



### CHAPTER xii.

An Act to empower the Corporation of Carlisle to acquire additional lands for the purposes of their Geltsdale Waterworks to extend the time for the completion of those works to authorise the Corporation to borrow further moneys for the purposes of their gas and water undertakings and for other purposes. [29th May 1906.]

A.D. 1906.

**W**HEREAS the mayor aldermen and citizens of the city of Carlisle (herein-after called "the Corporation") are the owners of the waterworks by which the city of Carlisle (herein-after called "the city") and other places within their authorised limits of supply are supplied with water:

And whereas by the Carlisle Corporation (Water) Act 1898 (herein-after called "the recited Act") the Corporation were empowered to obtain a new and improved supply of water and for that purpose to construct a reservoir to be called "the Castle Carrock Reservoir" in the parish of Castle Carrock in the county of Cumberland for impounding the waters of the tributaries of the River Gelt known as Old Water and New Water and other streams springs and tributary waters of the said river and to construct other works in connexion therewith and it was provided that before the Corporation should be entitled to take any of the said waters they should cause to be made across the River Gelt at or near Hynam Bridge a sufficient gauge for measuring the water flowing down the said river and that such gauge should for ever thereafter be maintained in a proper state of repair by and at the expense of the Corporation to the reasonable satisfaction of the several owners lessees and occupiers of any mills and works existing at the passing of the recited Act upon or using the waters

61 & 62 Vict.  
c. ccxxv.

A.D. 1906. of the River Gelt the River Irthing and the River Eden for a distance of twenty miles below the junction of Old Water and New Water aforesaid or of an engineer to be appointed by them or any of them and the Corporation were authorised to acquire lands and to borrow moneys for those purposes :

And whereas the time allowed by the recited Act for the completion of the said waterworks was limited to ten years from the passing thereof :

And whereas the Corporation require and it is expedient that they be empowered to acquire the additional lands herein-after mentioned for the purposes of their said waterworks :

And whereas it is expedient that the time limited as aforesaid for the construction of the said waterworks be extended :

And whereas it is expedient to make better provision for regulating the use of advertising vehicles within the said city :

And whereas the Corporation require further money to enable them to purchase such additional lands and to complete the waterworks authorised by the recited Act and it is expedient that they be authorised to borrow further money for those purposes :

And whereas estimates have been prepared by the Corporation for the purchase of land and for the completion of the waterworks authorised by the recited Act amounting to one hundred thousand pounds (that is to say) :—

	£
For land - - - - -	26000
For waterworks - - - - -	74000

and such waterworks are permanent works and it is expedient that the cost thereof be spread over a term of years :

And whereas the Corporation require further money for the purposes of their gas undertaking and it is expedient that they be authorised to borrow with the sanction of the Local Government Board further money for those purposes :

And whereas plans showing the lands which are liable to be taken under the powers of this Act with a book of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the clerk of the peace for the county of Cumberland and those plans and book of reference

are herein-after respectively referred to as the deposited plans and book of reference: A.D. 1906.

And whereas an absolute majority of the whole number of the council of the city at a meeting held on the fourteenth day of November one thousand nine hundred and five after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Carlisle Journal a local newspaper published and circulating in the city 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 city fund and city rate the district fund and general district rate of the city and the revenues of the water and the gas undertakings of the Corporation as the council should determine:

And whereas the said resolution was published twice in the said Carlisle Journal and has received the approval of the Local Government Board:

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

And whereas in relation to the promotion of the Bill for this Act the requirements contained in the First Schedule to the Borough Funds Act 1903 have been observed:

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

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

1. This Act may be cited for all purposes as the Carlisle Corporation Act 1906. Short title.

2. The following Acts or parts of Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act namely:— Incorporation of general Acts.

The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845:



A.D. 1906.

The following provisions of the Waterworks Clauses Act 1847 :—

With respect to the construction of waterworks;

With respect to mines;

With respect to the recovery of damages not specially provided for and of penalties and to the determination of any other matter referred to justices or to the sheriff.

Interpretation.

3. In this Act unless the subject or context otherwise require terms and expressions to which meanings are assigned by enactments incorporated with this Act or which have therein special meanings have in this Act the same respective meanings and for the purposes of this Act the terms "the undertakers" "the promoters of the undertaking" respectively mean the Corporation.

Power to acquire additional lands.

4. Subject to the provisions of this Act the Corporation may for the purposes of and in connexion with their authorised Castle Carrock Reservoir enter upon take and use all or any or any part of the lands delineated and numbered on the deposited plans 1 to 11 (both inclusive) in the parish of Castle Carrock and for the purpose of constructing and maintaining their authorised gauge at or near Hynam Bridge may enter upon take and use all or any or any part of the lands delineated and numbered on the deposited plans 12 and 13 in the parish of Castle Carrock and 1 and 2 in the parish of Hayton and respectively described in the deposited book of reference.

Period for compulsory purchase of lands.

5. The powers by this Act granted to the Corporation for the compulsory purchase of lands shall cease after the expiration of three years from the passing of this Act.

Extending time for construction of waterworks authorised by recited Act.

6. The time limited by the recited Act for the completion of the works by that Act authorised is hereby extended until the twelfth day of August one thousand nine hundred and ten and the recited Act shall be read and construed as if such extended period had been the period named therein in that behalf. If the said works be not completed within such extended period then on the expiration of that period the powers for making and completing the same and otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Further power to borrow for

7.—(1) Section 32 (Power to borrow) of the recited Act shall be read and have effect as if the sum of two hundred

and fifty thousand pounds and such further sum as shall be required to pay the taxed costs of obtaining this Act had been inserted therein instead of the sum of one hundred and fifty thousand pounds.

A.D. 1906.

—  
Geltsdale  
waterworks  
purposes.

(2) The Corporation shall pay off the additional moneys borrowed by them under the powers of this Act in manner provided by the recited Act the provisions of which shall apply accordingly. Provided that of the said additional moneys the sum of twenty-six thousand pounds for land shall be paid off within sixty years from the date of borrowing the same and the sum of seventy-four thousand pounds for waterworks shall be paid off within fifty years from the date of borrowing the same and that any money borrowed for paying the taxed costs of preparing for and obtaining this Act shall be repaid with five years from the passing of this Act. Provided also that all moneys borrowed for waterworks purposes under section 32 of the recited Act as altered by this Act shall be applied to the purposes of this Act or the recited Act to which capital is properly applicable and not otherwise.

8. Section 106 (Power to borrow) of the Carlisle Corporation Act 1904 shall be read and have effect as if the sum of thirty thousand pounds had been inserted therein instead of the sum of fifteen thousand pounds.

Further  
power to  
borrow for  
gasworks  
purposes.

9. It shall not be lawful in any street in the city to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing and may be for such time and contain such terms and conditions as the Corporation think fit.

Restriction  
on advertis-  
ing vehicles.

Any person who acts in contravention of any of the provisions of this section or who violates any condition made or the terms of any consent given in pursuance of those provisions shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding twenty shillings for every day on which such offence is continued after conviction therefor and such penalties may be prosecuted and recovered in a summary manner. Any person aggrieved under this section by the refusal of the Corporation to give such consent or by the terms or conditions attached to such consent may appeal to a court of summary jurisdiction held for the city after the expiration of two clear days after the decision of the Corporation is notified to him in writing under the hand of the town clerk provided he give twenty-four

A.D. 1906. hours notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as they think fit and to award costs such costs to be recoverable as a civil debt.

Section 87 of the Carlisle Corporation Act 1904 is hereby repealed.

**Costs of Act.** **10.** All the costs charges and expenses preliminary to and of and incidental to the preparing for and obtaining of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the district fund or out of moneys borrowed for the purpose under the authority of this Act.

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