



CHAPTER xciv.

An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Swansea in regard to their water undertaking and for other purposes. A.D. 1905.

[11th July 1905.]

WHEREAS the borough of Swansea is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough of Swansea (in this Act called "the Corporation"):

And whereas the Corporation are supplying water in their borough and the neighbourhood thereof and were by the Swansea Corporation Water Act 1892 empowered to make and maintain additional waterworks in the counties of Brecknock and Glamorgan and further powers in regard to the undertaking were conferred upon them by the Swansea Corporation Water Act 1902:

And whereas it is expedient to empower the Corporation to construct the additional waterworks referred to in this Act and to confer further powers upon them in relation to their water undertaking:

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

For the purchase of lands for and for the construction of the waterworks authorised by this Act and for other the purposes of the water undertaking of the Corporation (including the completion of the works authorised by the Act of 1892)	-	-	£250,000
[Price 1s.]	A		1



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[11th July 1905.]

WHEREAS the borough of Swansea is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough of Swansea (in this Act called "the Corporation"):

And whereas the Corporation are supplying water in their borough and the neighbourhood thereof and were by the Swansea Corporation Water Act 1892 empowered to make and maintain additional waterworks in the counties of Brecknock and Glamorgan and further powers in regard to the undertaking were conferred upon them by the Swansea Corporation Water Act 1902:

And whereas it is expedient to empower the Corporation to construct the additional waterworks referred to in this Act and to confer further powers upon them in relation to their water undertaking:

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

For the purchase of lands for and for the construction of the waterworks authorised by this Act and for other the purposes of the water undertaking of the Corporation (including the completion of the works authorised by the Act of 1892)	-	-	£250,000
[Price 1s.]	A		1

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And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas an absolute majority of the whole number of the council at a meeting held on the thirteenth day of December nineteen hundred and four after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Cambria Daily Leader* a local newspaper published and circulated in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate:

And whereas the said resolution was published twice in the *South Wales Daily Post* a local newspaper published and circulating in the borough 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 eleventh day of January nineteen hundred and five 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 plans and sections showing the lines and levels of the works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the respective clerks of the peace for the counties of Glamorgan and Brecknock and are in this Act respectively 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):—

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And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years:

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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 plans and sections showing the lines and levels of the works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the respective clerks of the peace for the counties of Glamorgan and Brecknock and are in this Act respectively 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):—

PRELIMINARY.

A.D. 1905.

1. This Act may be cited as the Swansea Corporation Water Act 1905 and the Swansea Corporation Water Acts 1884 to 1902 and this Act may be jointly cited as the Swansea Corporation Water Acts 1884 to 1905. Short title.

2. The following 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):— Incorporation of Acts.

(1) The Waterworks Clauses Acts 1847 and 1863 except—

(a) The words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” in section 44 of the Waterworks Clauses Act 1847;

(b) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts:

(2) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845).

3. The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction. Provided always that in the Acts wholly or partially incorporated with this Act for the purposes of this Act “the undertakers” or “the company” means the Corporation: Interpretation.

And in this Act—

“The Corporation” means the mayor aldermen and burgesses of the borough of Swansea;

“The borough” means the municipal borough of Swansea;

“The council” means the council of the borough;

“The borough fund” “the borough rate” “the district fund” and “the general district rate” mean respectively the borough fund the borough rate the district fund and the general district rate of the borough;

“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

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A.D. 1905.

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“The borough” means the municipal borough of Swansea;

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invest trust money and any mortgage bond debenture debenture stock stock or other security (not being annuity certificates rentcharges or securities payable to bearer) authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation in Great Britain (other than the Corporation) or of any other local authority as defined by section 34 of the Local Loans Act 1875;

“The Act of 1892” and “the Act of 1902” mean respectively the Swansea Corporation Water Act 1892 and the Swansea Corporation Water Act 1902.

WORKS.

Power to
make water-
works.

4. Subject to the provisions of this Act the Corporation may in the counties of Brecknock and Glamorgan and in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make and maintain the following works shown on the deposited plans and sections and may enter on take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for those purposes (that is to say):—

A service reservoir (to be called “the Morriston service reservoir”) to be situate in the parish of Clase Rural in the rural district of Swansea in the county of Glamorgan in fields adjoining the south side of the public highway leading from Morriston to Llangyfelach and numbered 1191 1192 and 1193 on the $\frac{1}{2500}$ Ordnance map of the said parish (1899 edition):

A break-pressure tank (to be called “the Penycae tank”) to be situate in the parish of Ystradgynlais Higher in the rural district of Ystradgynlais in the county of Brecknock in fields adjoining the north side of the public highway leading from Swansea to Brecon and numbered 124 and 125 on the $\frac{1}{2500}$ Ordnance map of the said parish (1878 edition):

An aqueduct consisting of one or more lines of pipes (to be called “Aqueduct No. 1”) commencing by a junction with an existing water main in the borough at a point

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invest trust money and any mortgage bond debenture debenture stock stock or other security (not being annuity certificates rentcharges or securities payable to bearer) authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation in Great Britain (other than the Corporation) or of any other local authority as defined by section 34 of the Local Loans Act 1875;

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An aqueduct consisting of one or more lines of pipes (to be called “Aqueduct No. 1”) commencing by a junction with an existing water main in the borough at a point

where the north end of Graig Road joins Duke Street Morriston and terminating in the Morriston service reservoir :

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An aqueduct consisting of one or more lines of pipes (to be called "Aqueduct No. 2") commencing in the borough by a junction with the existing water main of the Corporation at the top or west end of Edward Street Morriston and terminating in the Morriston service reservoir :

An aqueduct consisting of one or more lines of pipes (to be called "Aqueduct No. 3") commencing in the Morriston service reservoir and terminating in the Penycac tank :

An aqueduct consisting of one or more lines of pipes (to be called "Aqueduct No. 4") commencing in the Penycac tank and terminating in the parish of Trayanglas in the rural district of Brecon in the county of Brecknock in the existing gauge basin of the Corporation :

Together with all necessary or proper cuts channels conduits culverts pipes junctions outfalls discharge-pipes sluices valves gauges meters filter-beds tanks basins dams roads approaches railways sidings engines pumps machinery buildings appliances apparatus works and conveniences in connection with or subsidiary to the before-mentioned works or any or either of them.

5. For the protection of the Swansea Gas Light Company (in this section called "the gas company") the following provisions shall unless otherwise agreed between the Corporation and the gas company apply and have effect (that is to say) :—

For protection of Swansea Gas Light Company.

(1) Before executing any works by this Act authorised the execution of which will interfere with any mains pipes syphons tubes or other works (in this section called "apparatus") of the gas company the Corporation shall (except in case of emergency) deliver to the gas company a notice of the intention to execute such works accompanied by plans and sections thereof and such notice plans and sections shall (except as aforesaid) be delivered to the gas company at least twenty-eight days before the execution of such works and any interference with the apparatus of the gas company shall be effected to the reasonable satisfaction of the gas company and under their superintendence if such superintendence be given :

where the north end of Graig Road joins Duke Street Morriston and terminating in the Morriston service reservoir :

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An aqueduct consisting of one or more lines of pipes (to be called "Aqueduct No. 2") commencing in the borough by a junction with the existing water main of the Corporation at the top or west end of Edward Street Morriston and terminating in the Morriston service reservoir :

An aqueduct consisting of one or more lines of pipes (to be called "Aqueduct No. 3") commencing in the Morriston service reservoir and terminating in the Penycae tank :

An aqueduct consisting of one or more lines of pipes (to be called "Aqueduct No. 4") commencing in the Penycae tank and terminating in the parish of Trayanglas in the rural district of Brecon in the county of Brecknock in the existing gauge basin of the Corporation :

Together with all necessary or proper cuts channels conduits culverts pipes junctions outfalls discharge-pipes sluices valves gauges meters filter-beds tanks basins dams roads approaches railways sidings engines pumps machinery buildings appliances apparatus works and conveniences in connection with or subsidiary to the before-mentioned works or any or either of them.

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(2) If in the execution of the said works the Corporation shall injure any apparatus of the gas company the Corporation shall pay compensation to the gas company in respect of such injury and the amount of such compensation shall unless otherwise agreed be determined by arbitration :

(3) If any difference shall arise with respect to any matter under this section between the Corporation and the gas company the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to every such reference.

For protec-
tion of Mid-
land Railway
Company.

6. In executing the works of the Aqueduct No. 3 by this Act authorised where the same will cross under or affect the railway and property of the Midland Railway Company (hereinafter called "the company") the Corporation shall be subject to the following conditions except so far as may be otherwise agreed between the Corporation and the company (that is to say):—

(1) The works shall be executed by the Corporation under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer for the time being of the company in a manner and according to plans and drawings to be previously submitted to and reasonably approved by him or (in case of difference) determined by arbitration as hereinafter provided. Provided that if within fourteen days after such plans and drawings have been submitted or sent by post to the said principal engineer he shall fail to signify to the Corporation his objections thereto he shall be deemed to have approved thereof :

(2) The Corporation shall construct and maintain such works so as to cause no avoidable injury to the railway works or property of the company or interruption to the passage or conduct of traffic over the railway :

(3) The Corporation shall acquire only such an easement under the railway works and property of the company as may be necessary for constructing or maintaining the works by this Act authorised and shall pay to the company for such easement to be acquired by

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- (2) If in the execution of the said works the Corporation shall injure any apparatus of the gas company the Corporation shall pay compensation to the gas company in respect of such injury and the amount of such compensation shall unless otherwise agreed be determined by arbitration :
- (3) If any difference shall arise with respect to any matter under this section between the Corporation and the gas company the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to every such reference.

For protection of Midland Railway Company.

6. In executing the works of the Aqueduct No. 3 by this Act authorised where the same will cross under or affect the railway and property of the Midland Railway Company (hereinafter called "the company") the Corporation shall be subject to the following conditions except so far as may be otherwise agreed between the Corporation and the company (that is to say):—

- (1) The works shall be executed by the Corporation under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer for the time being of the company in a manner and according to plans and drawings to be previously submitted to and reasonably approved by him or (in case of difference) determined by arbitration as hereinafter provided. Provided that if within fourteen days after such plans and drawings have been submitted or sent by post to the said principal engineer he shall fail to signify to the Corporation his objections thereto he shall be deemed to have approved thereof :
- (2) The Corporation shall construct and maintain such works so as to cause no avoidable injury to the railway works or property of the company or interruption to the passage or conduct of traffic over the railway :
- (3) The Corporation shall acquire only such an easement under the railway works and property of the company as may be necessary for constructing or maintaining the works by this Act authorised and shall pay to the company for such easement to be acquired by

them such a sum as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Acts: A.D. 1905.

- (4) Nothing in this Act contained shall prejudice or affect the provisions of the agreement dated the twenty-second day of November eighteen hundred and ninety-five made between the company of the one part and the Corporation of the other part:
- (5) Any dispute or difference which may arise between the company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the company or the Corporation and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

7. For the protection of the Great Western Railway Company (in this section referred to as "the Great Western Company") the following provisions shall apply except so far as may be otherwise agreed between the Great Western Company and the Corporation (that is to say):— For protection of Great Western Railway Company.

- (1) Notwithstanding anything in this Act contained or shown upon the deposited plans and sections the Corporation shall not enter upon take or use any part of the canals bridges approaches works lands or property of the Great Western Company except so far as may be necessary for carrying Aqueduct No. 3 by this Act authorised across over or under the Swansea Canal of the Great Western Company and the said aqueduct shall be constructed maintained altered or renewed under the superintendence (if the same be given) and to the reasonable satisfaction of the engineer of the Great Western Company and only in accordance with plans and sections previously submitted to and reasonably approved by him or in case of difference by an arbitrator appointed as hereinafter provided Provided that if such engineer shall not have expressed his approval or disapproval of such plans and sections within twenty-eight days after the same shall have been submitted to him he shall be deemed to have approved thereof:

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- (4) Nothing in this Act contained shall prejudice or affect the provisions of the agreement dated the twenty-second day of November eighteen hundred and ninety-five made between the company of the one part and the Corporation of the other part:
- (5) Any dispute or difference which may arise between the company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the company or the Corporation and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

7. For the protection of the Great Western Railway Company (in this section referred to as "the Great Western Company") the following provisions shall apply except so far as may be otherwise agreed between the Great Western Company and the Corporation (that is to say):— For protection of Great Western Railway Company.

- (1) Notwithstanding anything in this Act contained or shown upon the deposited plans and sections the Corporation shall not enter upon take or use any part of the canals bridges approaches works lands or property of the Great Western Company except so far as may be necessary for carrying Aqueduct No. 3 by this Act authorised across over or under the Swansea Canal of the Great Western Company and the said aqueduct shall be constructed maintained altered or renewed under the superintendence (if the same be given) and to the reasonable satisfaction of the engineer of the Great Western Company and only in accordance with plans and sections previously submitted to and reasonably approved by him or in case of difference by an arbitrator appointed as hereinafter provided Provided that if such engineer shall not have expressed his approval or disapproval of such plans and sections within twenty-eight days after the same shall have been submitted to him he shall be deemed to have approved thereof:

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- (2) Such aqueduct and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to the canal bridges approaches works lands or property of the Great Western Company and so as to cause no interruption to the passage or conduct of traffic over and along such canal:
- (3) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works and matters aforesaid or the failure of the said aqueduct or works the Corporation shall make full compensation to the Great Western Company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration in the manner hereinafter provided:
- (4) The Corporation shall acquire only such an easement across over or under the canal works or property of the Great Western Company as may be necessary for constructing maintaining repairing renewing altering inspecting and obtaining access to the said aqueduct or works of the Corporation and shall pay to the Great Western Company for any such easement to be acquired by them such sum either annual or otherwise as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Acts with respect to the acquisition of lands otherwise than by agreement and for the purposes of such arbitration the easement so to be taken shall be deemed to be lands so far as respects the proceedings for the acquisition thereof and also for the purposes of such arbitration:
- (5) If the Great Western Company in the exercise of any powers now vested in them at any time or times hereafter require (of which they shall be the sole judges) to construct any additional or other works upon their canal and lands or to alter or repair their canal bridges or works upon over or under which any of the works of the Corporation may have been constructed or laid the Great Western Company may on giving to the Corporation fourteen days' notice in writing under the hand of their secretary or general manager and in case of emergency on giving the longest notice practicable divert support or carry the

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- (5) If the Great Western Company in the exercise of any powers now vested in them at any time or times hereafter require (of which they shall be the sole judges) to construct any additional or other works upon their canal and lands or to alter or repair their canal bridges or works upon over or under which any of the works of the Corporation may have been constructed or laid the Great Western Company may on giving to the Corporation fourteen days' notice in writing under the hand of their secretary or general manager and in case of emergency on giving the longest notice practicable divert support or carry the

said works of the Corporation across over or under their canal bridges works or lands at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit without causing any interruption in the flow of water through the said aqueduct and doing as little damage as may be without being liable to pay compensation in respect of such diversion supporting carrying or dealing with such works :

- (6) Except as in this section otherwise provided any dispute or difference which may arise between the Great Western Company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the Great Western Company and the Corporation or either of them and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

8. In the construction of the works authorised by this Act the Corporation 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 four feet upwards and to any extent downwards Provided that except for the purpose of crossing over a stream no part of the aqueducts shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Power to deviate.

9.—(1) The Corporation may in lieu of acquiring any lands for the purpose of the aqueducts or other works authorised by this Act acquire such easements and rights in such lands as they may require for the purpose of making maintaining using cleansing repairing renewing and enlarging the said works and of obtaining access thereto and may give notice to treat in respect of such easements and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts shall apply to such easements and rights as fully as if the same were lands within the meaning of those Acts.

Power to acquire easements only.

said works of the Corporation across over or under their canal bridges works or lands at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit without causing any interruption in the flow of water through the said aqueduct and doing as little damage as may be without being liable to pay compensation in respect of such diversion supporting carrying or dealing with such works :

- (6) Except as in this section otherwise provided any dispute or difference which may arise between the Great Western Company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the Great Western Company and the Corporation or either of them and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

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Power to acquire easements only.

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(2) Provided that nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation 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 shall contain or be endorsed with notice of this provision.

(3) Provided also that as regards any lands taken or used by the Corporation for the purpose of such works where they are respectively laid underground the Corporation shall not (unless they give notice to treat for such lands and not merely for easements or rights therein) 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 have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Corporation.

(4) Where any aqueduct authorised by this Act is to be constructed alongside any aqueduct constructed in pursuance of the Act of 1892 and the Corporation have under the last-mentioned Act acquired an easement or right in regard to the construction of more than one line of pipes they may exercise such easement or right within the limits of the grant for the purposes of the aqueduct authorised by this Act as if it had been authorised by the Act of 1892.

Period for completion of works.

10. If the works authorised by this Act are not completed within seven 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 shall cease except as to such of them or so much thereof as shall then be completed. Provided that the Corporation may extend enlarge alter reconstruct renew or remove any of their works and plant and in the case of the aqueducts authorised by this Act lay down additional lines of pipes as and when occasion may require.

Temporary discharge of water into streams.

11.—(1) For the purpose of constructing enlarging extending repairing cleansing or examining any aqueduct reservoir or tank authorised by this Act the Corporation may cause the water in such aqueduct reservoir or tank to be temporarily discharged into any available stream or watercourse.

A.D. 1905.

(2) Provided that nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation 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 shall contain or be endorsed with notice of this provision.

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Temporary discharge of water into streams.

11.—(1) For the purpose of constructing enlarging extending repairing cleansing or examining any aqueduct reservoir or tank authorised by this Act the Corporation may cause the water in such aqueduct reservoir or tank to be temporarily discharged into any available stream or watercourse.

(2) In the exercise of the power conferred by this section the Corporation 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.

A.D. 1905.

12.—(1) 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 aqueducts authorised by this Act and of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Corporation may and which they are hereby authorised to erect or lay down for the purposes of their water undertaking.

Application of Waterworks Clauses Act 1847 to conduits discharge pipes and telephones.

(2) Provided that no telephonic or telegraphic apparatus made and maintained under the authority of this Act shall be used for the purpose of transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

13.—(1) The Corporation may enter into and carry into effect agreements with any local authority company or person for the time being authorised by Act of Parliament whether general or local or by provisional order confirmed by Parliament to supply water in any district beyond the limits within which the Corporation are empowered to supply water for the supply of water by the Corporation to such authority company or person in bulk for any purpose and for such remuneration and upon and subject to 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 the local authority of the district in which the water is to be supplied nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of the Corporation for the supply of water.

Contracts for supplying water in bulk.

(2) For the purpose of enabling the Corporation to give a supply of water under this section the Corporation shall have and may exercise any of the powers of the Public Health Acts in regard to the construction and maintenance of waterworks (including the powers of a local authority for carrying water mains without their district) and the purposes of this section shall be deemed to be purposes of those Acts.

(2) In the exercise of the power conferred by this section the Corporation 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.

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A.D. 1905.

Works to
form part of
undertaking.

14. The works authorised and the powers conferred upon the Corporation by this Act shall be deemed part of the water undertaking of the Corporation but nothing contained in this Act in regard to the construction of waterworks or in regard to the expenditure of capital for the purposes of the waterworks authorised by this Act shall vary or affect the provisions of section 30 (As to supply to local authorities) of the Act of 1892.

Application
of provisions
as to lands
and works of
Swansea Cor-
poration Act
1902.

15. The following sections of the Swansea Corporation Act 1902 shall with any necessary modifications extend and apply to the exercise of the powers of this Act in the same manner as if those sections had been re-enacted in this Act (namely):—

Section 46 (Period for compulsory purchase of lands);

Section 50 (Persons under disability may grant easements &c.);

Section 51 (Power to purchase additional lands by agreement and to appropriate lands);

Section 57 (Power to retain sell &c. lands);

Section 58 (Proceeds of sale of surplus lands).

FINANCE AND MISCELLANEOUS.

Power to
borrow.

16.—(1) The Corporation may independently of any other borrowing power borrow at interest money for the following purposes (that is to say):—

(a) For the purchase of lands for and for the construction of the waterworks authorised by this Act and for other the purposes of the water undertaking of the Corporation (including the completion of the works authorised by the Act of 1892) the sum of two hundred and fifty thousand pounds;

(b) For paying the costs charges and expenses of this Act as hereinafter 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.

(2) In order to secure the repayment of the money borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge the revenue of the water undertaking of the Corporation and as a collateral security the district fund and general district rate or either of such securities.

A.D. 1905.

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and with the consent of the Local Government Board such further money as may be necessary for any of the purposes of this Act.

(2) In order to secure the repayment of the money borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge the revenue of the water undertaking of the Corporation and as a collateral security the district fund and general district rate or either of such securities.

(3) The Corporation shall pay off all money borrowed by them under this section within the respective periods (in this Act referred to as "the prescribed periods") following (that is to say):—

A.D. 1905.

As to money borrowed for the purposes (a) within thirty years from the date or dates of borrowing the same;

As to money borrowed for the purpose (b) within five years from the passing of this Act;

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

17. The following sections of the Act of 1902 shall with any necessary modifications extend and apply to the exercise of the powers of this Act in the same manner as if those sections had been re-enacted in this Act (namely):—

Application of financial provisions of Act of 1902.

Section 11 (Certain regulations of Public Health Act 1875 as to borrowing not to apply);

Section 12 (Mode of raising money);

Section 13 (Provisions of Public Health Act as to mortgages to apply);

Section 15 (Mode of payment off of money borrowed);

Section 18 (Sinking fund);

Section 19 (Protection of lender from inquiry);

Section 20 (Corporation not to regard trusts);

Section 21 (Appointment of receiver);

Section 22 (Power to re-borrow);

Section 23 (Return respecting sinking fund to Local Government Board);

Section 24 (Application of money borrowed);

Section 26 (Inquiries by Local Government Board).

18. Any expenses incurred by the Corporation in the execution of the Acts relating to their water undertaking (other than expenses which are defrayed out of the revenue of that undertaking or out of borrowed money or for which other provision is made) shall be defrayed out of the district fund and general district rate.

Expenses of water undertaking.

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Expenses of water undertaking.

[Ch. xciv.] *Swansea Corporation Water Act, 1905.* [5 EDW. 7.]

A.D. 1905.
Costs of Act.

19. All the 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 Corporation out of the borough fund or out of moneys borrowed under the provisions of this Act.

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