differ, according to the provisions of the Public Health Acts with respect to arbitrations, or as near thereto as may be.

And this indenture further witnesseth, that in further pursuance of the said agreement of the 21st day of November 1868, and in consideration of the premises, the said local board, so far as they lawfully can and may, and according to their estate and interest therein, do, at the request and by the direction of the said James Stuart Wortley and Charles Stuart, and also of the said present Marquess, testified by their executing these presents, hereby grant and release unto the said James Stuart Wortley and Charles Stuart and their heirs:

All that the former old main sewer and the outfall and outlets thereof from the said point marked A on the said plan to these presents to the outfall on the foreshore marked and indicated on the said plan by a blue line, with all walls and appurtenances thereto belonging:

To hold the said old sewer and premises hereby expressed to be granted and released unto the said James Stuart Wortley and Charles Stuart and their heirs to the uses, upon the trusts, and subject to the powers and provisoes declared and contained in and by the said will of the said late Marquess of Bute concerning his estates in the county of Glamorgan, discharged, so far as the local board can grant such discharge, from all obligations on the part of the person or persons claiming under such will to maintain the same, and to and upon condition that no claims or demands whatsoever shall be made upon the said board by the present Marquess or the said trustees, or any other person or persons claiming or to claim under the said will with respect to the maintenance of the old main sewer and outfall or otherwise in relation thereto.

And each of them the said James Stuart Wortley and Charles Stuart, for himself, his heirs, executors, and administrators, and in respect only of his own acts and deeds, doth hereby covenant with the said local board, their successors and assigns, that they the said James Stuart Wortley and Charles Stuart respectively have not executed or done or knowingly suffered or been party or privy to anything whereby they are in anywise prevented or hindered from making such sale as herein-before mentioned, or from exercising the power of

revocation and appointment herein-before expressed to be hereby exercised by them, or whereby they are in anywise prevented or hindered from appointing the said premises herein-before expressed to be hereby appointed to the use of the said local board, their successors and assigns, in manner aforesaid.

And the said John Patrick Crichton Stuart, Marquess of Bute, doth hereby, for himself, his heirs, executors, and administrators, covenant with the said local board, their successors and assigns, that, notwithstanding anything by him executed or done or knowingly suffered, he the said present Marquess of Bute now has power to make such request and give such direction as aforesaid.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

James Stuart L.S. Wortley.

Charles L.S. Stuart.

Bute and L.S. Dumfries.

John L.S. Boyle.

William L.S. Stuart, Jr.

Seal of Cardiff Local Board of Health.

Affixed pursuant to resolution of the local board of health, in the presence of

Geo. Salmon,
Clerk.

Signed, sealed, and delivered by the within-named John Patrick Crichton Stuart, Marquess of Bute, in the presence of

George Edward Sneyd,
Private Secretary to Lord Bute,
Mount Stuart, Isle of Bute.

Hugh Mackay,
Footman,
Mount Stuart, Isle of Bute.

Signed, sealed, and delivered by the within-named James Stuart Wortley, in the presence of

Stephen W. Lawley, M.A.,
Trannick, Penzance.

Charles Stuart Wortley,
Balliol College, Oxford.

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Signed, sealed, and delivered by the within-named Charles Stuart, in the presence of

Fredk. S. Gosling,
20, Spring Gardens, London,
Solicitor.

Alfred Jos. Boak,
20, Spring Gardens, London,
Managing Clerk to Mr. Gosling, Solicitor.

Signed, sealed, and delivered by the within-named John Boyle, in the presence of

F. Sutton,
Builder,
15, Serle Street, Lincoln's Inn.

Thomas Morgan,
Porter,
Barnard's Inn, London.

Signed, sealed, and delivered by the within-named William Stuart the younger, in the presence of

F. Sutton,
Builder,
15, Serle Street, Lincoln's Inn.

Thomas Morgan,
Porter,
Barnard's Inn, London.

Received the day and year first within written, of and from the within-named local board of health, the sum of five hundred pounds, being the consideration money within mentioned to be paid by the said local board to us, } £500

J. Stuart Wortley.
Charles Stuart.

Witness to the signature of James Stuart Wortley,
Stephen W. Lawley,
Trannick, Penzance.
Charles Stuart Wortley,
Balliol College, Oxford.

Witness to the signature of Charles Stuart,
Fredk. S. Gosling.
Alfred Jos. Boak.

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