



### CHAPTER lxxix.

An Act to empower the Llanelly Rural District Council A.D. 1912.  
to obtain a supply of water from the River Sawdde in  
the county of Carmarthen to authorise the construction  
of works and for other purposes. [7th August 1912.]

**W**HEREAS the rural district of Llanelly in the county of  
Carmarthen is under the jurisdiction of the Llanelly Rural  
District Council (herein-after referred to as "the Council") and  
it is the duty of the Council to see that the said district is  
supplied with water:

And whereas portions of the said district are included within  
the limits for the supply of water of the urban district council  
of Llanelly:

And whereas the sources of supply of which the Council  
may now avail themselves and their existing works are in-  
sufficient by reason of the development of mineral workings  
and otherwise to satisfy the growing demands upon the Council  
for water:

And whereas in order to enable the Council to supply water  
it would be of local and public advantage if the Council were  
empowered to obtain water from the River Sawdde in the parish  
of Llanddeusant and for that purpose to acquire lands and to  
make and maintain the works described in this Act:

And whereas estimates have been prepared showing the  
total amount which will or may be required for the purchase of  
lands and for the execution of the works by this Act authorised  
for the laying down of water mains and the construction of  
other waterworks and such estimates amount to the sum of one

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A.D. 1912. hundred and seventy-nine thousand four hundred and twenty-three pounds:

And whereas the works authorised by this Act are permanent works and it is expedient that the repayment of the cost thereof should be spread over a period of years:

And whereas it is expedient that the other provisions of this Act should be made:

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

And whereas plans and sections describing the lines situation and levels of the works authorised by this Act and plans showing the lands required or which may be taken for the purposes or 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 of the occupiers of and describing such lands were duly deposited with the clerk of the peace for the county of Carmarthen 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 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):—

PART I.

PRELIMINARY.

Short title. 1. This Act may be cited as the Llanelly Rural District Water Act 1912.

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

(1) The provisions of the Waterworks Clauses Acts 1847 and 1863 with respect to the following matters (that is to say):—

The construction of the waterworks;

Mines;

The breaking up of streets for the purpose of A.D. 1912.  
laying pipes;

The provision for guarding against fouling the  
water of the undertakers:

- (2) The provisions of the Waterworks Clauses Act 1863 with respect to the security of the reservoirs constructed by the undertakers:
- (3) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845):
- (4) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof so far as regards Work No. 1 Work No. 4 Work No. 5 Work No. 6 and Work No. 8 by this Act authorised.

3. In this Act unless the subject or context otherwise Interpreta-  
tion.  
require—

Words and expressions to which meanings are assigned by enactments incorporated with this Act have the same respective meanings and for the purposes of this Act in the enactments herewith incorporated “the undertakers” “the promoters of the undertaking” and “the company” mean respectively the Council and “the railway” and “the work” mean respectively the works authorised by this Act;

“The district” means the rural district of Llanelly;

“The Council” means the rural district council of the district;

“The clerk” means the clerk to the Council;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Council.

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PART II.

WORKS.

Power to  
make works.

4. Subject to the provisions of this Act the Council may in the county of Carmarthen and in the lines and situation and upon the lands shown on the deposited plans and described in the deposited book of reference make and maintain the following works shown on the deposited plans and sections (that is to say):—

Work No. 1 An embankment for the purpose of raising the level and impounding the waters of the lake or pool known as Llyn-y-Fan-fâch or the Little Van Pool to be situate wholly in the parish of Llanddeusant and to be made across the stream known as Afon Sawdde at or near the point where it issues from the said lake:

Work No. 2 A catchwater or conduit to be situate wholly in the parish of Llanddeusant commencing at a point 1100 yards or thereabouts measured in a straight line in an easterly direction from the junction of the stream known as Nant Côch with the Afon Sawdde and 292 yards or thereabouts measured in a southerly direction from the junction of the stream known as Nant Llwydbach with the stream known as Nant Melyn and terminating in the Llyn-y-Fan-fâch:

Work No. 3 A line or lines of pipes (No. 1) to be situate wholly in the parish of Llanddeusant commencing in the Llyn-y-Fan-fâch and terminating in the Afon Sawdde at a point 233 yards or thereabouts measured in a straight line in a northerly direction from the centre of the Afon Sawdde where it issues from the Llyn-y-Fan-fâch:

Work No. 4 An intake weir or dam to be situate wholly in the parish of Llanddeusant crossing the Afon Sawdde at a point 307 yards or thereabouts measured in a straight line in a northerly direction from the junction of the Afon Sawdde and the stream known as Afon Sychlwch:

Work No. 5 A line or lines of pipes (No. 2) commencing in the parish of Llanddeusant at or in the aforesaid intake weir (Work No. 4) and terminating in the parish of Llangadock in the reservoir or tank (Work No. 6) next herein-after described:

Work No. 6 A reservoir or tank to be situate wholly in the parish of Llangadock in the enclosure numbered 953 on the  $\frac{1}{2500}$  Ordnance map Carmarthenshire sheet XXXIV. 14 (2nd edition 1906): A.D. 1912.

Work No. 7 A line or lines of pipes (No. 3) commencing in the parish of Llangadock at or in the aforesaid reservoir or tank (Work No. 6) and terminating in the parish of Llannon in the service reservoir (Work No. 8) next herein-after described:

Work No. 8 A covered service reservoir to be situate wholly in the parish of Llannon in the enclosures numbered 1145 1959 and 1960 on the  $\frac{1}{2500}$  Ordnance map Carmarthenshire XLVII. 16 (2nd edition 1906):

Work No. 9 A communication road to be situate wholly in the parish of Llanddeusant commencing at or near the western end of the aforesaid embankment (Work No. 1) and terminating by a junction with the road leading from Llanddeusant to Mynydd-y-Llan at a point 180 yards or thereabouts measured in an easterly direction from the east end of St. Simon's and St. Jude's church.

5. In addition to the foregoing works the Council may upon the said lands make and maintain all such cuts channels catchwaters tunnels adits pipes conduits culverts drains sluices byewashes shafts wells bores water towers overflows waste-water channels gauges filter beds tanks banks walls bridges embankments piers approaches engines telephonic telegraphic and other means of communication machinery and appliances as may be necessary or convenient in connexion with or subsidiary to the before-mentioned works or any or either of them but nothing in this section shall exonerate the Council from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them. Power to make subsidiary works.

6. In the construction of the works by this Act authorised the Council may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards Power to deviate.

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A.D. 1912. and to any extent downwards Provided as follows (that is to say):—

The Council shall not construct any embankment of a greater height above the surface of the ground than that shown on the deposited sections in respect of the corresponding embankment and three feet in addition:

Except for the purpose of crossing over a stream no part of the pipes shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Period for completion of works.

7. If the works authorised by this Act are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto respectively shall cease except as to such of them or so much thereof respectively as shall then be completed Provided that the Council may extend enlarge alter reconstruct renew or remove any of their works and plant and in the case of the lines of pipes authorised by this Act lay down additional lines of pipes as and when occasion may require.

Temporary discharge of water into streams.

8.—(1) For the purpose of constructing enlarging extending repairing cleansing or examining any of the works authorised by this Act the Council may cause the water in any such work to be discharged temporarily into any available stream or watercourse.

(2) In the exercise of the power conferred by this section the Council shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

Application of Waterworks Clauses Act 1847 to pipes &c.

9. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads of the lines of pipes authorised by this Act and of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Council may and which they are hereby authorised to lay down or erect for the purposes of their water undertaking.

10. Any telephone or telegraph posts wires conductors or other means of electric communication erected laid down or maintained by the Council under the authority of this Act shall not be used for transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Acts 1863 to 1911.

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For protection of  
Postmaster-General.

11. In executing the works and exercising the powers by this Act authorised so far as they affect main roads and county bridges and culverts in the county of Carmarthen and any culverts vested in or under the jurisdiction and control of the county council of the said county (in this section called "the county council") the following provisions for the protection of the county council shall have effect unless otherwise agreed on in writing between the county council and the Council (that is to say):—

For protection of  
Carmarthen  
shire County  
Council.

(1) All mains pipes or works (not being service pipes) to be laid in or along any main road shall be constructed and laid in such position in or at the side thereof as the county council shall by writing under the hand of their surveyor reasonably direct and shall not be constructed or laid so as to interfere with the structure of any county or main road bridge or any culvert or arch connected therewith without the consent of the county council but such consent shall not be unreasonably withheld and in all cases where practicable the mains pipes or works shall be carried over the stream crossed by such bridge or culvert by means of wrought iron riveted tubing (or other suitable method to be agreed on between the parties) entirely separate from and independent of such bridge culvert or arch and the gradient of such bridge or culvert and of the approaches thereto shall not be altered:

(2) All works to be constructed or laid in along or across or in any way affecting any main road or county or main road bridge or culvert or any approach thereto shall be executed at the expense of the Council under the superintendence and to the reasonable satisfaction of the said surveyor and except in the case of service pipes in accordance with plans sections and specifications to be submitted to and reasonably approved of

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by him in writing before the commencement of any such work. Provided that if the said surveyor shall not within fourteen days after the same shall have been submitted so express his approval or disapproval thereof or signify his requirements in relation thereto he shall be deemed to have approved thereof. The Council shall except in case of emergency give to the said surveyor not less than seven clear days' notice of their intention to commence to execute any work in or over or affecting any main road or bridge or culvert stating the time and place at which they propose to commence such execution:

- (3) All mains and pipes laid by the Council in any main road shall wherever the depth of roadway is sufficient be so laid at a depth of not less than two feet six inches from the surface of the road to the top of the main or pipe:
- (4) The Council shall not without the consent of the county council open or break up at any one time a greater continuous length than four hundred yards of any main road and shall leave an interval of at least two hundred yards between any two places at which they may open or break up any such road:
- (5) If the Council shall neglect or omit to complete to the reasonable satisfaction of the said surveyor the reinstatement of any main road bridge or culvert which they shall have opened or broken up it shall be lawful for the county council to reinstate or complete the reinstatement of such road bridge or culvert and the Council shall forthwith on demand repay to the county council the costs and expenses reasonably incurred by them in so doing:
- (6) All metalling used for filling in trenches or for the reinstatement of any main road shall be well sorted out and such trenches shall be well rammed and where the road is ordinarily repaired by the use of a steam roller shall be steam rolled and all metalling shall be made level with the surface of the remainder of the road. All such filling in shall be effected by laying and ramming not less than four inches of



ballast to form a foundation and a surfacing of not less than four inches of metal of the same type and gauge as that of the road in which the trench is made: A.D. 1912.

- (7) The said works shall be so executed as not unnecessarily to stop or unreasonably interfere with the traffic of any main road or county or main road bridge or any approach thereto and all such works shall be proceeded with and completed with all possible dispatch:
- (8) The Council shall pay to the county council the reasonable cost in relation to the superintendence by this section authorised:
- (9) Notwithstanding anything in this Act contained it shall be lawful for the county council at any time or times to divert widen or improve any such main road and also to remove alter widen repair or renew any such county or main road bridge or culvert or the approaches thereto in alongside or near to which any such mains pipes or works are carried in the same manner as they might have diverted widened or improved removed altered or renewed any such main road or bridge or culvert or the approaches thereto if this Act had not been passed and such mains pipes or works had not been constructed or laid in over alongside or near to such main road or bridge or culvert respectively without making any compensation to the Council for any expense or loss to which the Council may be put in consequence of such diversion widening improvement removal alteration or renewal And in the event of any such main road or bridge or culvert or the approaches thereto in alongside or near to which such mains pipes or works are laid being diverted widened improved removed altered or renewed as aforesaid in such a manner as to require the removal or alteration of any such mains pipes or works the Council shall at their own expense as and when requested by the said surveyor remove or alter the position of their said mains or pipes and the works by which the same are carried alongside or near to any such main

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road or bridge or culvert or the approaches thereto as aforesaid and replace the same to the reasonable satisfaction of the said surveyor of the county council. Provided that before and during any such diversion widening improvement removal alteration or renewal of any such main road or bridge or culvert as aforesaid the county council shall afford to the Council reasonable facilities for temporarily carrying such mains pipes or works along the main road or across the stream so as not to interrupt the continuous supply of water:

- (10) Neither the county council nor any body or person repairing on their behalf any main road bridge or culvert shall be liable to the Council for any damage which may be done to any of the mains pipes or other works or apparatus of the Council caused by or resulting from the execution by the county council or any such body or person as aforesaid of any reasonable work of repair or maintenance of any such road bridge or culvert or the reasonable use by or on behalf of the county council of any steam roller or other engine:
- (11) As soon as the Council shall have commenced to supply water from the works by this Act authorised within the limits of supply the county council shall be entitled by notice in writing to require the Council to furnish to any school belonging to or managed by the county council within those limits a supply of water for all purposes for which the county council shall require to use the same at such school and the Council shall as soon as reasonably practicable after receiving any such notice as aforesaid commence to furnish such supply and shall thereafter continue to furnish such supply so long as the county council shall require the same. Every such supply shall be furnished by meter (to be provided fixed and maintained by and at the expense of the Council) at the price of sixpence per thousand gallons which shall (except as herein-after provided) include the cost of providing and laying down the distributing main for bringing the water to the said school. In any case

in which the school referred to in any such notice as aforesaid is at a greater distance than half a mile from the nearest main of the Council laid at the date of such notice the county council shall be bound to take and pay for a supply of water for at least seven years and shall in respect of each of the first three of such seven years if so requested by the Council pay to the Council by way of contribution to the cost of providing and laying down the pipes necessary to bring the water from the said nearest main to the said school such a sum as may be agreed between the county council and the Council or as failing such agreement shall be determined by arbitration as herein-after mentioned Provided that the amount of the contribution so to be made by the county council in any of such three years together with the sum payable at the price herein-before prescribed for water consumed by the county council at the said school in that year shall not exceed one-tenth part of the cost of providing and laying down the said pipes:

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- (12) Notwithstanding anything in this Act contained if any difference arise between the Council and the county council touching this section or anything to be done or not to be done thereunder such difference shall be referred to and settled by an engineer to be agreed upon or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either of the parties and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

12. In executing the works and exercising the powers by this Act authorised and conferred on the Council within the rural district of Llandovery the following provisions for the protection of the Llandovery Rural District Council (herein referred to as "the Llandovery Council") shall except so far as may be otherwise agreed in writing between the Council and the Llandovery Council have effect (that is to say):—

For protection of  
Llandovery  
Rural Dis-  
trict Council.

- (1) All lines of pipes to be laid in or along any road vested in or repairable by the Llandovery Council shall so far as practicable be laid in such position in or at

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the side thereof as the Llandovery Council in writing under the hand of their surveyor may reasonably direct:

- (2) The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall extend and apply to all roads and bridges vested in or repairable by the Llandovery Council which may be opened broken up or interfered with by the Council in the exercise of the powers of this Act provided that the notice required by section 30 of that Act shall be not less than seven days:
- (3) The plan required by section 31 of the Waterworks Clauses Act 1847 shall be accompanied by a section of the proposed works and shall be delivered to the Llandovery Council or their surveyor by the Council not less than fourteen days before they commence to open break up or interfere with any such road or bridge:
- (4) All works and haulage shall be so executed and carried out by the Council as not to stop the traffic and so far as reasonably practicable as not to impede or interfere with the traffic on any such road or bridge:
- (5) The Council shall repay to the Llandovery Council any additional expense incurred by the council in repairing and maintaining any road or bridge vested in or repairable by the Llandovery Council during the construction of the works authorised by this Act if such additional expense is due to such haulage of materials and things for the purpose of the execution of those works as would amount to extraordinary traffic within the meaning of the Highways and Locomotives (Amendment) Act 1878:
- (6) In the event of any difference arising upon or in connexion with any of the provisions of this section such difference shall be settled in default of agreement by arbitration the arbitrator being a person appointed in default of agreement by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

**13.** For the protection of the Great Western Railway Company (herein-after referred to as "the Great Western Company") the following provisions shall unless otherwise agreed between the Great Western Company and the Council be in force and have effect (that is to say):—

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For protec-  
tion of Great  
Western  
Railway  
Company.

- (1) Any work by this Act authorised where the same shall be carried at any level crossing under the railways or property of the Great Western Company shall for its entire length across the said railways or property be constructed with steel pipes founded on and surrounded by Portland cement concrete or enclosed in a subway to be constructed and maintained by the Council so that no part thereof shall be less than three feet below the level of the rails of the railway of the Company:
- (2) In constructing laying down and executing and also (except in cases of emergency) in effecting the repairs alterations or renewals of any such works which may be situate upon across over under or in any way affecting the railways belonging to the Great Western Company the same shall be done by and in all things at the expense of the Council and under the superintendence (if the same be given) and to the reasonable satisfaction of the engineer of the Great Western Company and so as not to interfere with the structure of any such railways and at such times as he shall reasonably approve and according to plans sections and specifications to be submitted to and reasonably approved by the said engineer before any such works shall be executed Provided that if the said engineer shall not signify his approval or disapproval of such plans sections and specifications within twenty-one days after they shall have been submitted to him he shall be deemed to have approved thereof:
- (3) Any such works shall be so constructed maintained repaired or renewed as not to cause any interruption to the passage or conduct of the traffic over the said railways and if the Great Western Railway so elect they may themselves execute and do under the superintendence (if the same be given) and to the reasonable satisfaction of the engineer of the Council all such

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work as may be reasonably necessary in connexion with the construction maintenance repair or renewal of the said works at the points aforesaid (other than the actual laying down and maintenance of the pipes) and may recover from the Council the reasonable cost incurred by the company in so doing:

- (4) If any injury or interruption to the passage or conduct of the traffic over such railways or any damage to the said railways or the works or lands of the Great Western Company shall arise from or be in any way due to the construction or maintenance of any of the works authorised by this Act or the bursting leakage or failure of any of such works under or near to any railways works or property of the Great Western Company the Council shall indemnify and save harmless the Great Western Company from all claims and demands which may be made against them in connexion with such injury or interruption and shall also make full compensation to the Great Western Company in respect thereof and such damage shall be forthwith made good by the Council at their expense and to the reasonable satisfaction of such engineer and in the event of their failing so to do the Great Western Company may after giving fourteen days' notice thereof to the Council or in the case of emergency of which their engineer shall be the sole judge without notice make good the same and recover the reasonable expense incurred by them in so doing from the Council:
- (5) If it should be necessary during the construction of any work authorised by this Act or in consequence of such construction or of the existence of the same to alter any of the telegraph telephone or signal posts or wires or other work or apparatus belonging to or on the railways of the Great Western Company the Great Western Company may effect such alterations and the Council shall repay to the Great Western Company the reasonable expenses incurred by the Great Western Company in and connected with such alterations:
- (6) The Council shall bear and on demand pay to the Great Western Company the reasonable expense of the

employment by them during the construction of any works authorised by this Act across or under the railways and works of the Great Western Company of a sufficient number of inspectors signalmen or watchmen for watching the said railways and the conduct of the traffic thereon with reference to and during the construction of such portions of the said works: A.D. 1912.

- (7) Notwithstanding anything contained in this Act or shown on the deposited plans the Council shall not enter upon take or acquire compulsorily any land of the Great Western Company but the Council may purchase and take and the Great Western Company may and shall at the request of the Council sell and grant accordingly an easement or right of using so much of the lands and property of the Great Western Company as may be necessary for the purpose of constructing and maintaining any works of the Council by this Act authorised to be constructed under or over the railways and other property of the Great Western Company and the Council shall pay to the Great Western Company by way of purchase money or compensation for such easement or right such an amount as may be agreed upon or in default of agreement be determined by arbitration under and in accordance with the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement:
- (8) If at any time hereafter the Great Western Company shall require upon lands already acquired or authorised to be acquired by them to make any alteration of or to widen their railways or to increase their railway accommodation at any place where any works authorised by this Act cross over or under the railways or any property of the Great Western Company the Council shall on being required so to do by the Great Western Company at their own cost make such alterations of their said works as may be reasonably required by the Great Western Company (but not so as to interrupt or interfere with the supply of water by the Council) to enable them to carry out such alteration or widening of their railways or to provide

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such increased accommodation and the provisions of this section shall so far as applicable extend and apply to the execution and carrying out by the Council of any such alterations of their said works:

- (9) Any additional expense which the Great Western Company may reasonably and properly incur in widening altering or maintaining their railways bridges or works by reason of the existence of any works of the Council laid under the powers of this Act across or under the same shall be paid by the Council:
- (10) In the event of any difference arising between the Council and the Great Western Company respecting any of the matters referred to in this section the point in difference shall be referred to and determined by an arbitrator to be appointed failing agreement at the request of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

Accommodation for workmen employed on construction of works.

**14.**—(1) The Council shall erect fit up and maintain or provide—

- (A) Such huts or buildings for the accommodation of the workmen employed in and about the construction of the works authorised by this Act; and
- (B) Such hospital accommodation for the treatment of cases of sickness or accident among such workmen including accommodation for dealing with infectious diseases

as shall be reasonably necessary having regard to the accommodation available in the neighbourhood of or conveniently accessible from the said works and shall provide and maintain proper and sufficient sanitary accommodation in connexion with every such building and hospital.

(2) The Council shall pay all reasonable costs and expenses incurred in respect of the medical and surgical treatment of any workman employed on the construction of the said works who is treated in any hospital accommodation provided by them except in so far as such costs and expenses are payable or provided for under the National Insurance Act 1911 or otherwise.



(3) The medical officer of health of the Carmarthenshire County Council (herein-after called "the county council") and any medical officer of health and inspector of nuisances for any district in which such accommodation is afforded under this section shall be entitled at any time to enter into and inspect and examine any such accommodation in order to ascertain whether overcrowding exists therein and whether proper and sufficient sanitary arrangements are provided. A.D. 1912.

(4) The Council shall give every such officer all facilities and information which he requires for the purpose of the performance of his duties including the right to enter upon the said works and any person obstructing such officer in the performance of his duty under this section shall be liable on summary conviction to a fine not exceeding forty shillings.

(5) If at any time it appears to the county council that the Council have failed to afford or maintain accommodation in accordance with subsection (1) of this section the Council shall afford and maintain such accommodation as the county council may require. Provided that if within fourteen days after the receipt of notice of any requirement of the county council under this subsection the Council give notice to the county council that they dispute the reasonableness of any such requirement the difference shall be determined by the Local Government Board on the application of either of the parties to the difference and the Local Government Board may make such requirements (if any) in variation of the requirements of the county council as they may think fit.

(6) If the Council fail to afford and maintain accommodation in accordance with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a further daily penalty not exceeding five pounds for every day on which the offence is continued after conviction and such penalties may be recovered by the county council.

(7) Any expenses incurred by the county council in carrying out the provisions of this section shall be repaid to the county council by the Council and shall be recoverable as a debt due from the Council to the county council.

(8) The Council shall pay to the Local Government Board any expenses incurred by that Board under this section including a sum not exceeding three guineas a day for the services of

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PART III.

LANDS WATER &C.

Power to  
take lands.

**15.** Subject to the provisions and for the purposes of this Act the Council may enter upon take hold and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference.

Period for  
compulsory  
purchase of  
lands.

**16.** The powers of the Council for compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Correction  
of errors in  
deposited  
plans and  
book of  
reference.

**17.** If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Council after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of Carmarthen for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for such county and a duplicate thereof shall also be deposited with the clerks of the councils of the districts or parishes in which the lands affected are situate and such certificate and duplicate respectively shall be kept by such clerk of the peace and clerks of the councils respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Council to take the lands and execute the works in accordance with such certificate.

Council may  
acquire ease-  
ments only in  
certain cases.

**18.—**(1) The Council may in lieu of acquiring any lands for the purposes of the works authorised by this Act where the same are intended to be constructed underground acquire such

easements in such lands as they may require for such purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of such Acts. A.D. 1912.

(2) As regards any lands in respect of which the Council have acquired easements only under the provisions of this section the Council shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works and subject to such easements have the same rights of passing over such lands for all purposes of or connected with the use and enjoyment of the adjoining lands as if this Act had not passed.

(3) Provided always that nothing in this section contained shall authorise the Council to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Council to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement only shall be endorsed with notice of this provision.

**19.** Notwithstanding anything in this Act contained the Council shall not acquire under the authority of this Act any greater quantity of common or commonable land than as stated in the following table (that is to say):— Limiting quantity of commonable land to be acquired.

Purposes for which land required.	Name by which land is known.	Parish in which land is situate.	Quantity to be taken.
Work No. 1 Work No. 2 Work No. 3 Work No. 4 Work No. 5	Mynydd-y-Llan or Black Mountain	Llanddeusant -	97·5 acres.
(part of) Work No. 9 (part of)			
	Mynydd-y-Llan or Black Mountain	Llanddeusant -	10·5 acres.

and no part of the lands so taken shall be fenced with barbed wire Provided that the Council shall only acquire so much of the aforesaid common or commonable lands as is actually required for the purposes of constructing maintaining and

A.D. 1912. protecting the works and parts of works aforesaid and that in respect of so much of Work No. 3 and Work No. 5 as is intended to be laid beneath the surface of the ground and in respect of Work No. 9 the Council shall be entitled to acquire such easement only in and over the said lands as may be required for constructing and maintaining the said works.

Owners may be required to sell parts only of certain lands and buildings.

**20.**—(1) Whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Council of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Council and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (A) The owner of and persons interested in any of the properties the numbers whereof on the deposited plans are included in the schedule to this Act and whereof a portion only is required for the purposes of the Council or each or any of them are herein-after included in the term "the owner" and the said properties are herein-after referred to as "the scheduled properties":
- (B) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Council that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Council such portion only without the Council being obliged or compellable to purchase the whole the Council paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (c) If within such twenty-one days the owner shall by notice in writing to the Council allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (herein-after referred

to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Council have compulsory powers of purchase) can be so severed: A.D. 1912.

- (D) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Council the portion which the tribunal shall have determined to be so severable without the Council being obliged or compellable to purchase the whole the Council paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:
- (E) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:
- (F) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Council may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:
- (G) If the tribunal determine that the portion of the scheduled property specified in the notice to treat

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cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Council in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Power to purchase additional lands by agreement.

**21.** The Council in addition to any lands which they are by this Act authorised to acquire may by agreement purchase take on lease acquire and hold for the purposes of their water undertaking any lands and any easements or rights (except easements or rights of water in which persons other than the grantors have an interest) over or in respect of lands which the Council may deem necessary for their purposes Provided that the Council shall not under the powers of this section acquire more than twenty acres of land and shall not create or permit the creation of any nuisance on such lands nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be required for or used in connexion with their water undertaking.

Persons under disability may grant easements &c.

**22.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the

same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively. A.D. 1912.

**23.** Subject to the provisions of the Lands Clauses Consolidation Act 1845 the Council may sell lease exchange or otherwise dispose of any lands for the time being belonging to them and which may not at the time be required for the purposes of their water undertaking and may retain and hold sell and dispose of any interest in or reversion to any lands so let and any such sale disposal or lease may be for such consideration and subject to such reservations stipulations restrictions and provisions and generally upon such terms and conditions as the Council think fit. Power to sell &c. lands.

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

**25.** Any capital moneys received by the Council on the sale lease exchange or other disposition of lands and any other moneys received on capital account in pursuance of this Act may be applied by the Council in or towards defraying any expenditure for which the Council have by virtue of this Act for the time being unexhausted borrowing powers and capital moneys so received and not so applied shall be applied in discharge of any moneys borrowed by the Council under this Act but in that case shall not be applied to the payment of instalments appropriations or annual repayments or to payments into sinking fund except to such extent and upon such terms as may be approved by the Local Government Board Provided that the amount of the borrowing powers of the Council for expenditure defrayed by the application of sums so received shall be reduced to the extent of the sums applied. Application of moneys from sale of land.

**26.** Subject to the provisions of this Act the Council may collect impound take use divert and appropriate for the purposes of their water undertaking the waters of the streams known as the Afon Sawdde and Afon Sychlwch and all the tributaries of Power to take waters.

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A.D. 1912. those streams at and above the point where the intake weir or dam (Work No. 4) by this Act authorised crosses the Afon Sawdde and so much of the waters of the Nant Côch and such other springs streams and waters as may be intercepted by the works by this Act authorised.

As to compensation water.

**27.**—(1) Until the date of the completion of the embankment (Work No. 1) by this Act authorised the Council may take from the stream known as the Afon Sawdde any water they may require subject to the following restrictions:—

(A) They shall place a gauge weir across the Afon Sawdde at or immediately below the proposed intake weir or dam (Work No. 4) over or through which six hundred and eighty thousand gallons of water shall be allowed to pass and flow down the said stream every day of twenty-four hours if and so long as the said stream shall during the said twenty-four hours yield such quantity of water:

(B) On any such day during such time as the flow of water in the said stream shall be less than at the rate of six hundred and eighty thousand gallons per day of twenty-four hours the Council shall not be entitled to draw any water therefrom but during such time as the flow is in excess of such rate the Council may take all or such part of the excess as they may require.

(2) After the said embankment is completed the following provisions shall apply:—

(A) The Council shall during every day of twenty-four hours permit to flow or deliver into the Afon Sawdde at a point therein situate above the said intake weir or dam not less than six hundred and eighty thousand gallons of water in a regular uniform and continuous flow:

(B) For the purpose of measuring the said quantity of water the Council shall erect and maintain at or immediately below the said intake weir or dam a proper and suitable measuring gauge over or through which the said compensation water shall flow and the same shall be open to the inspection and examination of the Towy Taf and Loughor Fishery District Board of Conservators and of all persons interested therein.



(3) In case of any neglect on the part of the Council to maintain any gauge in a state of efficiency and in case of any other neglect by or in consequence of which the said quantity of compensation water shall not so flow the Council shall for every day on which such neglect occurs forfeit and pay to each of the persons affected thereby including the said Fishery District Board of Conservators (who may sue for and recover the same) the sum of five pounds and shall in addition make compensation for any loss damage or injury sustained by such persons or any of them. A.D. 1912.

(4) If any difference arises between the Council and the said Fishery District Board of Conservators or any person so interested with respect to the construction or use of any gauge or the state of repair or condition thereof such difference shall be referred to the arbitration of an engineer to be nominated (unless otherwise agreed) on the application of either of them by the President of the Institution of Civil Engineers.

(5) The provisions of this section shall be accepted and taken by all persons interested as full compensation for all water which the Council can divert collect impound or appropriate by means of the works by this Act authorised except in respect of any lands situate between the foot of the said embankment and the said measuring gauge.

**28.** The Council shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by this or some other Act of Parliament and the lands on which the same are to be constructed are specified in this or some other Act of Parliament or shown upon plans deposited in respect thereof. Limiting powers of Council to abstract water.

**29.** The Council may make and carry into effect agreements with the owners lessees or occupiers of any lands in or over which any waters which the Council are for the time being authorised to collect impound take use divert or appropriate arise or flow with reference to the execution by the Council or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting and conveying and preserving the purity of the waters which the Council are for the time being authorised to take. Power to agree as to drainage of lands &c.

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Power to hold lands for protection of waterworks from pollution.

**30.** The Council may hold any lands acquired by them under the powers of this Act which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of this Act or the Lands Clauses Acts but the Council shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their water undertaking.

PART IV.

SUPPLY OF WATER &C.

Limits of supply.

**31.** The limits of this Act for the supply of water (in this Act referred to as "the limits of supply") shall be the district except so much thereof as was included under the Llanelly (Local Board) Waterwork Act 1865 and the Llanelly Waterworks Act 1909 within the limits of the urban district council of Llanelly for the supply of water.

Supply of water.

**32.** Subject to the provisions of this Act the provisions of the Public Health Acts shall apply to the supply of water by the Council within the limits of supply.

Rates for supply of water for domestic purposes.

**33.** When the Council are in a position to supply water by means of the works by this Act authorised they shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house within the limits of supply entitled under the provisions of the Public Health Acts to demand from the Council a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the rates per annum herein-after specified (that is to say):—

Where the gross estimated rental of the premises so supplied with water does not exceed five pounds the sum of eight shillings and eightpence;

Where such gross estimated rental exceeds five pounds the rate of ten per centum per annum upon such gross estimated rental.

The gross estimated rental of any such dwelling-house or part of a dwelling-house shall be ascertained by the valuation

list in force at the commencement of the quarter for which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor. Provided that where the water rate is chargeable on the gross estimated rental of a part only of any dwelling-house entered in the valuation list such gross estimated rental shall be a fairly apportioned part of the gross estimated rental of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be ascertained and fixed by a court of summary jurisdiction. A.D. 1912.

In addition to the foregoing charges the Council may charge in respect of every watercloset beyond the first (for which no additional charge shall be made) on any premises within the limits of supply a sum not exceeding five shillings per annum and for every fixed bath capable of containing not more than fifty gallons a sum not exceeding seven shillings and sixpence per annum and for every fixed bath capable of containing more than fifty gallons such sum as the Council may think fit such additional sum to be paid and to be recoverable in all respects with and as the water rate.

**34.** When a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Council so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate. Rates payable by owners of small houses.

**35.** The Council shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water. Council not bound to supply several houses by one pipe.

**36.** A notice to the Council from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Council. Notice of discontinuance.

**37.**—(1) The Council may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature material workmanship and strength and the mode of Byelaws for preventing waste &c. of water.

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A.D. 1912. arrangement connexion disconnexion alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

(2) Such byelaws shall apply only in the case of premises to which the Council afford or are prepared on demand to afford a constant supply and the provisions with respect to byelaws contained in sections 182 to 186 of the Public Health Act 1875 shall apply to all byelaws so made.

(3) In case of failure of any persons to observe such byelaws as are for the time being in force the Council may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Council as the water rates in respect of the premises are recoverable.

Detection of waste.

**38.**—(1) Subject to the provisions of the Waterworks Clauses Act 1847 the Council may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Council and stop-cocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets roads lanes footways sewers courts passages tramways gas or water pipes electric lines wires and apparatus.

(2) Provided that the Council shall not interfere with any electric lines wires or apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Supply to houses partly used for trade &c.

**39.** The Council shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required.

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

A.D. 1912.  
Notice to  
Council of  
connecting  
or discon-  
necting  
meters.

41.—(1) The Council may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets and other fittings as are required or permitted by their regulations and may provide all materials and do all work necessary or proper in that behalf and the reasonable charges of the Council in providing such materials and executing such work shall be paid by the person requiring the same.

Power to  
supply  
fittings &c.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Council as the actual owners thereof:

Provided as follows:—

(A) The Council shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section in connexion therewith (including interest upon any moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed):

(B) Every sum charged by the Council in respect of provision of such fittings or the repairing fixing or

A.D. 1912.

removal thereof shall be clearly stated in every demand note delivered by the Council to the consumer :

(c) The total sums expended and received by the Council in connexion with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the water undertaking of the Council for such year.

(3) The Council may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

Contracts  
for supplying  
water in  
bulk.

**42.** The Council may enter into and carry into effect agreements with any local authority company or person for the supply of water beyond the limits of supply to any such authority company or person respectively in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon. Provided that such supply shall not be given except with the consent of any company body or person supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply.

Supply of  
water to  
Llandilofawr  
Rural Dis-  
trict Council.

**43.**—(1) When the Council are by means of the works by this Act authorised in a position to supply water within the limits of supply and as soon as reasonably may be after receipt by them of a notice in writing from the Llandilofawr Rural District Council (in this section referred to as “the Llandilofawr Council”) requiring a supply of water in bulk not exceeding twenty-five thousand gallons in any one day of twenty-four hours the Council shall supply and the Llandilofawr Council shall accept and take such quantity of water as may have been required by the notice not exceeding the maximum quantity aforesaid and such supply shall be taken at a uniform rate per diem at such point or points on the line or lines of pipes No. 3 by this Act authorised as may be agreed between the Council and the Llandilofawr Council or as failing agreement may be determined by arbitration under this section :

Provided that the Council shall not be under obligation to supply water in pursuance of this section if and so long as such

supply would interfere with the supply of water for domestic or trade purposes within the district of the Council. A.D. 1912.

(2) The Llandilofawr Council shall pay to the Council in respect of such supply a price equal to the cost price to the Council of providing the same together with a sum equal to five per centum upon such cost and such price shall be determined in default of agreement between the Council and the Llandilofawr Council by arbitration under this section.

(3) The accounts relating to the supply of water as aforesaid shall be made up half yearly to the thirty-first March and the thirtieth September in each year and the amount due for the half-year's supply shall be paid by the Llandilofawr Council to the Council within one month from the delivery to the Llandilofawr Council of each such account.

(4) All water so supplied shall be measured by a suitable meter or other apparatus to be provided by the Llandilofawr Council and approved by the engineer of the Council. Such meter shall be placed in some suitable chamber or building to be provided by the Llandilofawr Council and such meter and all pipes valves and other apparatus connecting the same with the line of pipes of the Council shall be fixed and constructed by the Council at the cost of the Llandilofawr Council. The Council shall at all reasonable times be at liberty to inspect such meter and the works appertaining thereto for the purpose of testing the accuracy and state of repair thereof and if necessary to require the same to be repaired and maintained by the Llandilofawr Council.

(5) The Council shall not be liable for any damage loss or expense caused by any failure in the supply of water to the Llandilofawr Council if such failure shall be occasioned by frost unusual drought or any cause beyond the control of the Council or during any time when the works of the Council shall be undergoing necessary repairs or cleansing.

(6) Any difference between the Council and the Llandilofawr Council under this section shall be settled by an arbitrator to be appointed by agreement or in default of agreement by the President of the Institution of Civil Engineers under and subject to the provisions of the Arbitration Act 1889.

(7) The Council shall not without the consent in writing of the Llandilofawr Council supply water to the Carmarthen Rural

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A.D. 1912. District Council for use in any part of the area at Gorslas and Cefneithyn within the district of the last-mentioned council for which water is now supplied under agreement to the said Council by the Llandilofawr Council so long as such agreement shall remain in force.

Supply of  
water to  
Llandovery  
Rural Dis-  
trict Council.

44.—(1) When the Council are by means of the works by this Act authorised in a position to supply water within the limits of supply and as soon as reasonably may be after receipt by them of a notice in writing from the Llandovery Rural District Council (in this section referred to as "the Llandovery Council") requiring a supply of water in bulk not exceeding fifty thousand gallons in any one day of twenty-four hours the Council shall supply and the Llandovery Council shall accept and take such quantity of water as may have been required by the notice not exceeding the maximum quantity aforesaid and such supply shall be taken at a uniform rate per diem at such point or points on the line or lines of pipes No. 2 by this Act authorised as may be agreed between the Council and the Llandovery Council or as failing agreement may be determined by arbitration under this section:

Provided that the Council shall not be under obligation to supply water in pursuance of this section if and so long as such supply would interfere with the supply of water for domestic or trade purposes within the district of the Council.

(2) The Llandovery Council shall pay to the Council in respect of such supply a price equal to the cost price to the Council of providing the same together with a sum equal to five per centum upon such cost and such price shall be determined in default of agreement between the Council and the Llandovery Council by arbitration under this section.

(3) The accounts relating to the supply of water as aforesaid shall be made up half-yearly to the thirty-first March and the thirtieth September in each year and the amount due for the half year's supply shall be paid by the Llandovery Council to the Council within one month from the delivery to the Llandovery Council of each such account.

(4) All water so supplied shall be measured by a suitable meter or meters or other apparatus to be provided by the Llandovery Council and approved by the engineer of the Council.



Such meter shall be placed in some suitable chamber or building to be provided by the Llandovery Council and such meter or meters and all pipes valves and other apparatus connecting the same with the line of pipes of the Council shall be fixed and constructed by the Council at the cost of the Llandovery Council. The Council shall at all reasonable times be at liberty to inspect such meter or meters and the works appertaining thereto for the purpose of testing the accuracy and state of repair thereof and if necessary to require the same to be repaired and maintained by the Llandovery Council. A.D. 1912.

(5) The Council shall not be liable for any damage loss or expense caused by any failure in the supply of water to the Llandovery Council if such failure shall be occasioned by frost unusual drought or any cause beyond the control of the Council or during any time when the works of the Council shall be undergoing necessary repairs or cleansing.

(6) Any difference between the Council and the Llandovery Council under this section shall be settled by an arbitrator to be appointed by agreement or in default of agreement by the President of the Institution of Civil Engineers under and subject to the provisions of the Arbitration Act 1889.

#### PART V.

#### FINANCE.

**45.**—(1) The Council may independently of any other borrowing power borrow at interest for the following purposes the following sums (that is to say):— Power to borrow.

(A) For the purchase of lands and easements and for the construction of the works by this Act authorised for the laying down of mains and the construction of other waterworks the sum of one hundred and seventy-nine thousand four hundred and twenty-three pounds;

(B) For paying the costs charges and expenses of this Act as herein-after provided the sum requisite for that purpose;

and with the consent of the Local Government Board such further money as may be necessary for any of the purposes of this Act or otherwise in relation to the water undertaking.

(2) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the

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A.D. 1912. Council may mortgage or charge the revenue of their water undertaking and the rates out of which the expenses of the execution by the Council of the provisions of this Act are payable or either of those securities.

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

46. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Council may borrow under that Act any sums which they may borrow under this Act and any sums which they have borrowed or may hereafter borrow for the purpose of constructing works for the supply of water shall not be reckoned.

Mode of raising money.

47. The Council may raise all or any moneys which they are authorised to borrow or re-borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another. Provided that the provisions of this Act relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 of that Act.

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

48. Sections 236 to 238 of the Public Health Act 1875 (as to the form register and transfer of mortgages) shall extend and apply mutatis mutandis to mortgages granted under this Act.

Periods for repayment of money borrowed.

49. The Council shall pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as "the prescribed period") following (that is to say):—

As to money borrowed for the purposes (A) mentioned in the section of this Act the marginal note whereof is "Power to borrow" within sixty years from the date or dates of borrowing the same:

As to money borrowed for the purpose (B) in the said section mentioned within five years from the passing of this Act:

As to money borrowed with the consent of the Local Government Board within such period as the Board may sanction.

**50.** The Council shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year or when the money is repaid by half-yearly instalments within six months of the date of borrowing Provided that it shall not be obligatory upon the Council to commence the repayment by sinking fund or otherwise of any moneys borrowed for the purposes (A) mentioned in the section of this Act of which the marginal note is "Power to borrow" until the thirty-first day of March next after the completion of the works authorised by this Act or the thirty-first day of March one thousand nine hundred and twenty-two whichever shall be the earlier date.

A.D. 1912.  
Mode of  
payment off  
of money  
borrowed.

**51.**—(1) If the Council determine to repay by means of a sinking fund any money borrowed by virtue of this Act such sinking fund shall subject to the provisions of the section of this Act whereof the marginal note is "Mode of payment off of money borrowed" be formed and maintained either—

Sinking  
fund.

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the sum for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called "a non-accumulating sinking fund"; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the sum for the repayment of which such sinking fund is formed A sinking fund so formed is herein-after called "an accumulating sinking fund."

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Council being at liberty to vary and transpose such investments.

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(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Council towards the equal annual payments to the fund.

(4) The Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the sum for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Council:

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Council in addition to the payments provided for by this Act.

(7) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the sum for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as the Board may direct.

(8) If the Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund. A.D. 1912.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the sum for the repayment of which the sinking fund is formed the Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the sum for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the sum for the repayment of which the sinking fund is formed the Council may with the consent of that Board discontinue the annual payments to such sinking fund until the Board shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the sum for the repayment of which it was formed shall be applied to such purpose or purposes as the Council with the consent of the Local Government Board may determine.

**52.** A person lending money to the Council under this Act shall not be bound to inquire as to the observance by the Council of any provisions of this Act or be bound to see to the application or be answerable for any misapplication or non-application of the money lent or of any part thereof. Protection  
of lender  
from inquiry.

**53.** The Council shall not be bound to see to the execution of any trust whether express implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages of the Council shall be sufficient discharge to the Council in respect thereof notwithstanding any trusts to which such loan or security may be Council  
to regard  
trusts.

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A.D. 1912. subject and whether or not the Council have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register.

Appoint-  
ment of  
receiver.

54.—(1) Any mortgagee of the Council by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than one thousand pounds in the whole.

(2) The application for the appointment of a receiver shall be made to the High Court.

Power to  
re-borrow.

55.—(1) The Council shall have power—

(A) To borrow for the purpose of paying off any moneys previously borrowed under this Act which are intended to be forthwith repaid; or

(B) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Council in repaying moneys previously borrowed under this Act and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(A) By instalments or annual payments; or

(B) By means of a sinking fund; or

(c) Out of moneys derived from the sale of land; or

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(d) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

**56.**—(1) The clerk shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised thereunder or in regard to the water undertaking of the Council under the Public Health Acts or otherwise or at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of the clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

Return  
respecting  
sinking fund  
to Local  
Government  
Board.

(2) If it appears to the Local Government Board by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Local Government Board in virtue thereof to be paid appropriated or

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A.D. 1912. set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

Application  
of money  
borrowed.

**57.** All money borrowed by the Council under the powers of this Act shall be applied only to the purposes for which it is authorised to be borrowed and to which capital is properly applicable.

Expenses of  
execution of  
Act.

**58.** Any expenses of the execution by the Council of this Act with respect to which no other provision is made (including the payment of interest upon money borrowed in pursuance of this Act and the requisite appropriations instalments or sinking fund payments in respect of moneys so borrowed) shall be defrayed out of the revenue of the water undertaking of the Council and if such revenue shall be insufficient to defray the whole of such expenses the amount thereof not defrayed out of such revenue shall be defrayed in manner directed by the Public Health Act 1875 with respect to special expenses incurred in the execution of that Act by a rural sanitary authority and all provisions of that Act relating to the apportionment payment and recovery of such special expenses or otherwise relating thereto shall so far as applicable and with the necessary modifications apply accordingly Provided that no rate shall be levied for the purposes of this Act within so much of the district as is by this Act excepted from the limits of supply.

Audit of  
accounts.

**59.** The provisions of section 58 of the Local Government Act 1894 shall apply to the accounts of the receipts and expenditure of the Council under this Act and to the audit thereof.

PART VI.

MISCELLANEOUS.

Inquiries  
by Local  
Government  
Board.

**60.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the



purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875. A.D. 1912.

(2) The Council shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

**61.**—(1) Where any notice or demand under this Act requires authentication by the Council the signature of the clerk or other duly authorised officer of the Council shall be sufficient authentication. As to notices &c.

(2) Notices demands orders and other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

**62.** Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs and expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts. Recovery of penalties &c.

**63.** Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of this Act as if the same were with the necessary modifications re-enacted herein. Application of section 265 of Public Health Act 1875.

**64.** All costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing 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 Council and may in the first instance be paid out of any moneys in their hands but ultimately if the Council so determine out of moneys to be borrowed under the powers of this Act. Costs of Act.

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*Act, 1912.*

A.D. 1912. The SCHEDULE referred to in the foregoing Act.

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