## CHAPTER clxxx.

An Act to authorise the Tredegar Water and Gas Company to sell and the Local Board for the district of Tredegar to purchase the undertaking of the Company. A.D. 1882.

[10th August 1882.]

WHEREAS by the Tredegar Water and Gas Act 1878 (herein-after referred to as the Act of 1878) the Tredegar Water and Gas Company (herein-after referred to as the Company) were incorporated for the purpose of supplying the respective districts described in the Act of 1878 with water and gas: 41 & 42 Vict. c. lxvii.

And whereas it is expedient that the Company be authorised to sell and the Local Board for the district of Tredegar (herein-after referred to as the Local Board) to purchase the undertaking of the Company for the consideration upon the terms and subject to the conditions specified in the agreement set forth in the schedule to this Act annexed and that for such purpose the said agreement should be confirmed and made binding upon the Company and the Local Board as by this Act provided and that provisions such as are in this Act contained should be made for the dissolution of the Company and the winding up of its affairs upon such purchase being effected:

And whereas the Company has not laid gas pipes or supplied gas in that part of the limits of the Act of 1878 which is outside the district of the Local Board:

And whereas it is expedient that on such purchase being effected as aforesaid the limits of supply of water and gas by the Local Board should be limited as by this Act prescribed and that the Act of 1878 should be amended accordingly:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and

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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 Tredegar Water and Gas Act 1882.

Incorporation of Acts. 10 & 11 Vict. c. 17. 10 & 11 Vict. c. 15. 26 & 27 Vict. c. 93. 34 & 35 Vict. c. 41.

**2.** The Waterworks Clauses Act 1847 and the Gasworks Clauses Act 1847 (except the provisions in those Acts respectively with respect to the amount of profit to be received by the undertakers when the waterworks or gasworks are carried on for their benefit and with respect to access to the special Act) the Waterworks Clauses Act 1863 and the Gasworks Clauses Act 1871 if and when the Local Board acquire the undertaking of the Company are as far as they are applicable to the purposes of and not varied by or inconsistent with this Act hereby incorporated with this Act.

Interpretation.

**3.** In this Act the several words and expressions 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 that construction the expression "undertaking" when used with reference to the transfer of the undertaking of the Company to the Local Board means the lands undertaking works property rights and interests of the Tredegar Water and Gas Company and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or in any Act wholly or partially incorporated therewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Sale of undertaking of Company to Local Board.

**4.** The Company shall sell and transfer to the Local Board and the Local Board shall purchase the undertaking of the Company for the considerations upon the terms and in the manner provided by this Act and the agreement set forth in the schedule hereto annexed.

Confirmation of agreement.

**5.** The agreement for the sale of the undertaking of the Company to the Local Board set forth in the schedule to this Act is hereby confirmed and made binding upon the Company and the Local Board.

Deed of transfer to be stamped.

**6.** The transfer of the undertaking shall be made by deed duly stamped and in which the consideration shall be fully set forth. Within three months from the date of the said deed the Local Board shall produce to the Commissioners of Inland Revenue the said deed duly stamped and in default of such production the stamp duty with

interest thereon at the rate of five pounds per centum per annum shall be recoverable from the Local Board with full costs of suit and all costs and charges attending the same.

Undertaking to vest in Local Board on transfer.

**7.** At the time appointed for the transfer taking effect and on the execution of the deed of transfer the undertaking shall vest in the Local Board absolutely for all such or the like estate and interest as the Company were seized or possessed of or entitled to at the time of the vesting and subject to the contracts obligations debts and liabilities of the Company and such transfer and vesting is herein-after referred to as "the transfer."

Notice of transfer to be advertised.

**8.** Within twenty-one days after the execution of the deed of transfer a notice thereof shall be given by advertisement in the "London Gazette" and in some local newspaper circulating in the district of the Local Board and a certified copy of the deed shall be deposited for public inspection at the office of the Local Board.

Receipt of three directors of Company to be valid discharge.

**9.** The receipt in writing of three of the directors of the Company for the purchase money to be paid to them by the Local Board shall effectually discharge the Local Board 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.

**10.** 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 Company shall unless otherwise agreed be paid discharged settled and satisfied by them and they shall if required by the Local Board produce to the Local Board valid and sufficient receipts and discharges for or evidence of settlement and satisfaction of the same.

Local Board to be primarily liable for Company's debts unpaid.

**11.** 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 Company but is not paid or discharged by them the Local Board shall be primarily liable to satisfy such claim without prejudice to any remedy over against the Company under any security given by the Company to the Local Board or otherwise.

Pending actions &c. against Company.

**12.** If at the time of the transfer any action suit or proceeding is pending against the 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 Local Board as and when it might have been continued and prosecuted against the Company if this Act had not been passed but not further or otherwise

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without prejudice to any remedy over against the Company under any security given by the Company to the Local Board or otherwise.

Causes of action &c. against Company.

**13.** If at the time of the transfer any cause of action suit or proceeding is existing against the 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 againt the Local Board as and when it might have been enforced against the Company if this Act had not been passed but not further or otherwise without prejudice to any remedy over against the Company under any security given by the Company to the Local Board or otherwise.

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

**14.** If any judgment decree or order be at any time after the passing of this Act obtained against the Company in respect of any debt or liability owing or incurred or in respect of any contract made or tort committed by the Company before the transfer and be not fully satisfied out of the property of the 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 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.

**15.** 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 Company all loss damage costs and charges which he shall incur by reason of the enforcement of such judgment decree or order and shall be entitled to contribution for so much thereof as shall remain unsatisfied from the several other persons against whom such judgment decree or order might in accordance with this Act have been enforced and such contribution may be recovered in any Court of competent jurisdiction in like manner as contribution in ordinary cases of co-partnership.

Payment and application of purchase money.

**16.** The sum of money to be paid by the Local Board for the purchase of the undertaking shall be applied by the directors of the Company in manner following :

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

Secondly. In discharging all outstanding debts and liabilities of the 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 Company in proportion to their respective shares and interests in the undertaking.

Eventual dissolution of the Company.

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

After transfer Local Board may exercise powers of Company. 8 & 9 Vict. c. 16. 26 & 27 Vict. c. 118. 32 & 33 Vict. c. 48.

**18.** Subject to the provisions of this Act the Local Board may from and after the transfer exercise and enjoy all the rights powers privileges and authorities vested in the Company immediately before such transfer. Provided always that none of the provisions of the Companies Clauses Consolidation Act 1845 the Companies Clauses Act 1863 or the Companies Clauses Act 1869 shall apply to the Board or the undertaking and that none of the provisions of the Act of 1878 or of the Gasworks Clauses Act 1847 or of the Waterworks Clauses Act 1847 with respect to capital or the borrowing of moneys or with respect to the amount of profit when gasworks or waterworks are carried on for the benefit of a company or of undertakers shall apply to the Local Board or the undertaking.

Limits of supply after transfer.

**19.** From and after the transfer the limits for the supply of gas shall be the district of the Local Board and the limits for the supply of water shall be the limits for the supply of water prescribed by section 5 of the Act of 1878 and the Act of 1878 shall be construed accordingly.

Saving rights of Company until transfer.

**20.** Until the transfer shall take place 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 Company under or by virtue of the Act of 1878 or otherwise howsoever.

Power to Local Board to borrow.

**21.** The Local Board from time to time in addition to any moneys they have borrowed or are authorised to borrow under any other Act may with the previous approval of the Local Government Board borrow at interest on mortgage of the revenue of the Local Board arising from the water undertaking and also upon a special rate to be levied and which they are hereby authorised to levy in the portion of their district comprised within their limits for the supply of water such rate to be levied in the same way as a general district rate all such sums as they may from time to time think requisite for purchasing extending and maintaining the waterworks undertaking and a moiety of the costs charges and expenses of the Local Board of and incidental to this Act and to the arbitration mentioned in the agreement scheduled to this Act. And may from time to time in addition to any moneys they have borrowed or are authorised to borrow under any other Act with the previous approval of the Local Government Board borrow at interest on mortgage of the revenue of the Local Board arising from the gas

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undertaking purchased under this Act and of the gas district fund to be formed as herein-after provided and of the general district rate under the Public Health Act 1875 all such sums as they may from time to time think requisite for purchasing extending and maintaining the gas undertaking and a moiety of the costs charges and expenses of the Local Board of and incidental to this Act and to the arbitration mentioned in the agreement scheduled to this Act.

38 & 39 Vict. c. 55.

Mortgages, &c. to be under provisions of 38 & 39 Vict. c. 55, but certain restrictions not to apply.

**22.** Subject to the provisions of this Act the provisions of the Public Health Act 1875 with respect to mortgages by the Local Board shall apply to all money borrowed by the Local Board and all mortgages granted under this Act but the powers of borrowing money conferred by this Act shall not be restricted by any of the provisions of the Public Health Act 1875 and in calculating the amount which the Local Board may borrow under the Public Health Act 1875 any sums which they may borrow under the provisions of this Act shall not be reckoned.

Power to borrow under 38 & 39 Vict. c. 83.

**23.** The Local Board may if they think fit borrow and re-borrow any moneys which they are by this Act authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another. Any moneys borrowed or re-borrowed in manner by this section authorised for any of the purposes of this Act by the Local Board shall be a charge upon and shall be paid out of the same funds and rates as they would be charged upon and paid out of if raised by way of mortgage under the powers of this Act and such funds and rates shall in each case be deemed to be the local rate as defined by the Local Loans Act 1875. Every such loan shall be discharged within the time prescribed in that behalf by this Act and such discharge or any part thereof shall be effected by means of a sinking fund if the Local Board shall so think fit. Provided always that if the Local Board at any time think fit to form any such sinking fund all sums paid into the same shall be as soon as may be invested by the Local Board in the manner in which sinking funds are by this Act authorised to be invested or applied in paying off a portion of the principal moneys owing by the Local Board.

Time for which money may be borrowed.

**24.** All moneys borrowed or re-borrowed by the Local Board under the authority of this Act may be borrowed and re-borrowed for any term not exceeding sixty years from the date of the first borrowing of the same.

Payment off of money borrowed by

**25.** The Local Board shall pay off the moneys raised under the provisions of this Act by equal annual instalments or appropriations

instalments or sinking fund.

or by means of a sinking fund or partly by annual instalments or appropriations and partly by a sinking fund as they think fit and the sum or sums to be yearly set apart for the instalments or appropriations or sinking fund shall be of such an amount as will enable the Local Board to pay off the amount raised under the powers of this Act in the course of sixty years from the date of the first borrowing of the same but the Local Board shall not be bound to commence the formation of the sinking fund or the payment by instalment or appropriation by setting apart or applying any portion of their revenue for the purpose until the expiration of one year from the time of borrowing.

Application of sums set apart for sinking fund &c.

**26.** The sums set apart for any sinking fund under the provisions of this Act and the interest thereon shall be invested in the purchase of exchequer bills or other Government securities or may be applied by the Local Board in paying off mortgages granted under the provisions of this Act and the Local Board may from time to time as they think fit sell all or any exchequer bills or securities which shall have been so purchased and apply the proceeds in paying off mortgages granted under the provisions of this Act. Provided always that whenever any of such mortgages have been so paid off the Local Board shall thenceforth until the whole of such mortgages have been paid off pay into the sinking fund every year in addition to the other sums herein-before required to be set apart and appropriated a sum equal to the interest of the mortgages so paid off. Provided further that whenever and so long as the yearly income arising from the sinking fund shall be equal to or in excess of the annual interest of the mortgages then due and outstanding the Local Board may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to the sinking fund of the yearly sums herein-before required to be paid thereto. Provided further that the provisions of this section shall apply mutatis mutandis to debentures debenture stock and annuity certificates.

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

**27.** The clerk to the Local Board 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 appropriation or annual repayment 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 appropriation or annual repayment 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

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the moneys invested for the sinking fund and the interest thereof 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 which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. If it appear to the Local Government Board by such return or otherwise that the Local Board have failed to pay any instalment appropriation or annual repayment 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 or any interest thereof 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.

Protection of lenders from inquiry.

**28.** A person lending money to the Local Board shall not be bound 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.

**29.** If the Local Board pay off any part of any money borrowed by them under the powers of this Act otherwise than by instalments appropriations annual repayments or by means of a sinking fund they may re-borrow the same and so from time to time. Provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing has been made and any amounts from time to time re-borrowed shall be deemed to form the same loan as the moneys in lieu of which such re-borrowing has been made and the obligations of the Local Board with respect to the repayment of such moneys by yearly or half-yearly instalments appropriations annual repayments or by means of a sinking fund shall not be in any way affected by such re-borrowing.

Saving for existing charges.

**30.** Nothing in this Act shall prejudicially affect any charge on the property of the Local Board and the district fund and the general district rate by way of mortgage annuity or otherwise subsisting at the passing of this Act.

Separate accounts to be kept.

**31.** The Local Board shall keep separate capital and revenue accounts records and minutes of all receipts credits payments

liabilities and transactions in and about the execution of this Act and from or on account of the gas undertaking and also from or on account of the water undertaking which accounts shall be distinct from the other accounts of the Local Board and shall be called respectively "the gas capital account" and the "gas revenue account" "the water capital account" and the "water revenue account."

Application of moneys borrowed.

**32.** All moneys borrowed by the Local Board under this Act and all moneys arising from the sale of superfluous land and all other receipts in the nature of capital shall be applied only to purposes to which capital is properly applicable.

Application of revenue arising from gas undertaking.

**33.** All moneys from time to time received by the Local Board by way of revenue from the gas undertaking shall be applied to the following purposes:—

In payment of the gas establishment charges that is to say of the expenses properly chargeable to revenue of establishing conducting managing and maintaining the gasworks and works connected therewith:

In payment of the interest on the moneys borrowed or re-borrowed for the purposes of the gas undertaking:

In providing for the discharge of any moneys borrowed or re-borrowed for the purposes of the gas undertaking:

In setting apart if the Local Board think fit a yearly sum not exceeding ten pounds per centum of such revenue for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by any sudden accident to the said gasworks and works connected therewith or any other extraordinary expenditure authorised by this Act provided that such reserve fund shall be accumulated by way of compound interest by investment in the purchase of exchequer bills or other Government securities and shall not at any time exceed the sum of three thousand pounds and that whenever the reserve fund amounts to three thousand pounds the income therefrom shall be applied in the same manner as money received by the Local Board by way of revenue:

In payment if the Local Board think fit of the expenses of executing any permanent works authorised by this Act:

The residue if any of such revenue shall be carried to the credit of a fund to be called the gas district fund.

Application of revenue arising from water undertaking.

**34.** All moneys from time to time received by the Local Board by way of revenue from the water undertaking shall be applied to the following purposes:—

In payment of the water establishment charges that is to say of the expenses properly chargeable to revenue of establishing

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conducting managing and maintaining the waterworks and works connected therewith:

In payment of the interest on the moneys borrowed or re-borrowed for the purposes of the water undertaking:

In providing for the discharge of any moneys borrowed or re-borrowed for the purposes of the water undertaking:

In setting apart if the Local Board think fit a yearly sum not exceeding ten pounds per centum of such revenue for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by any sudden accident to the said waterworks and works connected therewith or any other extraordinary expenditure authorised by this Act: Provided that such reserve fund shall be accumulated by way of compound interest by investment in the purchase of exchequer bills or other Government securities and shall not at any time exceed the sum of three thousand pounds and that whenever the reserve fund amounts to three thousand pounds the income therefrom shall be applied in the same manner as money received by the Local Board by way of revenue:

In payment if the Local Board think fit of the expenses of executing any permanent works authorised by this Act.

The residue if any of such revenue shall be carried to the credit of a fund to be called the water district fund.

Audit of accounts.

**35.** The provisions of the Public Health Act 1875 relating to the audit of accounts shall apply and be observed with respect to the accounts kept under the provisions of this Act.

Deficiency of revenue of undertaking to be made up from the district fund.

**36.** If in any year the revenue of the water undertaking or the gas undertaking be insufficient for the payment of the charges thereon and the execution of this Act in relation thereto the deficiency shall be made up out of the gas and water district funds respectively by carrying an adequate sum therefrom to make up such deficiency and the Local Board from time to time in preparing the estimates of the amount required in their judgment to be raised by means of the general district rate may include therein such sums (if any) as in the judgment of the Local Board may be necessary to make up any such deficiency in respect of the gas undertaking and any sum required to make up any such deficiency in the revenue of the water undertaking shall be assessed levied and raised only by means of the special water rate to be levied as provided by this Act.

Reduction of price of water and gas in case of excess of revenue.

**37.** If in any year the amount standing to the credit of the gas district fund or water district fund other than and beside the respective reserve fund shall exceed one thousand pounds such a reduction shall be made in the water rates and gas rents in the following year

as will in the opinion of the Local Board reduce the respective district fund below that amount. A.D. 1882.

Sale of water plant to local authorities.

**38.** If at any time the local authority of any sanitary district within the meaning of the Public Health Act 1875 are empowered and are desirous to purchase the mains pipes and other works (if any) of the Local Board used exclusively for the supply of water to such district the Local Board shall sell the same at a price to be fixed in default of agreement by arbitration in manner provided by the Public Health Act 1875 for settlement of disputes as to compensation and after such sale the powers of the Local Board to supply water within the district of such sanitary authority shall cease.

Costs of Act.

**39.** The costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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# SCHEDULE.

## Agreement for Sale of the Undertaking of the Company to the Local Board.

Agreement made the twelfth day of June 1882 between the Tredegar Water and Gas Company (herein referred to as the Company) and the Tredegar Local Board (herein referred to as the Local Board) for the sale and purchase of the undertaking of the Company.

1. The Company shall sell and the Local Board shall purchase the undertaking of the Company (subject to the following terms and conditions) for such sum as shall be determined by an arbitrator to be appointed by the Local Government Board on the application of either party. The arbitration shall be held at such times and places as the arbitrator may think fit to appoint and sub-sections 12 14 and 15 of section 180 of the Public Health Act 1875 shall apply thereto. Each party shall pay their own costs of the arbitration and one half of the arbitrator's fees and expenses. The arbitrator shall state in his award the amount of the purchase money applicable to the water undertaking and the amount applicable to the gas undertaking. If the arbitrator shall die or become incapable to act before the making of his award the Local Government Board shall on the application of either party appoint another arbitrator to act in his place who shall conduct the arbitration in accordance with the provisions of this clause.

2. The undertaking so far as the waterworks are concerned shall be taken to include all the lands waterworks rights powers privileges and easements belonging to the Company or to any person in trust for them or to which the Company are in anywise entitled and all reservoirs conduits sluices embankments drains aqueducts watercourses filtering beds dams cuts channels mains pipes plant hydrants stores tools stock effects matters and things which have been by them purchased provided laid down erected or placed in any place or house within the limits of the Local Board and which are the property of the Company and are used by them for or in connexion with the supply of water.

3. The Company shall convey to the Local Board their rights in respect of the Ton-y-fedw Spring and shall also convey or procure to be conveyed to them the land adjoining the same not exceeding half an acre in extent as the same is more particularly delineated on the map or plan No. 1 hereto annexed.

4. The Local Board shall have the right to construct an additional conduit and the Company shall procure for the Local Board and the Local Board shall have and enjoy a right of way to the extent of 12 feet on each side thereof through the land of the Tredegar Iron and Coal Company Limited (herein-after called the Iron and Coal Company) from the Ton-y-fedw Spring to the storage

reservoir and from the storage reservoir to the service reservoir and shall also have the right to widen and deepen the existing conduits where necessary and a right of way to the extent of 12 feet on each side thereof as the same is more particularly delineated on the said map or plan No. 1 hereto annexed.

5. The Company shall convey to the Local Board or shall procure the conveyance to them of the land adjoining the existing service reservoir and filter beds to an extent not exceeding 7 acres for the enlargement of the said reservoir and filter beds at the present water level which land is more particularly delineated on the said map or plan No. 1 hereto annexed.

6. The Company shall within a reasonable time complete the works now in progress for strengthening the embankment of the storage reservoir in such manner that the said embankment when completed shall be of the size and dimensions shown by the said map or plan No. 1 hereto annexed and the sections shown thereon and the Company shall complete the works to the reasonable satisfaction of Mr. Thomas Hawksley the engineer to the Local Board or him failing some other engineer to be mutually agreed on or in case of difference to be nominated by the President for the time being of the Institution of Civil Engineers upon the request of either party hereto.

7. The Company shall convey to the Local Board or procure the conveyance to them of the land adjoining the said storage reservoir to an extent not exceeding two acres for the purpose of enlarging the same which land is more particularly delineated on the said map or plan No. 1 hereto annexed.

8. The Company shall procure for the Local Board and the Local Board shall have a sufficient right of way over the Iron and Coal Company's lands to the reservoirs and conduits and along the said conduits for all necessary purposes.

9. The Local Board shall have the benefit of the deed of 4th May 1869 between the Ebbw Vale Steel Iron and Coal Company Limited and Messrs. Forman and Fothergill as to the existing conduit through the land of the Ebbw Vale Company and shall observe the provisions of that deed. The Iron and Coal Company shall hand to the Local Board the original deed on completion the Local Board covenanting to produce it to the Iron and Coal Company.

10. The Local Board shall take all reasonable precautions to keep the reservoirs and conduits tight and prevent leakage therefrom.

11. The Company shall procure the Iron and Coal Company to enter into a covenant not to intercept the flow of water to the streams conduits and reservoirs from the watershed delineated on the said map or plan No. 1 hereto annexed and thereon coloured green.

12. The Company shall procure the Iron and Coal Company to enter into a covenant not to foul the water in the reservoirs filter beds streams springs or conduits by their mining operations.

13. Water shall be supplied by meter to the Iron and Coal Company by the Local Board at the following rates viz. :—

Up to 1,000,000 gallons per quarter at 5*d.* per 1,000 gallons and beyond that quantity at 4½*d.* per 1,000 gallons.

14. The undertaking so far as the gasworks are concerned shall be taken to include the site of the existing gasworks 1,960 square yards in extent delineated on the map or plan No. 2 hereto annexed the works and offices erected thereon and the lands erections buildings rights powers privileges and easements belonging to the Company or any person in trust for them or to

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which the Company are in anywise entitled and all engines tanks mains pipes plant lamps lamp irons retorts gauges meters syphons apparatus stock effects tools implements matters and things which have been by them purchased provided laid down erected or placed in any place or house within the limits of the Local Board and which are the property of the Company and are used by them for or in connexion with the supply of gas.

15. The Company shall convey to the Local Board or shall procure the conveyance to them of the land adjoining the existing gasworks 5,580 square yards or thereabouts in extent and shown on the said map or plan No. 2 hereto annexed.

16. The Local Board shall undertake the payment to the Duke of Beaufort of 1*l.* 1*s.* 0*d.* per annum wayleave for mains passing through Duke's Town.

17. The Company shall procure the Iron and Coal Company to enter into a contract with the Local Board to convey coal lime and other materials in such quantities as the Local Board shall require from the London and North-western Railway (Sirhowy Branch) to the gasworks and vice versâ at 3*d.* per ton.

18. The Local Board shall supply the Iron and Coal Company with gas at the following rates viz.:—

Up to 687,500 cubic feet per quarter at the rate of 4*s.* 6*d.* per thousand cubic feet and beyond that quantity at 4*s.* per thousand cubic feet.

19. The lands to be conveyed to the Local Board in pursuance of these presents shall be used for the purposes of the undertaking and for the erection of dwelling houses and premises for the use of the Local Board and their officers and servants only and if the Local Board shall at any time desire to resell the same or any part or parts thereof they shall in the first place offer them or any such part or parts thereof to the Iron and Coal Company at a price to be agreed upon or in case of disagreement to be settled by arbitration.

20. The Local Board shall where necessary sufficiently fence all lands acquired by them.

21. The Local Board shall have reasonable access to the mains and pipes which may underly all or any of the present or future works and railways of the Iron and Coal Company subject to reasonable restrictions as to breaking ground for obtaining access thereto.

22. The purchase shall be completed and the purchase money paid on the 31st day of December next. The rents and profits shall be received and the outgoings discharged by the Company up to that date and as from that date by the Local Board. Such rents profits and outgoings shall if necessary be apportioned between the parties hereto as at the said date. And until completion the Company shall maintain uphold and keep the undertaking in its present state and condition.

23. If from any cause whatever the said purchase shall not be completed or the whole of the purchase money shall not be paid on the date aforesaid the Local Board shall as from that date pay to the Company interest at the rate of five per centum per annum on so much thereof as shall from time to time remain unpaid.

24. All contracts and engagements entered into by the Company with reference to the undertaking which shall be in force on the said 31st day of December shall be taken over by the Local Board as from that date.

25. On payment to the Company of the said purchase money and all interest which may have become due on the same or any part thereof the Company and all other necessary parties shall execute all proper and reasonable conveyances and assignments of the undertaking and the Local Board shall thereupon be let into possession of the undertaking and shall thenceforth assume and retain all the rights privileges duties and powers of the Company and the Company shall thereupon if required account to the Local Board for all rents and profits received and all outgoings paid subsequent to the said 31st day of December.

26. All rights powers privileges and obligations of the Act of 1878 shall vest in and be exercised by the Local Board.

27. The Company shall within one calendar month from the date hereof at their own expense deliver an abstract of their title and the title of the Iron and Coal Company to the Local Board and deduce a good title to the premises and the Local Board shall within 28 days after the sending of the abstract deliver to the Company's solicitors a statement in writing of any objections and requisitions in respect of the title or evidence of title or the abstract and if no objections and requisitions be so delivered the title shall be considered as accepted.

28. These presents shall not take effect unless the Tredegar Water and Gas Bill 1882 shall pass.

29. These presents shall be subject to the provisions of the Tredegar Water and Gas Act 1882 and the sanction of Parliament.

30. The Local Board shall pay the stamp duty on the amount of the purchase money.

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

The common seal of the Tredegar Water and Gas Company was hereunto affixed in the presence of

Seal of the Tredegar Water and Gas Company.

E. Petley,
Secretary.

The common seal of the Tredegar Local Board was hereunto affixed at an extraordinary meeting of the said Local Board, held on the twelfth day of June, one thousand eight hundred and eighty-two, by Mr. William Davies, the presiding chairman of the said Local Board, in the presence of

Seal of the Tredegar Local Board of Health.

Jno. Alex. Shepard,
No. 87, Queen Street,
Tredegar,
Solicitor and Clerk
to the Tredegar Local Board.

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