



CHAPTER lvii.

An Act to enable the urban district council of Aberdare A.D. 1915.
to make and maintain tramways and to run trolley cars
by railless traction and motor omnibuses to carry out
street improvements and to confer further powers upon
the Council and for other purposes. [15th July 1915.]

WHEREAS the district of Aberdare in the county of Glamorgan is an urban district within the meaning of the Local Government Act 1894 and is under the management and control of the Aberdare Urban District Council (in this Act called "the Council"):

And whereas by the Aberdare Urban District Council Act 1905 the Council were authorised to widen and improve certain streets and other powers were conferred upon them as therein mentioned:

And whereas by the Aberdare Urban District Council Act 1911 the Council were amongst other things authorised to construct tramways and to run trolley cars by railless traction:

And whereas it is expedient and would be for the public convenience that the Council should be authorised to make and maintain the new tramways and works hereinafter described and to acquire lands for the purposes thereof:

And whereas it is expedient to make further provision for the construction and working of the tramways by this Act authorised and to confer upon the Council or their lessees the powers in regard to such tramways contained or referred to in this Act:

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915.

And whereas it is expedient that provision should be made as in this Act contained with respect to the provision running and use by the Council of trolley cars by railless traction and motor omnibuses :

And whereas it is expedient that the Council should be empowered to make and execute the street improvements in this Act mentioned and to acquire lands for the purposes thereof and for a recreation ground at Hirwain and other purposes :

And whereas it is expedient that the Council should be empowered to enter into and carry into effect agreements with other local authorities companies or persons as hereinafter provided :

And whereas it is expedient that the Council should be empowered to borrow money for the purposes mentioned in this Act :

And whereas it is expedient that the further powers in this Act contained should be conferred upon the Council :

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

	£
For and in connexion with the construction of the tramways by this Act authorised and the purchase of land therefor and - - -	} 36,300
The installation of railless traction and the necessary apparatus and plant - - -	
For the provision and equipment of motor omnibuses - - - - -	8,500
For and in connexion with the construction and carrying out of the following works by this Act authorised and the purchase of lands therefor :—	
(A) Street improvements - - - -	4,852
(B) Recreation ground - - - -	2,750

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

And whereas in relation to the promotion of the Bill for A.D. 1915.
this Act the requirements of the Borough Funds Acts 1872
and 1903 have been observed and the approval of the Local
Government has been obtained :

And whereas plans and sections showing the lines and
levels of the works authorised by this Act and the lands in or
through which the same are intended to be made and plans of
the lands which are authorised to be acquired under the powers
of this Act and a book of reference to such plans containing
the names of the owners and lessees or reputed owners and
lessees and of the occupiers of the said lands have been duly
deposited with the clerk of the peace for the county of
Glamorgan and those plans sections and book of reference are
in this Act respectively referred to as the deposited plans
sections and book of reference :

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

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

PART I.

PRELIMINARY.

1. This Act may be cited as the Aberdare Urban District Short title.
Council Act 1915.

2. The following Acts and parts of Acts so far as the same Incorporation of Acts.
are applicable to the purposes of and are not varied by or
inconsistent with this Act are incorporated with and form part
of this Act:—

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

Sections 3 19 and 20 of Part I and Parts II and III of
the Tramways Act 1870 Provided that the Tramways
Act 1870 shall not apply to Part III (Railless Traction)
of this Act save and except such of the provisions thereof
as are expressly mentioned in the said Part III of this
Act.

[Ch. Ivii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915.

Interpreta-
tion.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have except where otherwise expressly provided the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act unless the context otherwise requires—

“The district” means the urban district of Aberdare in the county of Glamorgan ;

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

“The new tramways” means the tramways by this Act authorised ;

“The tramways” and “the tramway undertaking” mean respectively the tramways of the Council including the tramways already constructed or authorised to be constructed by the Council and also the new tramways and the tramway undertaking of the Council ;

“Trolley cars” are mechanically propelled vehicles adapted for use upon roads and moved by electrical power transmitted thereto from some external source ;

“Mechanical power” includes steam electrical and every other motive power not being animal power ;

“Engine” includes motor ;

“The Act of 1905” means the Aberdare Urban District Council Act 1905 ;

“The Act of 1911” means the Aberdare Urban District Council Act 1911 ;

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

PART II.

TRAMWAYS.

Power to
make tram-
ways and
other works.

4. Subject to the provisions of this Act the Council may make form lay down work use and maintain the new tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails

plates sleepers channels passages cables electric lines junctions
turntables turnouts crossings passing places posts poles brackets
tubes wires overhead feeders apparatus stables car sheds engine
boiler and other houses waiting rooms buildings engines dynamos
stations depôts works and conveniences connected therewith and
may enter upon take and use such of the lands delineated on
the deposited plans and described in the deposited book of
reference as may be required for that purpose Provided that
nothing in this Act shall authorise any interference with electric
lines and works of any undertakers under the Electric Lighting
Acts 1882 and 1888 to which the provisions of section 15 of
the former Act apply except in accordance with and subject to
the provisions of that section.

A.D. 1915.

The new tramways hereinbefore referred to and authorised
by this Act will be situated wholly in the district and are—

Tramway No. 1 1 mile 2 furlongs 6·20 chains or there-
abouts in length (of which 1 mile 1 furlong 2·20 chains
or thereabouts is single line and 1 furlong 4 chains or
thereabouts is double line) commencing in Cardiff Road
by a junction with the existing tramways of the Council
at their termination in that road passing thence in
southerly and south-easterly directions along Cardiff Road
John Street (Capcoch) and Cardiff Road and terminating
in the latter road at the point at which the boundary
between the urban districts of Aberdare and Mountain
Ash crosses that road :

Tramway No. 2 1 mile 4 furlongs 2·20 chains or there-
abouts in length (of which 1 mile 1 furlong 4 chains or
thereabouts is single line and 2 furlongs 8·20 chains or
thereabouts is double line) commencing in Cardiff Road
by a junction with the existing tramways of the Council
in that road at a point 10 yards or thereabouts north-
west of Mount Street passing thence into and along
Regent Street Jubilee Road Gooseberry Hill Fairview
Terrace Cwmaman New Road Aberneol Street and
Fforchaman Road and terminating in the latter road at
a point opposite the southern side of School Street.

5.—(1) The new tramways shall be constructed on a gauge
of three feet six inches Provided that so much of section 34
of the Tramways Act 1870 as limits the extent of the carriages
used on any tramways beyond the outer edge of the wheels

Gauge of
new tram-
ways.

[Ch. Ivii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915. of such carriages shall not apply to carriages used on the new tramways but no engine or carriage used on the new tramways shall exceed six feet six inches in width or such other width as may from time to time be prescribed by the Board of Trade.

(2) No carriages or trucks adapted for use upon railways shall be used upon the new tramways.

Rails of new tramways.

6. The rails of the new tramways shall be such as the Board of Trade may approve.

Plan of proposed mode of construction.

7. In addition to the requirements of section 26 of the Tramways Act 1870 the Council shall lay before the Board of Trade and the road authority a plan showing the proposed mode of constructing laying down and renewing the new tramways and a statement of the materials intended to be used therein and the Council shall not commence the construction laying down and renewal of any of the new tramways or part of any of the new tramways respectively until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the surveyor of the road authority as provided by section 26 of the said Act.

New tramways to be kept on level of surface of road.

8. If and whenever after the passing of this Act any road authority alters the level of any road along or across which any part of the new tramways is laid or authorised to be laid the Council may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Power to make additional cross-overs and to double tramway lines.

9.—(1) The Council may subject to the provisions of this Act with the consent of the Board of Trade make maintain alter and remove such turnouts cross-overs passing-places sidings loops junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the new tramways or for providing access to any buildings depôts warehouses stables carriage engine boiler and dynamo houses car sheds or works of the Council or their lessees.

(2) Notwithstanding anything shown on the deposited plans the Council may with the consent of the Board of Trade lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines

in lieu of double or single lines on any of the new tramways and may with the like consent at any time lay down in any position or alter the position of any of the new tramways or any part thereof in the road including that part of the road which consists of waste land at the side thereof not for the time being formed and maintained for carriage traffic. A.D. 1915.

(3) Provided that if in the construction of any works under this section any rail is intended to be laid nearer to the footpath than previously authorised in such a manner that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Council shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or occupiers of one third of such houses shops or warehouses by writing under their hands addressed and delivered to the Council within three weeks after receiving the notice from the Council express their objection thereto.

10. The following provisions of the Act of 1911 shall extend and apply to and for the purposes of the new tramways and this Part of this Act as if those provisions were with all necessary modifications re-enacted in this Part of this Act:— Application of certain provisions of Act of 1911 as to tramways.

Section 10 (Cross-over to be constructed in certain cases):

Section 11 (Temporary tramways may be made where necessary):

Section 14 (Application of road materials excavated in construction of works):

Section 17 (Power to Council to work tramways):

Section 26 (Protection of gas and water mains).

11. In addition to the other lands which the Council are by this Act authorised to purchase and acquire they may purchase take on lease or acquire by agreement and may hold for the purposes of the tramway undertaking any lands not exceeding seven acres and they may on such lands erect or construct and hold stations depôts yards wharves offices buildings sidings works and other conveniences in connexion with the tramway undertaking but nothing in this Act shall exonerate the Council from Purchase of lands by agreement.

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915. — any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands purchased or used by them under the powers of this section for the purposes of the tramway undertaking.

Period for completion of new tramways.

12. Subject to the provisions of this Act the new tramways shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Council for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed:

Provided that the Board of Trade may on application in writing to them before the expiration of the said period by the Council extend the period for the completion of the new tramways for such period from the passing of this Act as they may think fit by a consent under the hand of the secretary or assistant secretary of the said Board.

Passengers' fares.

13. The Council may carry passengers upon the tramways and may demand and take for every passenger travelling upon the new tramways or any part or parts thereof including every expense incidental to such conveyance a fare not exceeding one penny per mile and in computing the said fare the fraction of a mile shall be deemed a mile but in no case shall the Council be bound to charge a less sum than twopence. Provided that the Council may appoint stages of not less than half a mile upon any of the new tramways and may notwithstanding anything in this Act contained demand and take for every passenger travelling upon such tramways any fares rates or charges not exceeding twopence for four stages and for this purpose the fraction of a stage shall be deemed a stage.

As to running through cars.

14. The Council may run through cars along any of the routes of the tramways of the Council or any portion thereof specified by the Council and such cars shall be distinguished from other cars in such manner as may be directed by the Council and they may demand and take for every passenger by such cars a fare or charge not exceeding the maximum fare allowed by this Act for and in respect of the whole of such route or the whole of the portion thereof traversed by any such car:

Provided that the running of such through cars shall in no way curtail the ordinary service of cars.

15. The Council may carry passengers' luggage and parcels and may subject to the provisions of section 47 (Passengers' luggage) of the Act of 1911 demand and take in respect of any passengers' luggage and parcels not exceeding fifty-six pounds in weight conveyed by them on the new tramways including every expense incidental to the conveyance (except a reasonable sum for loading and unloading and for delivery and collection of luggage and parcels and other things and any other service incidental to the business of a carrier where any such service is performed by the Council) any rates or charges not exceeding the following:—

A.D. 1915.
Rates and charges for parcels.

For any parcel not exceeding seven pounds in weight three-pence;

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight fivepence;

For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight sevenpence;

For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight ninepence:

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed small parcels but that term shall apply only to single parcels in separate packages.

16. If at any time after three years from the opening for public traffic of the new tramways or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of the new tramways or any portion thereof it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the district or by the Council that under the circumstances then existing all or any of the rates and charges demanded and taken in respect of the traffic on the new tramways or on such portion should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if the referee reports that it has been proved to his satisfaction that all or any of the rates and charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the rates and charges to be demanded

Periodical revision of rates and charges.

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915. — and taken in respect of the traffic on the new tramways or on such portion of the new tramways in such manner as they think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section. Provided always that the rates and charges prescribed by any such order shall not exceed in amount the rates and charges authorised by this Act but nothing herein contained shall prevent the Council from revising the rates from time to time as they think fit so long as the maximum charge prescribed by this Act is not exceeded.

Mode of
payment of
fares rates
&c.

17. The fares rates and charges by this Act authorised to be demanded and taken by the Council shall be paid at such times and places and to such persons and in such manner and under such regulations as the Council may from time to time by notice to be annexed to the list of fares rates and charges appoint.

New tram-
ways to be
part of tram
way under-
taking.

18. The new tramways and the works connected therewith authorised by this Part of this Act shall be part of the tramway undertaking.

PART III.

RAILLESS TRACTION.

Power to
provide
and work
trolley cars
moved by
electricity.

19.—(1) The Council may subject to the provisions of this Act provide maintain and equip in the district mechanically propelled vehicles (in this Act called "trolley cars") adapted for use upon roads and moved by electrical power transmitted thereto from some external source and may work and use the same upon the routes hereinafter mentioned (in this Act called "the railless routes") and may place erect and maintain in and along the streets and roads forming such routes cables wires overhead conductors and trolley wires tubes mains transformers feeders sheds buildings posts poles standards brackets and any other necessary or convenient apparatus and equipment for the purpose of working trolley cars.

(2) The routes hereinbefore referred to are—

Route No. 1 Commencing at Cwmdare by a junction with the existing railless route No. 1 authorised by the Act of 1911 at its termination passing thence along

Dare Road and Bwllfa Road and terminating in the latter road at or near the north-eastern end of Bwllfa-dare Terrace: A.D. 1915.

Route No. 2 Commencing at or near the junction of Mill Street Hirwain Road and Cemetery Road passing thence into and along Mill Street Harriet Street and Merthyr Road and terminating in the latter road near St. James' Church Llwydcoed:

Route No. 3 Commencing in Abernant Road by a junction with the existing railless route No. 2 authorised by the Act of 1911 near Cwmbach Road passing thence into and along and terminating in the latter road near Blaen-nant-y-Groes Road Cwmbach.

20. The following provisions of the Tramways Act 1870 shall apply to this Part of this Act:— Application of certain provisions of Tramways Act 1870.

Section 3 (Interpretation of terms):

Part II. (Relating to the construction of tramways (except sections 25 28 and 29)):

Section 41 (Tramways to be removed in certain cases):

Section 45 (Tolls &c.):

Section 46 (Byelaws by local authority Promoters may make certain regulations):

Section 47 (Penalties may be imposed in byelaws):

Section 48 (Power to local authority to license drivers conductors &c.):

Section 49 (Penalty for obstruction of promoters in laying out tramway):

Section 51 (Penalty on passengers practising frauds on the promoters):

Section 52 (Transient offenders):

Section 53 (Penalty for bringing dangerous goods on to the tramway):

Section 55 (Promoters or lessees to be responsible for all damages):

Section 56 (Recovery of tolls penalties &c.):

Section 57 (Right of user only):

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D 1915.

Section 60 (Reserving powers of street authorities to widen &c. roads):

Section 61 (Power for local or police authorities to regulate traffic in roads):

And in the application as aforesaid of such provisions the same shall be read and have effect as if the works to be constructed in the streets for running trolley cars by electrical power were tramways and as if trolley cars were carriages used on tramways:

Provided that nothing in this section shall be deemed to exclude a trolley car from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

Application of certain provisions of Act of 1911 as to trolley cars and railless routes.

21. The following provisions of the Act of 1911 shall extend and apply to and for the purposes of the trolley cars and the railless routes and this Part of this Act as if those provisions were with all necessary modifications re-enacted in this Part of this Act:—

Section 34 (Saving of excise duties):

Section 40 (Board of Trade may authorise new routes):

Section 42 (Conveyance of mails).

Vehicles not to be deemed light locomotives or motor-cars.

22. Section 33 of the Act of 1911 is hereby repealed and the following provisions shall have effect:—

Subject to the provisions of this Act trolley cars shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of the Motor Car Act 1903 except subsection (1) of section 1 of that Act and the provisions necessary for enforcing that subsection and neither the regulations made under that Act nor the enactments mentioned in the Schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to trolley cars.

Fares rates and charges.

23.—(1) Trolley cars may be used for the carriage of passengers and of parcels but the Council shall not be bound to carry parcels other than personal luggage carried by passengers and not exceeding twenty-eight pounds in weight.

(2) The Council may demand and take in respect of the carriage of passengers upon trolley cars fares rates and charges

not exceeding the fares rates and charges which the Council could have charged if trolley cars had been carriages upon the tramways of the Council and may in like manner appoint stages in relation to such fares rates and charges. A.D.—1915.

(3) The Council may demand and take in respect of the carriage of parcels upon trolley cars rates or charges not exceeding the rates and charges which the Council could have charged for the carriage of parcels if trolley cars had been carriages upon the tramways of the Council.

24. Subject to the provisions of this Act the Council shall have the exclusive right of using any trolley car equipment provided erected or maintained by them under and for the purposes of this Act and any person using the said equipment otherwise than by agreement with the Council shall for every offence be liable to a penalty not exceeding twenty pounds. Council to have exclusive right of using trolley car equipment.

25. Subject to the provisions of this Act the electrical equipment and apparatus for working trolley cars shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Council for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed. Period for completion of works.

26. The undertaking authorised by this Part of this Act shall be deemed to form part of the tramway undertaking of the Council: Trolley cars to be part of tramway undertaking for all purposes.

Provided that in the accounts of the Council relative to the tramway undertaking the receipts and expenditure upon and in connexion with trolley cars shall (as far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connexion with the remainder of such undertaking.

27. Section 37 of the Act of 1911 is hereby repealed and the following provisions shall have effect as regards the trolley cars and electrical equipment thereof authorised by the Act of 1911 and by this Act (that is to say):— Approval of trolley cars by Board of Trade.

- (1) Trolley cars and the electrical equipment thereof shall be of such form construction dimensions and weight as the Board of Trade may approve and no trolley car shall be used by the Council which does not comply with the requirements of the Board of Trade:

A.D. 1915.

(2) No post or other apparatus shall be erected on the carriageway except with the consent of the Board of Trade.

Power to
abandon rail-
less routes.

28. The Council may relinquish and abandon so much of the railless routes authorised by the Act of 1911 as may be rendered unnecessary by the construction of the new tramways.

PART IV.

PROVISIONS COMMON TO THE TRAMWAYS AND RAILLESS TRACTION.

Inspection
by Board of
Trade.

29. The new tramways shall not be opened and the railless routes shall not be used for public traffic until they have been inspected and certified to be fit for such traffic by the Board of Trade.

Application
of certain
provisions
of Act of
1911 as to
tramways
and railless
traction.

30. The following provisions of the Act of 1911 shall extend and apply to and for the purposes of the new tramways the trolley cars and the railless routes and this Act as if those provisions were with all necessary modifications re-enacted in this Act:—

- Section 12 (Setting back kerb of footpath):
- Section 16 (Temporary stoppage of streets):
- Section 23 (Construction of electrical works):
- Section 24 (Powers as to supply of electrical energy):
- Section 25 (Power to acquire patent rights):
- Section 45 (Cheap fares for labouring classes):
- Section 46 (Fares on Sundays and holidays):
- Section 47 (Passengers' luggage):
- Section 48 (Motive power):
- Section 49 (Penalty for not maintaining rails roads and overhead equipment):
- Section 50 (Apparatus used for mechanical power to be deemed part of tramways):
- Section 51 (Council not to carry animals and goods):
- Section 52 (Special provisions as to use of electrical power):
- Section 53 (For protection of Postmaster-General):
- Section 54 (Use of tramway posts by Postmaster-General):

- Section 55 (Attachment of brackets &c. to buildings): A.D. 1915.
 Section 56 (Use of tramways for removal of refuse):
 Section 57 (Power to lease tramways and railless routes):
 Section 58 (Byelaws):
 Section 59 (Amendment of tramways Act 1870 as to byelaws by local authority):
 Section 60 (Regulations):
 Section 61 (Council may appoint stopping and starting places):
 Section 62 (Shelters or waiting-rooms):
 Section 63 (Penalty for malicious damage):
 Section 64 (Orders &c. of Board of Trade):
 Section 65 (Application of tramway revenue):
 Section 66 (As to deficiency in receipts):
 Section 67 (Separate accounts).

31. For the protection of the Great Western Railway Company (in this section referred to as "the Great Western Company") the following provisions shall unless otherwise agreed in writing between the Great Western Company and the Council apply and have effect (that is to say):—

For protec-
 tion of Great
 Western
 Railway
 Company.

The provisions of section 80 and subsection (14) of section 43 of the Act of 1911 shall so far as applicable extend and apply to the new tramways the trolley cars and the railless routes under this Act as if those provisions were with all necessary modifications re-enacted in this Act.

32. The Council may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the tramways or trolley cars of the Council signs or directions indicating the position of stopping places for tramcars and trolley cars. Provided that the Council shall give notice in writing to the owner of any such lamp-post pole standard or similar erection of their intention to attach thereto any such sign or direction and shall make compensation to the said owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Council shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

Provision of
 signboards
 to indicate
 stopping
 places

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915.

Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

Provided also that the Council shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

Posts not to be used for advertisements.

33. The Council shall not exhibit or permit the exhibition of advertisements on any posts or standards of the Council erected in any street other than advertisements relating to the service of the new tramways or trolley cars and motor omnibuses or for the exhibition of which no consideration is paid. In case of any contravention of the provisions of this section the Council shall be liable to a penalty not exceeding five pounds.

Power to lop trees interfering with tramways or trolley cars.

34.—(1) Where any tree overhangs any highway along the railless or tramway routes of the Council which may in any way interfere with the construction or working of the trolley cars tramways or trolley wires or with the clear and safe passage of the trolley cars or tramway cars and the passengers thereon the Council may serve a notice on the owner of the tree or on the occupier of the premises on which such tree is growing requiring him to lop the tree within seven days so as to prevent such obstruction or interference and in default of compliance the Council may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Council under this section may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the clerk to the Council and the court shall have power to make such order as the court may think fit and to award costs.

(3) Notice of the right to appeal shall be endorsed on every requirement of the Council under this section.

Provision as to general Tramway Acts.

35. Except as by this Act otherwise expressly provided nothing in this Act contained shall exempt the Council or the new tramways or trolley cars from the provisions of any general Act relating to tramways passed before or after the

commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum fares rates or charges authorised by this Act.

A.D. 1915.

PART V.

MOTOR OMNIBUSES.

36.—(1) The Council may provide (but shall not manufacture) motor omnibuses and may run the same within the district along the following routes:—

Power to provide and run motor omnibuses.

Route No. 1 From the termination of the existing tramways of the Council in Cemetery Road along Hirwain Road and Brecon Road to Hirwain;

Route No. 2 From the junction of Mill Street and Cemetery Road Trecynon along Mill Street Harriet Street and Merthyr Road to Llwydcoed;

Route No. 3 From the junction of Abernant Road and Cwmbach Road along the latter road to Cwmbach;

demanding and taking such reasonable fares and charges for the conveyance of passengers therein or thereon as may be approved by the Board of Trade.

(2) The Council may by agreement purchase take on lease and hold lands and buildings and may erect on any lands acquired by them omnibus carriage and engine houses buildings and sheds and may provide such plant apparatus appliances and conveniences as may be requisite or expedient for the establishment running and equipment of motor omnibuses but the Council shall not create or permit any nuisance on any such lands.

(3) The Council may make byelaws for regulating the travelling and for the prevention of nuisances in their motor omnibuses Provided that any such byelaw shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(4) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

(5) The Council shall perform in respect of the motor omnibuses provided under this section all the services in regard

A.D. 1915. to the conveyance of mails which are prescribed by the Con-
veyance of Mails Act 1893 in the case of a tramway as
defined by that Act and authorised as in that Act stated.

(6) In this section the expression "motor omnibus" means
any stage carriage moved by mechanical power.

Motor-
omnibuses
to be part
of tramway
undertaking.

37. The undertaking authorised by this Part of this Act
shall be deemed to form part of the tramway undertaking of
the Council :

Provided that in the accounts of the Council relative to
the tramway undertaking the receipts and expenditure upon
and in connexion with motor omnibuses shall (as far as may be
reasonably practicable) be distinguished from the receipts and
expenditure upon or in connexion with the remainder of such
undertaking.

PART VI.

STREET WORKS.

Construction
of works.

38. The Council may subject to the provisions of this Act
enter upon take and use by compulsion or agreement such of
the lands shown on the deposited plans and described in the
deposited book of reference as they may require for the purposes
of this Part of this Act or in connexion therewith and may
make and maintain in the district in the lines and according to
the levels shown on the deposited plans and sections the street
works hereinafter mentioned together with all necessary works
and conveniences connected therewith or incidental thereto (that
is to say) :—

Work A—A widening of Regent Street on its north-eastern
side between points respectively situate 24 yards or
thereabouts and 125 yards or thereabouts measured in a
north-westerly direction from Mount Hill Street :

Work B—A widening of Jubilee Road on its south-eastern
and eastern side (being a rounding off of the corner) and
extending between points respectively situate 8 yards or
thereabouts measured in a north-easterly direction and
16 yards or thereabouts measured in a southerly direction
from the north-western corner of the property known as
"No. 10 Wayne Cottages" in the said Jubilee Road :

Work C—A widening of Cwmbach Road on its northern
side between points 15 yards or thereabouts and 105

yards or thereabouts measured in an easterly direction from the easternmost corner of the boundary wall of the Cottage Hospital: A.D. 1915.

Work D—A widening of Cwmbach Road on its south-western side and extending from a point opposite the eastern entrance to the property known as “Glanynys” to a point opposite Ty-draw Road:

Work E—A widening of Cwmbach Road on its north-eastern side and extending from the south-eastern boundary wall of the Drill Hall for a distance of 45 yards or thereabouts measured in a south-easterly direction:

Work F—A widening of Cwmbach Road on its north-eastern and northern side and extending from the southern side of the entrance gates (situate at the southern end of Ty-draw Road) to the property known as “Plas-draw” for a distance of 280 yards or thereabouts measured in a south-easterly and easterly direction:

Work G—A widening of Cwmbach Road on its southern side and extending from the eastern side of the private road of the Aberdare and Hirwaun Tramway (leading from the southern side of the said Cwmbach Road to Canal Head) to a point 130 yards or thereabouts measured in an easterly direction from the easternmost level crossing of the Abernant Railway over the said Cwmbach Road:

Work H—A widening of Cwmbach Road on its north-eastern side between points respectively situate 195 yards or thereabouts and 245 yards or thereabouts measured in an easterly direction from the eastern side of the before-mentioned private road of the Aberdare and Hirwaun Tramway:

Work I—A widening of Cwmbach Road on its north-eastern side between points respectively situate 260 yards or thereabouts and 290 yards or thereabouts measured in an easterly direction from the eastern side of the before-mentioned private road of the Aberdare and Hirwaun Tramway:

Work J—A widening of Cwmbach Road on its northern side between points respectively situate 95 yards or thereabouts and 155 yards or thereabouts measured in an

A.D. 1915.
—

easterly direction from the before-mentioned level crossing of the Abernant Railway over the said Cwmbach Road:

Work K—A widening of Cwmbach Road on its western and south-western side and extending from a point 200 yards or thereabouts measured in an easterly direction from the before-mentioned level crossing to the north-western side of the bridge over the Aberdare Canal opposite the western end of Well Place:

Work L—A widening of Cwmbach Road on its eastern and north-eastern side between points respectively situate 175 yards or thereabouts and 225 yards or thereabouts measured in a north-westerly direction from the western end of Well Place:

Work M—A widening of Cwmbach Road on its north-eastern side and extending from the western end of Well Place for a distance of 55 yards or thereabouts measured in a north-westerly direction:

Work N—A widening of Gadlys Road on its western side and extending from North Avenue to a point 37 yards or thereabouts measured in a southerly direction from East Avenue.

Limits of deviation for street works.

39. Subject to the provisions of this Part of this Act the Council in the construction of the street works by this Act authorised may deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation shown thereon and they may deviate vertically from the limits shown on the deposited sections to any extent not exceeding three feet upwards or downwards.

Power to make subsidiary works.

40. Subject to the provisions of this Act and within the limits defined on the deposited plans the Council in connexion with the street works authorised by this Act and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or contiguous to the said street works and may make diversions widenings or alterations of lines or levels of any existing streets for the purpose of connecting the same with the said street works or of crossing under or over the same or otherwise and may alter divert or stop up any drain or sewer shown on the deposited plans the Council providing a proper

substitute before interrupting the flow of sewage in any drain or sewer Provided that the provisions of section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act. A.D. 1915.

41. The Council may raise sink or otherwise alter or cause to be altered the position of any of the steps areas cellars windows and pipes or spouts belonging to any house or building and also the drains mains and the leaden or other pipes or wires which for the purpose of conveying water electricity or gas to any house or other place shall be laid into or from any main cable or pipe laid down by the Council and may remove all other obstruction so as the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the provisions of section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act: Power to alter steps areas and pipes.

Provided that the Council shall not raise sink or otherwise alter or cause to be altered or remove any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except under and subject to the provisions of the said Telegraph Act 1878.

42. All lands which shall be laid into and appropriated for streets in pursuance of the provisions of this Part of this Act or upon which any road widenings footpaths or other works shall be constructed under the powers of this Part of this Act shall after such laying into appropriation or construction for ever form part of the public streets and shall be maintained and kept in repair under the same conditions as those under which the public streets generally within the district are for the time being by law maintained and kept in repair. Lands on which street works are constructed to be part of public streets.

PART VII.

RECREATION GROUND AT HIRWAIN.

43. The Council may enter upon take and use the whole or such part or parts of the following lands which are shown upon the deposited plans and described in the deposited book of Recreation ground at Hirwain.

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915. reference as they may require for the purpose of a recreation ground namely:—

Certain lands commonly called Hirwain Common containing 29 acres 1 rood 28 poles or thereabouts being the field or enclosure numbered 371 on the 1/2500 ordnance map (Glamorgan Sheet XI. 5 second edition 1904) situate in the parish of Rhigos in the rural district of Neath and county of Glamorgan and having a frontage of 405 yards or thereabouts to the main road from Hirwain to Swansea commonly called Rhigos Road:

And the Council may lay out the same as a recreation ground and may maintain the same as if it had been a recreation ground provided under the Public Health Act 1875 and any Act or Acts amending or extending the same and the provisions of those Acts with respect to recreation grounds (including public walks and pleasure grounds) shall apply to any of the lands referred to in this section when appropriated by the Council as a recreation ground.

PART VIII.

LANDS.

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

44. If any omission misstatement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands described or intended to be described in the deposited plans or book of reference the Council may apply to two justices not being members of the Council for the correction thereof after giving ten days' notice to the owners lessees and occupiers of the lands affected by the proposed correction and if it appears to such justices that the omission misstatement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission misstatement or erroneous description and such certificate shall be deposited with the clerk of the peace for the county of Glamorgan and a duplicate of the certificate shall also be deposited with the officer or person with whom the plans or book of reference to which it relates were deposited and such certificate and duplicate respectively shall be kept with the other documents to which it relates and subject and according to the same enactments and provisions as apply to those other documents and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according

to the certificate and the Council may enter on take hold and use those lands accordingly. A.D. 1915.

45. Subject to the provisions of this Act the powers of the Council for the compulsory purchase of lands shown upon the deposited plans shall cease after the expiration of three years from the passing of this Act. Period for compulsory purchase of lands.

46. In settling any question of disputed purchase money or compensation under this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the first day of December one thousand nine hundred and fourteen if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act. Compensation in case of recently altered buildings.

47. In all cases of disputed compensation arising under this Act in respect of lands to be taken compulsorily which fall to be determined under the provisions of the Lands Clauses Acts it shall unless the Council and the other party or parties to the dispute concur in the appointment of a single arbitrator in terms of such Acts be in the power of the Council or such other party or parties to apply to the Board of Trade to appoint a single arbitrator to determine the compensation to be paid and it shall not be competent thereafter to have the same determined by arbitrators umpire or jury acting under the last-mentioned Acts. The said arbitrator upon appointment shall be deemed to be a sole arbitrator within the meaning of the Lands Clauses Acts and the provisions of those Acts with regard to arbitration shall apply accordingly and the arbitrator shall notwithstanding anything contained in the said Acts determine the amount of expenses in the arbitration and such determination shall be final. The remuneration of the said arbitrator shall failing agreement be fixed by the Board of Trade. Single arbitrator.

48. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Council may retain hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and Power to retain sell lease exchange and dispose of lands.

[Ch. Ivii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915. for such consideration and purpose and on such terms and conditions as they may 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 therein acquired by them under this Act and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein 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.

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

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

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the schedule to this Act and whereof a portion only is required for the purposes of this Act or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter collectively referred to as "the scheduled properties" and separately as "the scheduled property":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Council that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Council such portion only without the Council being obliged or compellable to purchase the whole the Council paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

- (3) If within such twenty-one days the owner shall by notice in writing to the Council allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter in this section referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder thereof without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Council have compulsory powers of purchase) can be so severed: A.D. 1915.
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder thereof without material detriment thereto the owner may be required to sell and convey to the Council the portion which the tribunal shall have determined to be so severable without the Council being obliged or compellable to purchase the whole the Council paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder thereof without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder thereof without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Council may withdraw their notice to

A.D. 1915.

treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :

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

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

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

Persons
under dis-
ability may
grant ease-
ments &c.

50. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Agreements
with land-
owners.

51. The Council may make and carry into effect agreements with any company body or person with regard to the manner in which the street works authorised by this Act shall be constructed or with regard to the accommodation works the levelling and filling up of the land fronting on the widened streets or any other

matters connected with the construction of the same or the purchase of lands for the purposes of this Act. A.D. 1915.

PART IX.

FINANCIAL AND MISCELLANEOUS PROVISIONS.

52.—(1) The Council may from time to time independently of any other borrowing power borrow at interest for the respective purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all money so borrowed within the respective periods mentioned in the third column of the said table (namely) :— Power to borrow.

Purpose.	Amount.	Period for Repayment.
TRAMWAY PURPOSES.		
(A) For the purchase of lands for the new tramways.	The sum requisite.	Sixty years from the date or dates of borrowing.
(B) For and in connection with the construction and equipment of the new tramways by this Act authorised.	30,300/.	Twenty-five years from the date or dates of borrowing.
TROLLEY CAR PURPOSES.		
(C) For the provision and equipment of the railless routes by this Act authorised.	6,000/.	Fifteen years from the date or dates of borrowing.
MOTOR OMNIBUSES.		
(D) For the provision of motor omnibuses	8,500/.	Five years from the date or dates of borrowing.
OTHER PURPOSES.		
(E) For the purchase of lands for the street works by this Act authorised.	The sum requisite.	} Sixty years from the date or dates of borrowing.
(F) For the purchase of land for the recreation ground at Hirwain.	The sum requisite.	
(G) For the construction of the street works.	3,600/.	Fifty years from the date or dates of borrowing.
(H) For the laying out of the recreation ground at Hirwain.	2,600/.	Such period as may be sanctioned by the Local Government Board.
(I) For paying the costs charges and expenses of this Act as hereinafter provided.	The sum requisite.	Five years from the passing of this Act.

(2) The Council may also with the consent of the Board of Trade borrow such further money as may be necessary for

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915. any of the purposes of Parts II. III. IV. and V. of this Act and may with the consent of the Local Government Board borrow such further money as may be necessary for any of the purposes of this Act other than the purposes of those Parts.

Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Board with whose consent it is borrowed.

(3) In order to secure the repayment of the money borrowed under this section and the payment of the interest thereon the Council may mortgage or charge—

As regards money borrowed for purposes (A) (B) (C) and (D) hereinbefore mentioned the revenue of the tramway undertaking of the Council and the district fund and general district rate or either of those securities;

As regards money borrowed for purposes (E) (F) (G) (H) and (I) the district fund and general district rate;

As regards money borrowed with the consent of the Board of Trade or the Local Government Board such fund rate or revenue as those Boards may prescribe.

Application
of provisions
of Act of
1905.

53. The following provisions of the Act of 1905 shall extend and apply to and for the purposes of this Act as if those provisions were with all necessary modifications re-enacted in this Act:—

Section 27 (Proceeds of sale of surplus lands):

Section 30 (Certain regulations of Public Health Act as to borrowing not to apply):

Section 31 (Provisions as to mortgages):

Section 32 (Protection of lenders from inquiry):

Section 34 (Mode of payment off of money borrowed):

Section 35 (Sinking fund):

Section 36 (Return respecting sinking fund to Local Government Board):

Section 38 (Power to borrow under Local Loans Act 1875):

Section 39 (Application of money borrowed):

Section 40 (Council not to regard trusts).

54. Notwithstanding anything in this Act contained the Council shall not under the powers of this Act borrow any money (other than money required for the payment of the costs charges and expenses referred to in the section of this Act of which the marginal note is "Expenses of Act") during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained and the periods limited by this Act for the compulsory purchase of lands and the completion of the new tramways railless traction and other works authorised by this Act shall be calculated from the date of the consent of the Treasury or the expiration of the said period of twelve months whichever event shall first happen.

A.D. 1915.
Restriction
on exercise
of borrow-
ing powers.

(3) **55.** Sections 75 to 78 of the Towns Improvement Clauses Act 1847 in their application to the district shall be extended so as to include any building which shall be reported to the Council by their surveyor as ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation Provided that nothing in this section shall apply to any building (not being a dwelling house) belonging to any railway company and used by such company as a part of or in connexion with their railway under any Act of Parliament.

Extension
of sections
75 to 78 of
Towns Im-
provement
Clauses Act
1847.

(4) **56.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as inspectors of the Local Government Board have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

Inquiries
by Local
Govern-
ment Board.

62.
successor
be inclu
provisio
Marquis
say) :—

(1)

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

57. Section 58 of the Local Government Act 1894 shall apply to the accounts of the Council and their committees and officers under this Act and to the audit of such accounts.

Audit of
accounts.

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915

A.D. 1915.

References
to arbitra-
tion.

Recovery of
penalties.

Expenses of
executing
Act.

For pro-
tection of
Aberdare
Canal
Company.

necessary perpetual easements for the construction and maintenance of any such widening and such rights in or with respect to the land to be added to the road by such widening as the Council at present possess with respect to the existing road :

- (2) Where the Abernant Colliery Railway crosses any portion of Cwmbach Road proposed to be widened under this Act the said railway shall not be interfered with except temporarily and so far as may be necessary for carrying out the widening :
- (3) If the Council shall acquire the whole or any part of the lands referred to in the section of this Act of which the marginal note is "Recreation ground at Hirwain" the Marquis shall as from the date of such acquisition be freed from any subsisting obligation as to the fencing or maintenance of the whole of such lands whether acquired by the Council or not and no minerals underlying the same shall be acquired by the Council but the same shall be reserved to the Marquis or other the person entitled to the same who shall have full power to work and get the said minerals by any means by which he is now entitled to work and get the said minerals but not further or otherwise without being responsible for any damage occasioned to the surface by subsidence by reason of such working and subject as aforesaid the Marquis shall if required by the Council grant and convey to the Council free of pecuniary consideration but at the reasonable cost of the Council the surface rights belonging to him in the said lands :
- (4) If any difference shall arise between the Council and the Marquis touching this section or anything to be done or not to be done thereunder such difference shall be determined by an arbitrator to be appointed unless otherwise agreed on the application of either party by the Board of Trade in accordance with the provisions of the Arbitration Act 1889.

For pro-
tection of
Glamorgan
County
Council.

63. Notwithstanding anything in this Act contained the provisions of this section shall apply for the protection of the county council of the administrative county of Glamorgan (in

this section called "the county council") unless otherwise agreed in writing between the county council and the Council with respect to the construction of Tramways No. 1 and No. 2 by this Act authorised (that is to say):—

A.D. 1915.

- (1) In this section "tramway" means the said Tramways No. 1 and No. 2 respectively unless the context otherwise requires:
- (2) The Council shall not commence the construction of Tramway No. 1 so far as such tramway is to be laid on the Abercwmboi Bridge or the approaches thereto until such bridge and its approaches on either side have been widened by and at the expense of the Council to a width of not less than 30 feet throughout between the parapets and the Council shall carry out such widening in such manner as may in the interests of public safety and having regard to the construction of Tramway No. 1 over the bridge and on the approaches thereto be necessary or desirable:
- (3) Any question as to the manner of carrying out such widening which may be necessary or desirable under the provisions of this section shall in default of agreement between the Council and the county council be determined by arbitration in the manner hereinafter in this section provided:
- (4) Before any part of the tramway shall be constructed on a main road under the jurisdiction of the county council such road shall where it is possible to do so without purchasing any lands or property be widened by the Council so that the metalled carriage-way thereof shall be of not less width than twenty-four feet between the kerbs at any one point except under the Abercwmboi Colliery Bridge where the existing width of the road shall not be reduced. The tramway shall be laid throughout in the middle of the road and no cars shall stop at any point within fifty feet of either side of the last-mentioned bridge:
- (5) The Council in carrying out any such widening of a main road shall form with proper pitched foundations and pave or macadamise and otherwise make

[Ch. lvii.] *Aberdare Urban District Council* [5 & 6 GEO. 5.]
Act, 1915.

A.D. 1915.

up the added portions and make proper provision for the drainage and fencing and otherwise complete such widening as may reasonably be required by and to the reasonable satisfaction of the county council and in conformity with plans sections and specifications to be previously submitted to and reasonably approved of by the county council or in case of difference between the Council and the county council as shall be determined by arbitration in the manner hereinafter in this section provided Provided always that if the county council do not within twenty-eight days after the receipt by them of such plans sections and specifications signify their approval or disapproval thereof they shall be deemed to have approved thereof The Council shall pay to the county council if demanded the reasonable expenses incurred in the superintendence by the county council of such works :

(6) Where any margin of the carriageway on which the tramway is laid is six feet six inches or less in width on either side of the tramway between the outer rail and the kerb of the footpath or the fence or the edge of the metalled roadway (as the case may be) the Council shall at their own expense and to the reasonable satisfaction of the county council pave such margin or margins and thereafter maintain the same :

(7) If any difference shall arise between the Council and the county council touching anything to be done or not to be done under this section such difference shall be determined by an arbitrator to be appointed unless otherwise agreed on the application of either party by the Board of Trade in accordance with the provisions of the Arbitration Act 1889.

Crown
rights.

64. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Expenses of
Act.

65. The costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act including the costs charges and expenses preliminary to and of and connected with complying with the requirements of the Borough

[5 & 6 GEO. 5.] *Aberdare Urban District Council* [Ch. lvii.]
Act, 1915.

Funds Acts 1872 and 1903 shall after taxation by the taxing officer of the House of Lords or of the House of Commons be paid by the Council out of the district fund and general district rate but ultimately if the Council so determine out of money borrowed under this Act. A.D. 1915.

The SCHEDULE referred to in the foregoing Act.

PROPERTIES OF WHICH PORTIONS ONLY MAY BE TAKEN.

District or Parish.	Numbers on deposited Plans.																														
Parish and urban district of Aberdare.	43	44	45	46	47	48	49	56	58	59	60	65	66	67	69	70	71	85	87	88	89	90	91	92	93	94	95	97	98	99	and 100.

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