



CHAPTER clxi.

An Act to empower the lord mayor aldermen and citizens of the city of Cardiff to construct and maintain additional waterworks and to make further provision for the improvement health and good government of the city and for other purposes. [25th November 1909.] A.D. 1909.

WHEREAS the city of Cardiff is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and the lord mayor aldermen and citizens of the city (in this Act called "the Corporation") acting by the council are the urban sanitary authority and the burial board for the city and are also the port sanitary authority for the port sanitary district of Cardiff:

And whereas by Royal Charter dated the twenty-eighth day of October one thousand nine hundred and five it was ordained constituted declared and appointed that the borough of Cardiff should thenceforward for the future and for ever thereafter be a city and should be called and styled the city of Cardiff instead of the borough of Cardiff and should have all such rank liberties privileges and immunities as were incident to a city and it was further declared and directed that the mayor aldermen and burgesses of the borough of Cardiff should thenceforth and by virtue of the said Charter be one body politic incorporate by the name and style of "the lord mayor aldermen and citizens of the city of Cardiff" with all such and the same powers and privileges as they would have had as the mayor aldermen and burgesses of the said borough and as if they had been incorporated by the name of "the lord mayor aldermen and citizens of the city of Cardiff" instead of "the mayor aldermen and burgesses of the borough of Cardiff":

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And whereas the city has a separate commission of the peace and a separate court of quarter sessions and police force:

And whereas the Corporation have adopted the provisions of the Museums and Gymnasiums Act 1891 (so far as it relates to museums only) and those provisions are accordingly in force in the city:

And whereas the several local Acts and Provisional Orders confirmed by Parliament mentioned in the First Schedule to this Act are (save so far as any of them is amended by any later Act or Order among the same) in force within the city which Acts and Orders are in this Act collectively referred to as the former Acts and each of them separately as an Act or Order of the year in which the same was passed or made:

And whereas the Corporation are the owners of the water undertaking of the city and under the powers of the Acts of 1853 1860 1878 1879 1884 and 1894 and the Order of 1902 supply water to the city and certain parishes and places adjacent thereto in the county of Glamorgan:

And whereas by the Act of 1879 the Corporation were empowered to acquire the waterworks of the Cardiff Waterworks Company and to borrow for that purpose and for the construction of additional waterworks the sum of four hundred and seventy thousand pounds:

And whereas by the Act of 1884 the Corporation were empowered to construct additional waterworks and to obtain a supply of water from the River Taff Fawr in the county of Brecknock and to raise and borrow for the purposes of their waterworks undertaking three hundred and sixty thousand pounds:

And whereas by the Act of 1894 the Corporation were empowered to make certain alterations in the waterworks authorised by the Act of 1884 and to raise and borrow for the purposes of their waterworks undertaking the sum of three hundred and fifty thousand pounds and such further sums as might from time to time be sanctioned by the Local Government Board:

And whereas by the Order of 1902 the Corporation were authorised with the sanction of the Local Government Board to borrow such sums as might be necessary for the purposes of the water undertaking in addition to the moneys authorised to be borrowed for those purposes by the Acts of 1879 1884 and 1894:

And whereas the Corporation have up to the first day of November one thousand nine hundred and eight expended upon their waterworks undertaking the sum of one million two hundred and fifty-nine thousand eight hundred and sixty-nine pounds two shillings and fivepence and they are about to proceed with the construction of the Reservoir No. 3 authorised by the Act of 1884 and it is expedient that the Corporation be authorised to alter and enlarge the said reservoir to construct additional conduits and road diversions and to exercise other powers in connection with their waterworks undertaking:

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And whereas it is expedient that the Corporation should be authorised to acquire lands in the county of Brecknock adjacent to their reservoirs and works and that other provisions for the protection of and otherwise in relation to the waterworks undertaking of the Corporation should be made:

And whereas by the Act of 1901 the Corporation were authorised to construct certain sewers and other works and to acquire lands and easements and to borrow a sum not exceeding one hundred and eighty-six thousand pounds and all the lands and easements required for the purposes of the said sewers and works have been acquired and the Corporation are proceeding with the construction of the said sewers and works and had up to the first day of November one thousand nine hundred and eight expended for the purposes of the said Act the sum of one hundred and forty-six thousand four hundred and eighty-one pounds:

And whereas the period limited by the Act of 1901 for the completion of the said sewers and works expired on the second day of July one thousand nine hundred and eight and it is expedient that the said period be extended:

And whereas the Corporation have invested in the purchase of a sum of one hundred thousand pounds £2 10s. per cent. consolidated stock the sum of eighty-nine thousand three hundred and four pounds borrowed by them under the powers of the Act of 1901 and a loss may accrue to the Corporation on the sale of the said stock owing to depreciation in value thereof and it is expedient that the Corporation be authorised to borrow a sum equivalent to the amount of such loss when ascertained:

And whereas it is expedient that provision be made for the more uniform and economical assessment and collection of rates water rents and electric lighting charges within the city:

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And whereas the Corporation are the owners of a museum called "the Welsh Museum of Natural History Arts and Antiquities" and have levied a rate under the powers conferred upon them by the Museums and Gymnasiums Act 1891 for the maintenance thereof:

And whereas the Corporation undertook previously to the founding of "the National Museum of Wales" which was incorporated by Royal Charter on the nineteenth day of March one thousand nine hundred and seven to transfer to the said National Museum of Wales when founded the collection appertaining to the said Welsh Museum of Natural History Arts and Antiquities and to apply the said rate so levied as aforesaid for the annual maintenance of the said National Museum of Wales and also to promote a Bill in Parliament to confer upon them such powers as might be necessary or expedient for carrying out the said last-mentioned undertaking and it is expedient that the powers contained in this Act in relation thereto should be conferred upon the Corporation:

And whereas it is expedient that further powers be granted to the Corporation for the borrowing of money:

And whereas the Corporation under powers conferred upon them by section 64 (Powers of Corporation as to markets &c. and slaughter-houses) of the Act of 1875 are the owners of a market situate at Canton in the city of Cardiff and the Corporation have discontinued the fairs formerly held in connection with the said market and are desirous of transferring the said market to another site belonging to them hereinafter described:

And whereas it is expedient to enable the Corporation to appropriate and use such other site for markets as hereinafter enacted:

And whereas it is expedient that further powers be granted to the Corporation in relation to their electric light undertaking and for the improvement and better government of the city and for the protection of the health of the inhabitants and that the former Acts be in divers particulars altered and amended and the powers thereof extended as in this Act provided:

And whereas plans and sections showing the lines situation and levels of the works authorised by this Act and plans showing the lands which the Corporation may acquire under the powers of this Act and a book of reference to such plans containing the names of the owners or reputed owners lessees or reputed lessees

and of the occupiers of all such lands and describing the same have been deposited with the clerk of the peace for the county of Brecknock which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference : A.D. 1909.

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

And whereas an estimate has been prepared by the Corporation for the purchase of lands and easements and for the execution of the works by this Act authorised for the purposes of the waterworks undertaking and such estimate amounts to two hundred and seventy-two thousand pounds :

And whereas the several works included in such estimate 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 fourteenth day of December one thousand nine hundred and eight after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Western Mail* a newspaper published or circulating in the city (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged as to three-fourths thereof on the water revenue as to one-eighth thereof on the borough fund and as to one-eighth on the district fund :

And whereas such resolution was published twice in the said *Western Mail* a newspaper published and circulating in the city 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 fourth day of January one thousand nine hundred and nine 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 :

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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 Cardiff Corporation Act 1909.

Act divided into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Water.

Part III.—Lands.

Part IV.—Rates.

Part V.—Finance.

Part VI.—National Museum of Wales.

Part VII.—Milk.

Part VIII.—Sanitary.

Part IX.—Miscellaneous.

Incorporation of Acts.

3. 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):—

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; and

(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;

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

Sections 30 to 44 of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands

near the railway during the construction thereof Provided that in the construction of the said sections "the Company" shall mean the Corporation "the railway" shall mean the reservoir by this Act authorised to be enlarged and altered and the works connected therewith and "the centre of the railway" shall mean the centre line of embankment of the said reservoir. A.D. 1909.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction And the expression— Interpretation.

"The city" means the city and county borough of Cardiff;

"The Corporation" means the lord mayor aldermen and citizens of the city;

"The council" means the council of the city;

"The borough fund" and "the borough rate" mean respectively the borough fund and the borough rate of the city;

"The district fund" and "the general district rate" mean respectively the district fund and the general district rate of the city;

"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

"The town clerk" means the town clerk of the city:

"The medical officer" means the medical officer of health of the city and includes any person authorised to act temporarily as medical officer of health;

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“The overseers” means the overseers of the parish of Cardiff;

“Water revenue” means all moneys received for or in relation to a supply of water other than borrowed moneys and other moneys which ought to be carried to the account of capital.

PART II.

WATER.

Power to
make works.

5. Subject to the provisions of this Act the Corporation may wholly in the county of Brecknock and in the lines and situation and upon the lands delineated 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 impounding reservoir in the valley of the River Taff Fawr (to be called the Llwyn-on Reservoir) situate in the parishes of Vaynor and Penderyn and consisting of an alteration or enlargement of the Reservoir No. 3 authorised by the Act of 1884 to be formed by a dam or embankment crossing the River Taff Fawr at a point about 67 chains southward measured in a direct line from Pont-ar-daf Bridge:

Work No. 2 A diversion wholly in the parish of Vaynor of the road leading from Brecon to Merthyr Tydfil commencing at a point on that road about 7 chains northward from Llwyn-on Cottage and terminating at a point on the said road about 5 chains southward from Aber Car Bridge:

Work No. 3 An alteration and diversion of the roads on the western side of the intended reservoir and the substitution therefor of a new road wholly in the parish of Penderyn commencing by a junction with the road leading from Pont-y-Capel to Penderyn at a point thereon about 4 chains south-westward of the Troed-y-rhiw Farm House and terminating by a junction with the road leading from Penderyn to Brecon at a point thereon about 6 chains north from the farm house known as Pen-y-bont:

Work No. 4 A diversion of the said road leading from Penderyn to Brecon commencing in the parish of Penderyn

by a junction with the said road at a point thereon about 7 chains north from Pen-y-bont Farm House and terminating in the parish of Vaynor by a junction with the said road at a point thereon about 16 chains north-east from the centre of Pont-ar-daf Bridge: A.D. 1909.

Work No. 5 A new road commencing in the parish of Vaynor by a junction with the aforesaid road from Brecon to Merthyr Tydfil at a point thereon about 9 chains southward from the said Llwyn-on Cottage and crossing over the dam or embankment hereinbefore described and terminating in the parish of Penderyn by a junction with the intended new road Work No. 3 at a point thereon about 9 chains north from the point hereinbefore described as the commencement of that road:

Work No. 6 A conduit or line or lines of pipe commencing in the parish of Vaynor at the foot of the said dam or embankment near the eastern end thereof thence running in a southerly direction crossing the River Taff Fawr to its western side into the parish of Penderyn and along or under the existing line of railway belonging to the Corporation to a point opposite the Cefn Relieving Tank thence recrossing the River Taff Fawr in an easterly direction into the parish of Vaynor and terminating in the said parish in the said relieving tank:

Work No. 7 A conduit or line or lines of pipe commencing in the parish of Vaynor at the foot of the said dam or embankment near the eastern end thereof and terminating in the parish of Vaynor on the eastern bank of the River Taff Fawr at a point about 21 chains south-west from the eastern end of the said dam or embankment and about 23 chains south-east from the western end of the said dam or embankment.

In addition to the foregoing works the Corporation may upon the said lands make and maintain all such cuts channels catchwaters 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 telegraphs telephones and other means of electric communication engines machinery and appliances as may be necessary or convenient in connection with or subsidiary to the before-mentioned works or every or either of them but nothing in this section shall exonerate the Corporation from any action

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Provided that the telegraphs telephones and other means of electric communication referred to in this section shall be confined to the works authorised by this Act or other works of which they are enlargements and shall not be used in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

As to diversion of water.

6. The Corporation may divert and impound into the reservoir and works by this Act authorised to be altered and enlarged any water which they are now authorised to take but nothing in this Act shall authorise the Corporation to take any water which they are not now authorised to take.

New waterworks to form part of waterworks undertaking of Corporation.

7. Subject to the provisions of this Act the waterworks to be constructed under the authority of or sanctioned by this Act shall for all purposes whatsoever (inclusive of water rents rates and charges) be deemed part of the waterworks undertaking of the Corporation as if they had been authorised by or included or referred to in the former Acts and the Llwyn-on Reservoir by this Act authorised shall be substituted for the Reservoir No. 3 authorised by the Act of 1884 and the provisions of that Act shall subject to the provisions of this Act be read and have effect accordingly.

Limits of deviation.

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 in the case of the reservoir five feet upwards and five feet downwards and in the case of other works five feet upwards and ten feet downwards Provided as follows (that is to say):—

The Corporation shall not construct any embankment or wall of the reservoir of a greater height above the general surface of the ground than that shown on the deposited sections in respect of the corresponding embankment or wall and five feet in addition:

Except for the purposes 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.

9. Notwithstanding anything contained in section 10 (As to compensation water) of the Act of 1884 the Corporation as from the date when they commence to take and impound into the Llwyn-on Reservoir the water which they are by the said Act authorised to take shall cease to be under any obligation to discharge any water from the Cantreff Reservoir by that Act authorised except to the extent of fifty-six cubic feet of water per minute.

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As to compensation water.

But the obligation imposed upon the Corporation by subsection 4 of the said section 10 to discharge below the embankment of Reservoir No. 3 the full quantities of three hundred and thirty-one cubic feet of water per minute and five hundred and thirty cubic feet of water per minute shall continue to have full force and effect and shall apply to the Llwyn-on Reservoir as authorised by this Act.

10. Any duly authorised officer of the Board of Agriculture and Fisheries may inspect and examine any gauge constructed in pursuance of section 10 of the Act of 1884.

Right to inspect gauges.

11. Subject to the provisions of this Act the Corporation may stop up and cause to be discontinued as a road so much of each of the existing roads which they are by this Act authorised to divert and alter as will be rendered unnecessary by the new portions of road shown on the said plans to be substituted therefor.

Power to stop up roads.

12. Where this Act authorises the diversion of a road and the stopping up of an existing road or portion thereof such stopping up shall not take place until two justices shall have certified that the new road has been completed to their satisfaction and is open for public use.

Stopping up road in case of diversion.

Before applying to the justices for their certificate the Corporation shall give to the road authority of the district in which the existing road is situate seven days' notice in writing of their intention to apply for the same.

As from the date of the said certificate all rights of way over or along the existing road or portion shall be extinguished and the Corporation may subject to the provisions of the Waterworks Clauses Act 1847 with respect to mines appropriate and use for the purposes of their undertaking the site of the portion of road stopped up as far as the same is bounded on both sides by lands of the Corporation:

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Provided that the Corporation shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Limitation
of time for
construction
of reservoir.

13. If the reservoir (Work No. 1) by this Act authorised be not completed within the period of ten years from the passing of this Act the powers of the Corporation for the construction of the said reservoir shall cease.

As to charges
for water
outside city.

14. From and after the first day of January one thousand nine hundred and nineteen subsection (5) of section 16 of the Act of 1884 shall be read and have effect as if the words "twelve and a half per centum" had been substituted for the words "twenty-five per centum" and as from the said date the charge for water supplied in bulk by the Corporation to the Llandaff and Dinas Powis Rural District Council shall not exceed the sum of ninepence per one thousand gallons.

For pro-
tection of
Breconshire
County
Council.

15. For the protection of the Breconshire County Council (hereinafter in this section called "the Breconshire Council") and of the inhabitants of the county of Brecon the following provisions shall unless otherwise agreed in writing between the Breconshire Council and the Corporation have effect (that is to say):—

- (1) The road diversion (Work No. 2) by this Act authorised shall be constructed of an uniform width throughout in the clear of thirty-two feet and with a properly metalled surface of not less than sixteen feet:
- (2) The bridge for carrying the road diversion (Work No. 4) by this Act authorised over the River Taff Fawr shall be constructed in all respects to the reasonable satisfaction of the surveyor (hereinafter defined) and the span of waterway of the bridge shall be at least equivalent to the waterway afforded by the existing bridge and the width of the roadway over the said bridge shall not be less than sixteen feet between the parapets:
- (3) Fourteen days before the Corporation commence the construction of any of the road diversions or new road

(Works Nos. 2 4 and 5) by this Act authorised they shall give notice in writing of their intention to commence the same to the surveyor who shall be entitled to superintend the construction of such works and the works shall be constructed and completed in all respects to the reasonable satisfaction of the surveyor: A.D. 1909.

- (4) Before applying to the justices for their certificate under the provisions of the section of this Act of which the marginal note is "Stopping up road in case of diversion" the Corporation shall give to the Breconshire Council fourteen days' notice in writing of their intention to apply for the same:
- (5) The said road diversions new road and bridge shall for a period of twelve months after the completion of the works authorised by this Act be maintained in repair to the satisfaction of the Breconshire Council by and at the cost of the Corporation and from and after the expiration of the said period of twelve months the said road diversions new road and bridge shall be maintained in repair by and at the expense of the authority by whom or at whose expense the road in substitution for which the road diversion or new road was made was repairable:
- (6) Before commencing the haulage of materials and things for the execution of the works by this Act authorised as would amount to extraordinary traffic on or over any main roads (hereinafter defined) the Corporation shall give notice in writing to the surveyor of the route along which such haulage is to take place and so far as may be reasonably practicable shall comply with his directions in respect thereof and will pay to the Breconshire Council the additional cost which may have been incurred by them in the maintenance and repair of such road owing to or arising out of the conduct of such extraordinary traffic the amount of such payment to be settled by agreement between the surveyor of the Corporation and the surveyor of the Breconshire Council or failing agreement under the provisions of subsection (16) of this section:
- (7) The Corporation shall pay to the Breconshire Council the reasonable costs of the surveyor in superintending

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any works of the Corporation under the provisions of this section :

- (8) The Corporation shall during such period as the works in the county of Brecon by this Act authorised are in process of construction pay to the Breconshire Council the cost of maintaining such an additional number of police as the standing joint committee of the county reasonably think necessary for the due preservation of order and the Corporation shall provide a suitable dwelling for a police constable and a lock-up at such places respectively as may be agreed upon or failing agreement as may be settled under the provisions of subsection (16) of this section :
- (9)—(A) The Corporation shall during the progress of the works at their own cost in all things provide suitable temporary buildings in the neighbourhood of the works for the purpose of a public elementary school for the education of the children of workmen of the Corporation their contractors or agents in connection with the works and shall at the like cost properly equip and maintain the said school with any necessary teacher or teachers in accordance with the requirements of the Education Acts 1870 to 1907 or any Act amending the same and any Parliamentary grants received by the Breconshire Council in respect of any such children shall be paid by them to the Corporation ;
- (B) The Corporation shall also pay to the Breconshire Council any additional expenses (regard being had to any grants received by the Breconshire Council) reasonably incurred by the Breconshire Council in connection with the education at the Cefn Coed Schools of the Breconshire Council of the children of workmen of the Corporation their contractors or agents in connection with the works during the progress thereof Provided that the Corporation shall not be liable to pay for the cost of any permanent buildings or permanent enlargement of existing buildings ;
- (c) In the event of the Corporation making default in compliance with the terms of this subsection then the Corporation shall pay to the Breconshire Council all expenses reasonably incurred by that body under

the Education Acts 1870 to 1907 or any Act amending the same in or in connection with the education of the children of workmen of the Corporation their contractors or agents employed in or in connection with the said works Provided that in calculating any payment to be made under this subsection regard shall be had to any sums receivable by the Breconshire Council by way of parliamentary grants in respect of such children or dependents and any difference between the Breconshire Council and the Corporation under this subsection shall on the application of either authority be determined by the Board of Education whose decision shall be final: A.D. 1909.

- (10) If at any time during the construction of any works by this Act authorised any workmen or servants in the employ of the Corporation their contractors or agents shall become chargeable to the county of Brecon as pauper lunatics the Corporation shall pay all expenses and costs reasonably incurred at any time by the Breconshire Council in respect of the maintenance or otherwise of such pauper lunatics:
- (11) The Corporation or their contractors shall failing satisfactory arrangements being made by the Corporation with the mayor aldermen and burgesses of the borough of Merthyr for the reception whenever necessary at the Merthyr Isolation Hospital of servants and workmen employed by the Corporation and their contractors to the reasonable satisfaction of the medical officer of health for the county of Brecon erect fit up and maintain huts or other buildings required for the purposes of temporary isolation hospitals for the accommodation of any cases of infectious disease among the servants and workmen employed by the Corporation and their contractors and the Corporation shall provide and pay all reasonable costs in connection therewith (including the costs of providing all necessary and proper assistance of doctors surgeons and nurses) Any medical officer of health or other person authorised by the local sanitary authority acting in execution of the Public Health Acts for any district for which such huts or other buildings are erected and maintained shall be entitled at any time to enter

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into and inspect and examine any such huts or other buildings in order to ascertain that the same are provided with proper and sufficient sanitary arrangements and that overcrowding is not permitted therein. If such person be obstructed in the performance of his duty under this subsection the person so obstructing shall be liable on summary conviction to a fine not exceeding forty shillings. If the Corporation or their contractors fail to erect fit up and maintain such hospitals huts or other buildings as required by this subsection they shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding five pounds for every day on which the offence is continued after conviction and such penalties may be recovered by the local sanitary authority in whose district such hospitals huts or other buildings are required to be erected and maintained:

- (12) The Corporation shall in respect of all lands acquired by them in the county of Brecon be liable to pay all county rates leviable within the said county as if the Corporation were assessed in respect of such lands in the valuation list of such county in force at the time the Corporation acquired such lands whether such lands be occupied or vacant and shall continue liable to and pay all such rates until the works authorised by this Act are completed and assessed or liable to be assessed to such rates or until such of the lands as may not be required for the purposes of such works shall have been otherwise duly assessed or liable to be assessed and become liable to such rates:
- (13) The Corporation shall make full compensation to the Breconshire Council for all expenses reasonably incurred by them in relation to the reinstatement of any roads bridges or other works from time to time by reason or in consequence of the leaking bursting or giving way of the reservoir or either of the conduits by this Act authorised:
- (14) The Corporation shall unless prevented by frost unusual drought or other unavoidable accident and except during such period or periods when no water is being conveyed from any of their reservoirs situate in the

county of Brecon down through or along any of the conduits leading from such reservoirs whenever required by the Breconshire Council so to do supply at the conduit (1) To the Breconshire Council any water required for use within the Valley of the Taff Fawr for any of the purposes set forth in section 37 of the Waterworks Clauses Act 1847 for which the Breconshire Council may require a supply of water and also to any courthouses intermediate schools and school houses public and elementary schools situate within the said valley (2) To any sanitary authority within the said valley authorised to supply water who may demand the same such a daily quantity of water as such authority may from time to time require for use within the said valley The said water shall be supplied at a rate not exceeding one shilling per thousand gallons and for the purposes of this subsection the Valley of the Taff Fawr shall mean that portion of the Valley of the Taff Fawr as lies below the site of the Cantreff Reservoir authorised by the Act of 1884 and the county boundary but excluding the populous district of Cefn Coed-y-Cymmer lying beyond the northern boundary fences of the enclosures Numbers 373 374 374a and 376 on the $\frac{1}{2500}$ Ordnance map of the county of Brecknock edition 1904 sheet XLV. 16 All necessary communications and meters shall be made supplied fixed and maintained by the Corporation at the expense of the Breconshire Council or of such sanitary authority as aforesaid as the case may be:

- (15) In this section the expression "main road" means any main road for the time being vested in or under the control of the Breconshire Council The expression "county bridge" includes a main road bridge and the expression "the surveyor" means in relation to main roads or works affecting the same the county roads surveyor of the county of Brecon and in relation to county bridges or works affecting the same the county surveyor of the said county:
- (16) Any dispute or question arising under this section except under subsection (9) shall be settled by an engineer to be agreed upon between the Breconshire Council and

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the Corporation and failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party:

- (17) The provisions of this section shall be in addition to and not in derogation of any other provisions in this Act or any Act incorporated therewith which may enure for the protection or benefit of the Breconshire Council or to the inhabitants of the county of Brecon.

For protection of
Viscount
Tredegar.

16. For the protection of the Right Honourable Godfrey Charles Viscount Tredegar and his sequels in estate or other the owner or owners for the time being of the Tredegar Settled Estates (hereinafter referred to as "the owner") the following provisions shall unless otherwise agreed between the owner and the trustees of the Tredegar Settled Estates and the Corporation have effect (that is to say):—

- (1) Within six months after the completion and first filling with water of the Llwyn-on Reservoir by this Act authorised and before the Corporation diminish the flow of compensation water from the Cantreff Reservoir under the powers of this Act they shall purchase and the owner shall sell upon the terms and conditions set forth in the Second Schedule to this Act the property of the owner coloured pink on the plan signed by Charles John Edmonds Large on behalf of the owner and Joseph Larke Wheatley on behalf of the Corporation:
- (2) If the owner shall at any time by six months' notice in writing given so as to expire at or at any time after the date when the Corporation shall diminish the flow of compensation water as aforesaid so require the Corporation shall afford and the owner shall take and continue to take and pay for a supply of water by meter of such quantity not exceeding seven thousand gallons of water per week as the owner may by such notice require the Corporation to afford and the Corporation shall lay all necessary mains and pipes (other than pipes within the premises to be supplied) for affording such supply to such of the then existing houses farms and buildings of the owner as can be supplied by gravitation from the existing Taff Fawr Conduit of the Corporation and as the owner may by

the same notice specify as to be supplied and the owner shall pay and continue for a period of at least five years to pay for the supply by the said notice required to be given at the rate of one shilling per one thousand gallons of the amount so required to be supplied. Provided that the Corporation shall not be under obligation to afford such supply if prevented by frost unusual drought or other unavoidable accident or during any period or periods when no water is being conveyed through the Taff Fawr Conduit of the Corporation:

- (3) It shall be lawful for the owner his lessees and tenants to continue the drainage of all farms buildings and lands belonging to the owner as now enjoyed and if the Corporation require any alteration of or make any byelaws interfering with such drainage any additional expense incurred by the owner in carrying out such alterations and complying with such byelaws and of doing any other acts in order to provide an adequate and sufficient drainage for such farms buildings and lands shall be borne and paid by the Corporation:
- (4) The Corporation shall during the construction and repair of the works authorised by Part II. of this Act if required by the owner so to do pay to him the cost of the employment by him of one additional keeper or watcher for the protection of the game and for the prevention of poaching and trespassing on the lands of the owner and on or in any lands or waters over or in which the owner may possess sporting shooting or fishing rights and the Corporation and their contractors or sub-contractors shall not allow any person employed on the said works to keep any dog and if so required by the owner shall dismiss any such person found poaching or trespassing on or in such lands or waters or keeping a dog or to whom the owner may for any other reasonable cause object:
- (5) The Corporation shall not under any byelaws made under this Act prevent the washing of sheep in any place where it has been the practice of the owner or his tenants to wash sheep until they shall have provided and except while they maintain to the reasonable satisfaction of the owner for the use of

A.D. 1909.

the owner and his tenants a suitable washing-place as near as practicable to the existing washing-place upon the Nant Ddû Brook and the owner shall grant without payment therefor the easement or right which may be necessary for the construction and maintenance of the said sheep-washing place and the pipes or conduits therefrom to such point upon the main road leading from Brecon to Merthyr Tydfil as the Corporation may reasonably require:

- (6) Any difference which may at any time arise between the owner and the Corporation with respect to any question under this section shall be settled unless otherwise agreed in manner provided by the Arbitration Act 1889.

For protection of Merthyr Tydfil Corporation.

17. For the protection of the mayor aldermen and burgesses of the county borough of Merthyr Tydfil (in this Act called "the Merthyr Corporation") the following provisions shall have effect (that is to say):—

- (1) The Corporation shall not enter upon or interfere with any of the lands vested in the Merthyr Corporation or execute any works whatever under or affecting the same until they shall have delivered to the Merthyr Corporation plans and sections of such intended works and those plans and sections shall have been approved in writing by the engineer for the time being of the Merthyr Corporation or if he shall have failed for twenty-eight days after delivery of the plans and sections to approve the same or in case of his disapproval thereof within the said twenty-eight days until the same shall have been approved by an engineer to be appointed on the application of the Corporation by the President of the Institution of Civil Engineers and all the intended works shall be executed by the Corporation at their sole expense in all things according to such approved plans and sections and to the reasonable satisfaction of the said engineer of the Merthyr Corporation or in case of difference of an engineer to be appointed on the application of the Corporation or the Merthyr Corporation by the President of the Institution of Civil Engineers:

(2) Notwithstanding anything in this Act contained the Corporation shall from time to time be responsible for and make good to the Merthyr Corporation all losses costs damages and expenses which may be occasioned to them or to their property during or in consequence of the execution or by reason of the failure of any of the works by this Act authorised or of any act default or omission of the Corporation or of any person in their employ or of their contractors or otherwise and the Corporation shall effectually indemnify and hold harmless the Merthyr Corporation from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission:

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(3) If any difference shall arise between the Corporation and the Merthyr Corporation touching this section or anything to be done or not to be done thereunder such difference shall be referred to and settled by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of either of the parties and the provisions of the Arbitration Act 1889 shall apply to every such reference.

PART III.

LANDS.

18. Subject to the provisions of this Act the Corporation may enter upon take and use for the purposes of their water undertaking all or any part of the lands delineated on the deposited plans and described in the deposited book of reference.

Power to take lands by compulsion.

19. 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 Corporation 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 Brecknock (not being members of the council) 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

Correction of errors &c. in deposited plans and book of reference.

A.D. 1909. — is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Brecknock and a duplicate shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerk of the peace and the town clerk 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 Corporation to take the lands and execute the works in accordance with such certificate.

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

Corporation
may acquire
easements
only in cer-
tain cases.

20.—(1) The Corporation may in lieu of acquiring any lands for the purposes of the conduits or lines of pipes authorised by this Act where the same are intended to be constructed underground acquire such easements only 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 those Acts.

(2) As regards any lands in respect of which the Corporation have acquired easements only under the provisions of this section the Corporation 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 subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not passed. Provided that no building shall be erected over any conduit or main without the consent in writing of the Corporation.

(3) Provided always 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 be endorsed with notice of this provision.

21. Persons empowered by the Lands Clauses Acts to sell and convey and release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement or right to take water in which persons other than the parties to the agreement 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. 1909.
Owners may
sell ease-
ments &c.

22. Where under the powers of the former Acts or of this Act the Corporation have acquired or shall acquire an easement or easements in under or through any lands for the construction of any conduit aqueduct pipe sewer or other similar work the Corporation may at any time thereafter if they see fit purchase by agreement the lands lying over under and alongside such conduit or other work from the owner thereof.

Power to
purchase
lands already
subject to
easements.

23. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the passing of this Act.

Limit of time
for compul-
sory purchase
of lands.

24. The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of the reservoirs and works authorised by the former Acts or by this Act with reference to the execution by the Corporation 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 conveying and preserving the purity of the waters authorised by the former Acts or by this Act to be diverted collected and appropriated by the Corporation flowing to upon or from such lands directly or derivatively into such reservoirs and works.

Power to
agree as to
drainage of
lands &c.

25.—(1) The Corporation may make byelaws for preventing the pollution fouling or contamination of the water which they are authorised to take for the purposes of any of their water-works and may by such byelaws prescribe the construction maintenance and use of proper drains sewers and works and make provision for the prevention of any act or thing tending to pollution of the water.

Byelaws for
preventing
pollution of
water.

(2) The byelaws made under this section shall be in force within the areas from or through which the said waters flow or

A.D. 1909. within so much of those areas as may be defined in the byelaws.

(3) The provisions with respect to byelaws to be made by an urban authority contained in sections 182 to 185 of the Public Health Act 1875 shall apply to byelaws made by the Corporation under this section.

(4) All byelaws made under this section shall be subject to the approval of the council of every district comprising any part of the area within which it is proposed that they shall be in force. Provided that such approval shall not be necessary where in the opinion of the Local Government Board it has been unreasonably withheld.

(5) The Corporation shall pay compensation to the owners of and other persons interested in any lands in respect of which byelaws shall be made under the provisions of this section whose legal rights shall be injuriously affected by the restrictions imposed by such byelaws and such compensation shall be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

(6) The Corporation shall not under any byelaws made under this section prevent the washing of sheep in any place where it has been the practice to wash sheep until they shall have provided and except while they maintain a reasonably sufficient and suitable washing-place at or near the foot of the embankment of the Llwyn-on Reservoir with suitable and sufficient folding accommodation and pasturage for the sheep during the period for which it may be reasonably necessary to keep the sheep at such washing-place.

Power to re-
tain sell
&c. lands.

26. Notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit and may from time to time sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands acquired by them under this Act and may sell and exchange and dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any

such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange. A.D. 1909.

27. The proceeds of sale of any lands acquired under this Act shall be distinguished as capital in the accounts of the Corporation and shall be applied in discharge of moneys borrowed by the Corporation under this Act but shall not be applied to payments into the redemption fund or into any sinking fund or to the payment of instalments except on such terms as may be approved by the Local Government Board. Proceeds of sale of lands to be treated as capital.

Any moneys discharged out of the proceeds of any such sale shall not be re-borrowed.

28. The tribunal to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant: Costs of arbitration in certain cases.

Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case:

Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

A.D. 1909.
Removal of
human re-
mains.

29.—(1) If and when the Corporation shall acquire the burial ground of Capel Bethel in the parish of Penderyn in the county of Brecknock they shall before applying or using any part thereof for any of the purposes of this Act remove or cause to be removed the remains of all deceased persons interred in the said burial ground.

(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in two local newspapers circulating in the county of Brecknock to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section.

(3) Any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said burial ground may give notice in writing to the Corporation of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and re-interred in any burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the Aberdare County Court who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of ten pounds) shall be defrayed by the Corporation such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section the Corporation may remove the remains of the deceased person and cause them to be interred in such other burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose.

(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place within the said parish of Penderyn as the registrar may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Corporation.

A.D. 1909.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer.

30. Nothing in this Part of this Act shall dispense with the consent of the Local Government Board to any sale lease or other disposition of any lands of the Corporation in any case in which the consent of that board would have been required if this Act had not been passed.

As to consent of Local Government Board to sale &c. of lands.

PART IV.

RATES.

31. The Corporation may collect the rents and charges relating to their electric lighting undertaking with the other rates rents and charges for the time being leviable by them or any or either of such rates rents and charges and they may apportion the cost of the collection of all rates rents and charges between the respective accounts to which the same shall properly be chargeable as they think fit.

Collection of electric lighting charges.

32.—(1) The Corporation may if they think fit in lieu of themselves making assessing and levying any general district rate order such rate to be made assessed and levied in the same manner as a borough rate and may enforce the payment thereof from the overseers in the same manner as in the case of the borough rate and if any such order be made by the Corporation the general district rate shall be made assessed and levied by the overseers in the same manner and under the same provisions (including the provisions as to appeals) as in the case of the poor rate but subject to the exemptions (partial or otherwise) for the time being applicable to such general district rate in respect of any property in the city and such rate may be assessed and levied either separately or together with the poor rate assessed and levied in respect of the hereditaments rateable to such rate.

General district rate may be assessed as borough rate

A.D. 1909.

(2) In the event of the Corporation making any order in pursuance of this section—

(a) Any other rate for the time being leviable by the Corporation and any water rate rent or charge and any charge for electricity payable to the Corporation may be included with the poor rate (but distinguished therefrom) in any book or books of assessment and in one demand note. The demand note shall be in such form as the Local Government Board may approve;

(b) The overseers shall recover and enforce the poor rate in the same manner as the general district rate is recoverable and enforceable under the Public Health Act 1875 and the provisions of section 2 (In default of distress for non-payment of rates justices may issue warrant of commitment) of the Distress for Rates Act 1849 with respect to the recovery and enforcement of the poor rate shall cease to apply. Provided that any provisions limiting the period within which proceedings must be commenced for the recovery of the general district rate in a court of summary jurisdiction shall not apply to the poor rate;

(c) Within the first financial year after the making of such an order the Corporation may notwithstanding anything to the contrary contained in the Waterworks Clauses Act 1847 alter and adjust the dates for the payment and recovery of water rates to correspond as nearly as practicable with the dates and periods for the levying and collection of the poor rate and for the purpose of bringing into operation such adjustment it shall be lawful for the Corporation to demand and recover water rates for two quarters of such financial year at the same time as they are entitled to demand and recover the poor rate and thereafter to demand water rates by two quarterly instalments in advance on the twenty-fifth day of March and the twenty-ninth day of September in each year but so that the same shall not be recoverable until the expiration of three months from the said twenty-fifth day of March and twenty-ninth day of September respectively.

33.—(1) In the event of the Corporation making an order in pursuance of the section of this Act the marginal note whereof is "General district rate may be assessed as borough rate" the accounts of the overseers and collectors of poor and other rates relating to the general district rate shall be submitted to and be audited by the district auditor in the manner provided by section 37 (Rates made by overseers not now audited made subject to the audit of district auditor) of the Divided Parishes and Poor Law Amendment Act 1876 and that rate shall be deemed to be a rate within the meaning of that section.

A.D. 1909.
—
Audit of
accounts.

(2) The expenses of the overseers in connection with the assessment levying and collection of the general district rate shall be paid out of the district fund.

(3) The overseers shall prepare and submit to the district auditor at every audit of their accounts a financial statement in duplicate in the form and containing the particulars from time to time prescribed by the Local Government Board in respect of the general district rate. One of such duplicates shall have the stamp duty chargeable according to the scale contained in the District Auditors Act 1879 affixed thereon and calculated according to the total of the sums paid to the Corporation during the period to which the statement relates and the provisions of the District Auditors Act 1879 as to the duties of the auditor with reference to such duplicates shall apply as if the said duplicates were prepared and submitted under that Act.

(4) The Corporation shall repay to the said overseers the amount of any stamp duty which may be paid by them upon any financial statement pursuant to the provisions of this Act.

(5) The provisions of section 5 (Regulations as to audit) and section 6 (Stamp duties under Inland Revenue) of the District Auditors Act 1879 shall apply to the accounts of the overseers and collectors and to the stamp duty on such financial statements as aforesaid and any overseer who shall fail to comply with the provisions of this Act with respect to a financial statement shall be liable to the penalty provided in section 7 (Failure to submit financial statement) of the last-mentioned Act.

34.—(1) The Corporation may appoint and remove such officers as they deem necessary to assist the overseers of the parish of Cardiff in the discharge of their duties and fix the remuneration to be paid to such officers.

Appoint-
ment &c. of
officers.

A.D. 1909.

(2) All officers so appointed shall give such security for the due performance of their duties as may be required by the Corporation and the district auditor appointed by the Local Government Board shall report thereon annually to the Corporation. The securities shall be deposited with the council and not with the board of guardians.

Owner may
be rated in-
stead of
occupier in
certain cases.

35. On an order being made by the Corporation in pursuance of the section of this Act whereof the marginal note is "General district rate may be assessed as borough rate" the following provisions shall apply and have effect (that is to say):—

(1) The owner instead of the occupier may from time to time at the option of the Corporation be rated to the poor borough and general district rates leviable within the city—

(a) Where the rateable value of the property does not exceed eight pounds; or

(b) Where the premises are let in separate apartments; or

(c) Where the rents are collected weekly:

Provided that where the rateable value of the property does not exceed eight pounds the owner so rated shall be entitled to a deduction of seventeen and a half per centum from the amount of the rates when paid by him if he shall pay the same within three months after the rate shall have been demanded:

(2) When the Corporation exercise the option under this section of causing the owner to be rated instead of the occupier they shall forthwith give notice thereof to the overseers and the overseers shall rate the owner accordingly and the provisions of this section shall apply within the city in substitution for the provisions with regard to the rating of owners instead of occupiers which are contained in sections 3 4 and 5 of the Poor Rate Assessment and Collection Act 1869 and in section 211 of the Public Health Act 1875:

(3) Unless and until the Corporation exercise the option given to them by this section the provisions of sections 3 4 and 5 of the Poor Rate Assessment and Collection Act 1869 as amended by the Local Government Act 1894 shall remain in operation and

shall extend and apply to the general district rate (in substitution for the said provisions of section 211 of the Public Health Act 1875) in like manner as they apply to the poor rate. A.D. 1909.

PART V.

FINANCE.

36. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such expenses as are to be paid out of borrowed money) shall be paid as follows (that is to say):— Expenses of execution of Act.

- (1) Expenses incurred for sanitary purposes out of the district fund and general district rate:
- (2) Expenses incurred for waterworks purposes out of water revenue Provided that if in any year the water revenue be insufficient for the purposes to which it is applicable such deficiency shall be made up out of the district fund and general district rate:
- (3) Expenses incurred for markets out of the district fund and general district rate:
- (4) Expenses incurred for all other purposes (not otherwise provided for in this Act) out of the borough fund and borough rate.

37. The Corporation may in addition to any moneys they are now authorised to borrow by this or any other Act or Order or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow on mortgage at interest on the following securities and for the following purposes the following sums (that is to say):— Power to borrow for various purposes.

(a) On the security of the borough fund and borough rate—

For paying one-eighth part of the costs charges and expenses of and in relation to this Act as hereinafter defined the sum requisite for the purpose:

(b) On the security of the water revenue district fund and general district rate or on any one or more of those securities—

- (1) For waterworks purposes including the purchase of lands and easements two hundred and seventy-two thousand pounds;

A.D. 1909.

(2) For paying three-fourth parts of the said costs charges and expenses the sum requisite for that purpose :

(c) On the security of the district fund and general district rate—

(1) For markets purposes such sum as may be sanctioned by the Local Government Board ;

(2) A sum (which shall be deemed to be money expended for the purposes of the sewers and works comprised in the Act of 1901) equivalent to the amount of any loss which may be sustained by the Corporation owing to depreciation in value of the stock hereinafter mentioned on the sale [by them when the same shall take place of a sum of one hundred thousand pounds (nominal value) £2 10s. per cent. consolidated stock purchased by the Corporation out of moneys borrowed by them for the purposes of the sewers and works mentioned in the Act of 1901 as to part of the said sum on the twenty-eighth day of November one thousand nine hundred and five and as to the residue thereof on the tenth day of January one thousand nine hundred and six at the price of eighty-nine thousand three hundred and four pounds ;

(3) For paying one-eighth part of the said costs charges and expenses the sum requisite for that purpose :

(d) For any of the purposes aforesaid or for other the purposes of this Act which may require expenditure of capital moneys such further sums as in each case may from time to time be sanctioned by the Local Government Board and for the purposes of securing the repayment of such moneys the Corporation may mortgage or charge the borough fund and borough rate the general district fund and general district rate and the revenues of any undertaking in connection with the money so borrowed :

And in calculating the sum the Corporation may borrow under any other enactment any sum which they may borrow under this Act shall not be reckoned.

38. The following provisions of the Public Health Act 1875 A.D. 1909.
(that is to say):—

- Section 236 (Form of mortgage);
- Section 237 (Register of mortgages);
- Section 238 (Transfer of mortgages);
- Section 239 (Appointment of receiver);

—
Incorporation of certain provisions of Public Health Act.

shall extend and apply mutatis mutandis to and in relation to mortgages made under the powers of this Act.

39. The following provisions of the former Acts shall subject to the provisions of this Act extend and apply mutatis mutandis to and in relation to all moneys borrowed under the powers of this Act (that is to say):—

—
Incorporation of certain provisions of former Acts.

(a) Of the Act of 1884—

Sections 89 to 141 (being Part XI. of that Act and relating to corporation stock) as amended by the Acts of 1894 and 1898 and by this Act and by the Cardiff Order 1909;

(b) Of the Act of 1894—

- Section 93 (As to repayment of borrowed moneys);
- Section 94 (Power to reborrow);
- Section 95 (Annual return to Local Government Board with respect to sinking fund);
- Section 96 (Application of borrowed moneys);
- Section 97 (Corporation not to regard trusts);
- Section 98 (For protection of lenders); and
- Section 99 (Power to borrow under Local Loans Act 1875);

as respectively amended by the Cardiff Order 1909:

Provided as follows (that is to say):—

- (1) In construing the provisions of section 93 (As to repayment of borrowed moneys) of the Act of 1894 for the purposes of this Act the prescribed periods for the repayment of moneys borrowed under the powers of this Act shall be the following to be calculated in all cases from the date of the borrowing of such moneys (that is to say):—

As to moneys borrowed for paying the costs of this Act any period not exceeding five years from the passing of this Act;

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As to moneys borrowed for the purpose of the purchase of lands under the powers conferred by Part III. of this Act any period not exceeding sixty years;

As to moneys borrowed under the authority of this Act for waterworks purposes other than land any period not exceeding fifty years;

As to moneys borrowed under the authority of subsection (c) (2) of the section of this Act the marginal note of which is "Power to borrow for various purposes" any period not exceeding forty-five years;

As to moneys borrowed with the sanction of the Local Government Board such period not exceeding sixty years as the Board may in each case sanction:

- (2) The first payment of an instalment or to a sinking fund shall be made within twelve months after the date of the borrowing of the money in respect of which such payment is to be made.

Temporary borrowing.

40. The Corporation may borrow upon the security of the borough fund and borough rate any sum or sums of money which they may require for the purpose of providing a working balance for carrying into effect the provisions of the Education Act 1902 not exceeding in the whole fifteen thousand pounds and any such sum shall be repaid within a period of ten years from the date of the passing of this Act.

PART VI.

NATIONAL MUSEUM OF WALES.

Power to Corporation to transfer to National Museum of Wales contents of Cardiff Museum and to levy rate therefor.

41.—(1) The Corporation may as from such date as may be mutually agreed between the Corporation and the council of the National Museum of Wales transfer and give to that museum (in this section called "the museum") all the rights and interests of the Corporation in the collections of natural history arts antiquities and all other objects and things now in or appertaining to the Welsh Museum of Natural History Arts and Antiquities of the Corporation.

(2) The Corporation may as from such date as may be mutually agreed between the Corporation and the council of the

National Museum of Wales in every financial year so long as the museum shall continue to be in Cardiff levy a rate of a halfpenny in the pound in accordance with the provisions of the Museums and Gymnasiums Act 1891 and pay over to the said council the proceeds of such rate by equal half-yearly instalments as nearly as may be in the months of September and March of each such year. A.D. 1909.

(3) The Corporation shall notwithstanding such transfer as aforesaid continue subject to and shall discharge all obligations and liabilities attaching to or which before such transfer have been incurred by them in respect of their said museum up to such date of transfer as aforesaid and shall indemnify the council of the National Museum against all such obligations and liabilities and from all expenses and costs incurred in relation thereto and from and after the said date of transfer the council of the National Museum of Wales shall be subject to and shall discharge all obligations and liabilities which shall attach to or be incurred after the said date of transfer in respect of the property matters or things transferred to them under the provisions of this section.

PART VII.

MILK.

42.—(1) In this Part of this Act—

“Dairy” means any farm farmhouse cowshed milkstore milkshop or other place from which milk is supplied or in which milk is kept for purposes of sale;

“Dairyman” means any cowkeeper purveyor of milk or occupier of a dairy.

(2) Every person who knowingly sells or suffers to be sold or used for human consumption within the city the milk of any cow which is suffering from tuberculosis of the udder shall be liable to a penalty not exceeding ten pounds. Tuberculosis from milk.
Definitions.
Penalty for selling milk of diseased cows.

(3) Any person the milk of the cows in whose dairy is sold or suffered to be sold or used for human consumption within the city who after becoming aware that any cow in his dairy is suffering from tuberculosis of the udder keeps or permits to be kept such cow in any field shed or other premises along with other cows in milk shall be liable to a penalty not exceeding five pounds. Penalty on failing to isolate diseased cows.

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Obligation
to notify
cases of
tuberculosis.

(4) Every dairyman who supplies milk within the city and has in his dairy any cow affected with or suspected of or exhibiting signs of tuberculosis of the udder shall forthwith give written notice of the fact to the medical officer stating his name and address and the situation of the dairy or premises where the cow is.

Any dairyman failing to give such notice as required by this section shall be liable to a penalty not exceeding forty shillings.

Power to
take samples
of milk.

(5)—(A) It shall be lawful for the medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer to take within the city for examination samples of milk produced or sold or intended for sale within the city.

(B) The like powers in all respects may be exercised outside the city by the medical officer or such authorised person if he shall first have obtained from a justice having jurisdiction in the place where the sample is to be taken an order authorising the taking of samples of the milk which order any such justice is hereby empowered to make.

Power to in-
spect cows
and to take
samples of
milk.

(6)—(A) If milk from a dairy situate within the city is being sold or suffered to be sold or used within the city the medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may if accompanied by a properly qualified veterinary surgeon at all reasonable hours enter the dairy and inspect the cows kept therein and if the medical officer or such person has reason to suspect that any cow in the dairy is suffering from tuberculosis of the udder he may require the cow to be milked in his presence and may take samples of the milk and the milk from any particular teat shall if he so requires be kept separate and separate samples thereof be furnished.

(B) If the medical officer is of opinion that tuberculosis is caused or is likely to be caused to persons residing in the city from consumption of the milk supplied from a dairy situate within the city or from any cow kept therein he shall report thereon to the Corporation and his report shall be accompanied by a report to be furnished to him by the veterinary surgeon and the Corporation may thereupon serve on the dairyman notice to appear before them within such time not less than twenty-four hours as may be specified in the notice to show

cause why an order should not be made requiring him not to supply any milk from such dairy within the city until the order has been withdrawn by the Corporation.

(c) If the medical officer has reason to believe that milk from any dairy situate outside the city from which milk is being sold or suffered to be sold or used within the city is likely to cause tuberculosis in persons residing within the city the powers conferred by this section may in all respects be exercised in the case of such dairy Provided that the medical officer or other authorised person shall first have obtained from a justice having jurisdiction in the place where the dairy is situate an order authorising such entry and inspection which order any such justice is hereby empowered to make.

(D) Every dairyman and the persons in his employment shall render such reasonable assistance to the medical officer or such authorised person or veterinary surgeon as aforesaid as may be required by such medical officer person or veterinary surgeon for all or any of the purposes of this section and any person refusing such assistance or obstructing such medical officer person or veterinary surgeon in carrying out the purposes of this section shall be liable to a penalty not exceeding five pounds.

(E) If in their opinion the dairyman fails to show cause why such an order should not be made as aforesaid the Corporation may make the said order and shall forthwith serve notice of the facts on the county council of any administrative county in which the dairy is situate and on the Local Government Board and if the dairy is situate outside the city on the council of the borough or district in which it is situate.

(F) The said order shall be forthwith withdrawn on the Corporation or their medical officer being satisfied that the milk supply has been changed or that it is not likely to cause tuberculosis to persons residing in the city.

(G) If any person after any such order has been made supplies any milk within the city in contravention of the order or sells it for consumption therein he shall be liable to a penalty not exceeding five pounds and if the offence continues to a further penalty not exceeding forty shillings for every day during which the offence continues after conviction thereof.

(H) A dairyman shall not be liable to an action for breach of contract if the breach be due to an order under this section.

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Appeal.

(7) The dairyman may appeal against an order of the Corporation made under the last preceding subsection or the refusal of the Corporation to withdraw any such order either to a petty sessional court having jurisdiction within the city or at his option if the dairy is situate outside the city to the Board of Agriculture and Fisheries who shall appoint an officer to hear such appeal. The officer shall fix a time and place of hearing within the city and give notice thereof to the dairyman and the town clerk not less than forty-eight hours before the hearing. The said officer shall for the purposes of the appeal have all the powers of a petty sessional court.

The Board of Agriculture and Fisheries may at any stage require payment to them by the dairyman of such sum as they deem right to secure the payment of any costs incurred by the Board of Agriculture and Fisheries in the matter of the appeal.

The court or the Board of Agriculture and Fisheries as the case may be may confirm vary or withdraw the order which is the subject of the appeal and may direct to and by whom the costs of the appeal (including any sum paid or payable to the Board of Agriculture and Fisheries as aforesaid) are to be paid, but pending the decision of the appeal the order shall remain in force unless previously withdrawn by the Corporation.

Compensation to dairymen.

(8) If an order is made without due cause or if the Corporation unreasonably refuse to withdraw the order the dairyman shall if not himself in default be entitled to recover from the Corporation full compensation for any damage which he has sustained by reason of the making of the order or of the refusal of the Corporation to withdraw the order.

Further powers of court.

(9) The court or the Board of Agriculture and Fisheries may determine and state whether an order the subject of appeal has been made without due cause and whether the Corporation have unreasonably refused to withdraw the order and whether the dairyman has been in default.

Application of section 308 of Public Health Act 1875.

(10) Any dispute as to the fact whether the order has been made or maintained without due cause or as to the fact of default where any such fact has not been determined by the court or Board of Agriculture and Fisheries or as to the fact of damage or as to the amount of compensation shall be determined in the manner provided by section 308 of the Public Health Act 1875 and that section shall accordingly apply and have effect as if the same were herein re-enacted and in terms made applicable to any such dispute as aforesaid.

43. The Corporation shall cause to be given public notice of the effect of the provisions of this Part of this Act by advertisement in local newspapers and by handbills and otherwise in such manner as they think sufficient and this Part of this Act shall come into operation at such time not being less than one month after the first publication of such advertisement as aforesaid as the Corporation may fix.

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—
Notice of provisions of this Part of this Act.

44. Offences under this Part of this Act may be prosecuted and penalties may be recovered by the Corporation before a petty sessional court having jurisdiction in the place where the dairy is situate or the offence is committed and not otherwise.

Procedure.

45. All expenses incurred by the Corporation in carrying into execution the provisions of this Part of this Act shall be chargeable upon the fund and rate liable for the sanitary expenditure of the Corporation and they may also charge upon the same fund and rate any expenses incurred by them in the application by a veterinary surgeon of the tuberculin or other reasonable test for the purpose of discovering tuberculosis to any cow whose milk is or was recently being supplied within the city Provided that no such test shall be applied except with the previous consent of the owner of such cow.

As to expenses.

46. This Part of this Act may be carried into execution by a committee of the council formed in accordance with and subject to the provisions of the Fourth Schedule to the Diseases of Animals Act 1894 except that the committee shall consist wholly of members of the council.

Execution of this Part of Act by committee.

PART VIII.

SANITARY.

47.—(1) Any person being a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity who within the city—

For regulating manufacture and sale of ice-cream &c.

- (a) Causes or permits ice-cream or any similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored in any sleeping room or in any room cellar or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain; or
- (b) In the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity

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—

to infection or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination; or

- (c) Omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof to the medical officer;

shall be liable for every such offence upon summary conviction therefor to a penalty not exceeding forty shillings.

(2) In the event of any inmate of any building (any part of which is used for the manufacture of ice-cream or similar commodity) suffering from any infectious disease the medical officer may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in such building and the Corporation shall compensate the owner of the ice-cream commodity or materials so destroyed.

(3) Every dealer in ice-cream or other similar commodity vending his wares from any cart barrow or other vehicle or stand shall have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this subsection shall be liable upon conviction to a penalty not exceeding forty shillings.

(4) Any officer duly authorised by the Corporation in that behalf shall at all reasonable times have the same power of entry into and inspection of the premises of any manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein as an officer of the Corporation would have under section 102 (Power of entry of Local Authority) of the Public Health Act 1875 in the cases therein mentioned and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable upon conviction to a penalty not exceeding forty shillings for each offence.

(5) The Corporation shall cause public notice to be given of the effect of the provisions of this section by advertisement in a local newspaper and by handbills and otherwise in such manner as they think sufficient and the provisions of this section shall come into operation at such time not being less than one month after the first publication of such an advertisement as aforesaid as the Corporation may fix.

(6) Any expenses of the execution by the Corporation of this section shall be defrayed out of the district fund and general district rate.

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PART IX.

MISCELLANEOUS.

48. The powers for the construction of sewers conferred upon the Corporation by the Act of 1901 are hereby revived and extended and the period prescribed by section 5 of that Act for completion of the sewers by that Act authorised is extended to the thirty-first day of July in the year one thousand nine hundred and eleven.

Extension of time for works authorised by Act of 1901.

49. Anything to the contrary in the Order of 1891 notwithstanding the Corporation may subject to the provisions in this section afterwards contained enter into and carry into effect any agreement contract or arrangement with any company body or person to supply electricity within the limits of supply of the Corporation for use outside the said limits on such terms pecuniary or otherwise and conditions and for such period as may be agreed upon. Provided that the Corporation shall not supply electricity for use within the area of supply of any company body or person for the time being authorised under Parliamentary authority to supply electricity except with the consent in writing of such company body or person. Any such consent may be limited to any period therein mentioned or be subject to any terms or conditions therein expressed:

Supply of electricity in bulk.

Provided also that any railway company or other company body or person shall not use any electricity supplied by the Corporation under this section in such manner as to cause or be likely to cause interference with telegraphic communication by means of any telegraphs belonging to or used by the Postmaster-General but this provision shall not apply to any such company body or person who are or is authorised to use electricity by Act of Parliament or by an Order confirmed by or having the effect of an Act of Parliament containing provisions for the protection of such telegraphs:

Provided further that nothing in this section shall authorise the Corporation to supply electrical energy for the purpose of working any railway unless the company body or person owning or working such railway is authorised by Act of Parliament or

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by an Order confirmed by or having the effect of an Act of Parliament to work such railway by electrical power.

For protection of South Wales Electrical Power Company.

50. Nothing in this Act contained shall be construed to authorise the supply by the Corporation of electricity within their limits of supply for use outside the said limits beyond the line of demarcation marked in red upon the Ordnance Survey map signed in quadruplicate by Charles Norris Nicholson Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one of which maps has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons one at the city hall at the city and one at the principal office of the South Wales Electrical Power Distribution Company :

Provided always that the Corporation shall not supply any electricity under the powers conferred upon them by this Act for use in the area between their said limits in this Act mentioned and the said line of demarcation at a less price than shall be sufficient to cover the cost of production thereof at the power station of the Corporation where the same shall be produced and a further sum of not less than fifteen per centum upon such last mentioned cost of production.

As to expenses and receipts of electric lighting undertaking.

51.—(A) Any expenses incurred by the Corporation in carrying into effect the provisions of the section of this Act of which the marginal note is "Supply of electricity in bulk" shall be deemed to be expenses incurred by the Corporation under the Order of 1891.

(B) Any moneys received by the Corporation under the above-mentioned section shall be applied if such moneys are received on revenue account in manner provided by section 52 (Application of revenue) of the said Order or if such moneys are received on capital account in manner provided by section 53 (Application of capital moneys) of the said Order.

Power to appropriate lands for purposes of markets.

52.—(1) The Corporation may for the purposes of markets and slaughterhouses appropriate and use all or any parts of the lands belonging to them and situate at Canton in the city and parish of Cardiff containing by admeasurement eight acres two roods thirty perches or thereabouts bounded on the western side thereof by Sloper Road on the northern side thereof by land belonging to the Taff Vale Railway Company on the eastern side thereof by other land the property of the Corporation and

on the southern side in part by other land of the Corporation and in part by Leckwith Common. A.D. 1909.

(2) The Corporation may institute and maintain on the said land markets and slaughterhouses and may erect buildings sheds stalls pens approaches works and conveniences in connection therewith.

(3) The provisions contained in section 64 (Powers of Corporation as to markets &c. and slaughter-houses) of the Act of 1875 shall apply and extend to the said lands and to any such markets and slaughter-houses as aforesaid.

53. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation in the first instance out of the district fund and general district rate but ultimately out of money borrowed under the authority of this Act for that purpose. Costs of Act.

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The SCHEDULES referred to in the foregoing Act.

 THE FIRST SCHEDULE.

FORMER ACTS AND ORDERS RELATING TO CARDIFF.


5 & 6 Wm. IV. c. li.	-	An Act for removing the markets held in the town of Cardiff in the county of Glamorgan and for providing other market places in lieu thereof.
7 Wm. IV. c. xviii.	-	An Act for better paving cleansing lighting and otherwise improving the Town of Cardiff in the County of Glamorgan.
13 & 14 Vict. c. cviii.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Public Health Supplemental Act 1850 (No. 3).
16 Vict. c. xxiv.	-	The Cardiff Waterworks Act 1853.
21 & 22 Vict. c. cv.	-	The Llandaff and Canton District Markets Act 1858.
22 & 23 Vict. c. xi.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Supplemental Act 1859 (No. 2).
23 & 24 Vict. c. cv.	-	The Cardiff Waterworks Act 1860.
25 & 26 Vict. c. cxxiii.	-	The Cardiff Borough Act 1862.
28 & 29 Vict. c. cviii.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Supplemental Act 1865 (No. 5).
34 & 35 Vict. c. clxi.	-	The Cardiff Improvement Act 1871.
36 & 37 Vict. c. i.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Board's Provisional Orders Confirmation Act 1873.
38 & 39 Vict. c. clxxxvii.	-	The Cardiff Improvement Act 1875.
41 & 42 Vict. c. cxliv.	-	The Cardiff Waterworks Act 1878.
42 & 43 Vict. c. cxxxiii.	-	The Cardiff Corporation Act 1879.
47 & 48 Vict. c. cexxii.	-	The Cardiff Corporation Act 1884.
50 & 51 Vict. c. lx.	-	The Cardiff Corporation Act 1887.
51 & 52 Vict. c. xl.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1888.
53 & 54 Vict. c. clxxvii.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1890.
54 & 55 Vict. c. civ.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Electric Lighting Orders Confirmation (No. 8) Act 1891.
57 & 58 Vict. c. clxi.	-	The Cardiff Corporation Act 1894.
58 & 59 Vict. c. lxxxv.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1895.
61 & 62 Vict. c. cxxviii.	-	The Cardiff Corporation Act 1898.
1 Edw. VII. c. lx.	-	The Cardiff Corporation Act 1901.
2 Edw. VII. c. lxxxiv.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1902.
4 Edw. VII. c. cxxii.	-	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Board's Provisional Order Confirmation (No. 15) Act 1904.
9 Edw. VII. c. cxix.	-	A Provisional Order relating to the city of Cardiff confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1909.

THE SECOND SCHEDULE.

A.D. 1909.

AN AGREEMENT made the first day of May one thousand nine hundred and nine between the Right Honourable GODFREY CHARLES VISCOUNT TREDEGAR (who together with his sequels in estate or other the owner or owners for the time being of the Tredegar settled estates are hereinafter referred to as "the owner") of the one part and the LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF CARDIFF (hereinafter called "the Corporation") of the other part.

Stamp.


 Ten
Shillings.

WHEREBY it is agreed as follows:—

1. Within six calendar months after the completion and first filling with water of the Llwyn-on Reservoir intended to be authorised by a Bill which is being promoted in the present session of Parliament of which the short title is the Cardiff Corporation Bill 1909 and before the Corporation diminish the flow of compensation water from the Cantreff Reservoir under the powers of the Bill the Corporation shall purchase and the owner shall sell for the sum of £6,500 the fee simple free from incumbrances of the pieces of land in the parish of Cantreff in the county of Brecon lying to the south of the Cantreff Reservoir and numbered on the Ordnance map 244b 245 246 247 251 and 252 and coloured pink on the Plan signed by Charles John Edmonds Large C.E. on behalf of the owner and Joseph Larke Wheatley on behalf of the Corporation with the shooting lodge and other buildings erected on the piece of land No. 251.

2. All mines and minerals are to be reserved to the owner.

3. The sale is to be subject to all rights of way or other easements and to all tenancies.

4. The conveyance to the Corporation is to contain a reservation to the owner his servants or agents of a right of way for all purposes from the main road leading from Brecon to Merthyr Tydfil across the piece of land numbered 247 to the bridge across the Taff Fawr River the position of such right of way to be mutually agreed on and failing agreement to be determined by a single arbitrator under the Arbitration Act 1889.

5. The conveyance is also to contain covenants by the Corporation to keep such right of way and also the said bridge so far as standing on the land to be purchased by the Corporation and the approach thereto in good repair and condition.

6. The purchase money is to be paid to the trustees of the Tredegar settled estates but the owner is to be entitled within three years after

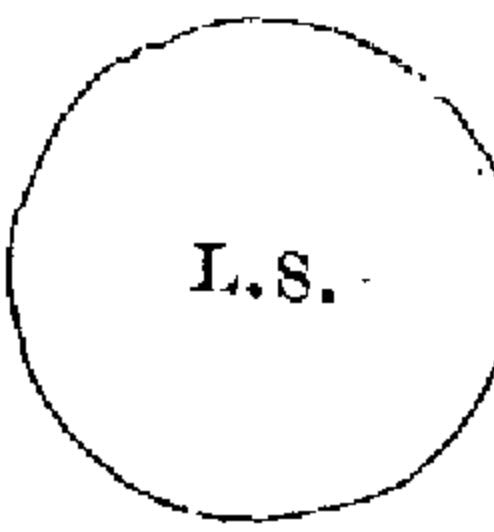
A.D. 1909. the receipt thereof by the trustees to elect that any part thereof not exceeding £5,500 shall be paid to him to be expended in the building of a shooting lodge in lieu of the Nantddu Shooting Lodge sold to the Corporation and in laying out suitable grounds in connection therewith.

7. The Corporation shall forthwith grant to the owner the right to erect on the borders of the Beacons and Cantreff Reservoirs in suitable positions to be mutually agreed on and thereafter to use one boat house on each of those reservoirs for the purpose of keeping therein the boats which the owner is now entitled to keep moor and use on those reservoirs and shall also provide for the owner his servants or friends a reasonable means of access to such boat houses.

8. The Corporation is on the completion of this agreement to pay all such costs of the owner and of the trustees of the Tredegar settled estates of deducing and verifying title and of the assurance to the Corporation and all such other costs and expenses of the owner as would have been payable by the Corporation under the provisions of the Lands Clauses Consolidation Act 1845 if this sale had been made under the provisions of that Act or the amending Acts.

In witness whereof the said Godfrey Charles Viscount Tredegar has hereunto set his hand and seal and the Corporation have caused their corporate seal to be hereunto affixed the day and year first above written.

Signed sealed and delivered by the
above-named Godfrey Charles Viscount } TREDEGAR.
Tredegar in the presence of



L.S.

LEOLIN FORESTIER-WALKER

Park House

Rhiwderin Mon. Gentleman.

The common seal of the lord mayor aldermen and
citizens of the city of Cardiff was hereunto affixed in
the presence of



L.S.

J. L. WHEATLEY Town Clerk.

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