

**CHAPTER cii.**

An Act for conferring on the Trustees and others claiming under the Will of the late Marquess of Bute further powers for the Construction of Works in connexion with the Bute Docks at Cardiff and for amending the Bute Docks Acts and for other purposes. [25th June 1886.]

A.D. 1886.

WHEREAS the trustees now acting under the trusts created by the will of John Crichton Stuart Marquess of Bute deceased (in this Act called "the late Marquess of Bute") in concurrence with John Patrick Crichton Stuart the present Marquess of Bute (who are the undertakers within the meaning of the Bute Docks Acts and are herein-after referred to as "the Undertakers") were empowered by the Bute Docks Act 1882 to construct (among other things) a sea wall or embankment therein described for the purpose of reclaiming a portion of the foreshore or land known as Cardiff Flats:

And whereas it is expedient to authorise such variations or extensions of the said sea wall or embankment as are in this Act described:

And whereas the existing low-water pier adjoining or near the entrance channel to the Bute Docks is insufficient for the accommodation of the traffic and it is expedient to empower the Undertakers to construct the pier and other works in this Act mentioned and to discontinue and remove the existing low-water pier and to abandon such works or portions of works authorised by the Bute Docks Acts as may be rendered useless or unnecessary by the execution of the powers of this Act or any of them:

And whereas the Queen's most Excellent Majesty in right of Her Crown is or claims to be seised of the soil of the foreshore subject to or covered by the tidal waters or some part thereof upon which the works by this Act authorised or some part thereof will or may be constructed; but the Undertakers or some or one of them are or is or claim or claims to be seised of the soil of the same foreshore or some part thereof:

A.D. 1886.

And whereas it is expedient to amend section twenty-one of the Bute Docks Act 1882 which defines the limits within which the powers and authorities of the dock-master and others appointed by the Undertakers may be exercised and to extend or amend other provisions of the Bute Docks Acts or some of them :

And whereas it is expedient to invest the Undertakers with powers for lighting the Bute Docks or parts thereof by electricity and for the manufacture storage and supply of electricity :

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

And whereas a plan and sections showing the lines and levels of the works authorised by this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Glamorgan and are herein-after respectively referred to as the deposited plan sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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) :—

Short title.

1. This Act may be cited as the Bute Docks (Further Powers) Act 1886.

Incorporation of general enactments.

8 & 9 Vict. c. 18.
23 & 24 Vict.
c. 106.
32 & 33 Vict. c. 18.
8 & 9 Vict. c. 20.
26 & 27 Vict. c. 92.

2. The following enactments (as far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act) are hereby incorporated with this Act (namely) :

The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 ;

The Railways Clauses Consolidation Act 1845 and Parts I. and III. of the Railways Clauses Act 1863 ;

Provided that in section seventeen of the Railways Clauses Consolidation Act 1845 and in Part I. of the Railways Clauses Act 1863 the words "work" and "railway" shall be taken to extend to and include all works by this Act authorised.

Amendment of s. 2 of the Bute Docks Act 1882.

3. The paragraph numbered (2) of section two of the Bute Docks Act 1882 is hereby repealed and in lieu thereof the following paragraph is hereby substituted :

(2.) Sections twenty-three and fifty of the Harbours Docks and Piers Clauses Act 1847 are excepted from incorporation with this Act and section twenty-nine of the same Act (so far as regards the vessels comprised in the first second third fourth

and sixth classes in the Second Schedule to the Bute Docks Act 1865) is also excepted from incorporation with this Act ; and section two of the Bute Docks Act 1882 shall be read and have effect as if the above paragraph had been originally inserted therein instead of the paragraph by this Act repealed.

A.D. 1886.

4. In this Act unless the context otherwise requires the following terms and expressions have the several meanings hereby assigned to them (that is to say) :

Interpreta-
tion of terms.

“The Undertakers” during the continuance of the trust term shall mean Henry Dudley Ryder commonly called the Honourable Henry Dudley Ryder and Edmund Bernard Talbot commonly called Lord Edmund Bernard Talbot and Frederick Pitman and the survivors or survivor of them and other the persons or person who from time to time are or is the trustees or trustee of the trust term as by the Bute Docks Act 1874 defined and from and after the determination of that term shall mean the person or persons who from time to time is or are under the limitations of the will of the late Marquess of Bute entitled in possession to the rents issues and profits of the docks and works thereby devised as aforesaid ;

“Person” includes a corporation ;

Terms and expressions to which meanings are assigned by the enactments incorporated herewith have in this Act the same respective meanings : Provided that in and for the purposes of this Act the expressions “the promoters of the undertaking” and “company” shall respectively include the Undertakers and that for the purposes of this Act the term “superior courts” or “court of competent jurisdiction” in this Act or any enactment incorporated herewith shall be read and have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

5. The Bute Docks Act 1865 the Bute Docks Act 1866 the Bute Docks Act 1874 and the Bute Docks Act 1882 as respectively amended by any subsequent Act and by this Act shall be construed together and be read and have effect with this Act as one Act And the said Acts and this Act and any other Act passed during the present session of Parliament relating to the docks undertaking may collectively be cited as the Bute Docks Acts 1865 to 1886. Except so far as provision is otherwise expressly or impliedly made by this Act the Bute Docks Act 1882 and the provisions of the Harbours Docks and Piers Clauses Act 1847 incorporated therewith shall apply to the works of the Undertakers under this

Construction
and effect of
Act.

A.D. 1886. — Act as if the said works had been authorised by the Bute Docks Act 1882.

Power to execute works.

6. Subject to the provisions of this Act the Undertakers are hereby (as far as any statutory authority in this behalf is requisite) authorised to make execute and maintain on the lands shown on the deposited plan and specified in the deposited book of reference and as far as the lines and levels of the works are shown in the deposited plan and sections in those lines and in accordance with those levels the several works and operations by this Act authorised and to enter on take and use such of the lands delineated on the deposited plan and described in the deposited book of reference as may be required for that purpose.

Powers of Undertakers under Act and otherwise cumulative.

7. Save as by this Act otherwise expressly provided the several powers and authorities by this Act conferred on the Undertakers are in addition to their rights powers and authorities irrespective of this Act and those several powers and authorities are accordingly cumulative.

Description of works authorised.

8. The several works and operations which by this Act the Undertakers are authorised as aforesaid to make execute and maintain include the works and operations following with all such incidental works and conveniences connected therewith as the Undertakers from time to time think fit (that is to say) :—

(1) A variation or extension in a southerly direction of the southern portion of the embankment or sea wall authorised by the Bute Docks Act 1882 wholly situate in or adjoining to the parish of Saint Mary Cardiff in the county of Glamorgan commencing at a point on the said embankment or sea wall one thousand five hundred feet or thereabouts measured in a southerly direction from the south-eastern angle of the Roath Basin and one thousand three hundred and fifty feet or thereabouts measured in a south-easterly direction from the south-western angle of the said Roath Basin running thence in a south-westerly direction to a point one thousand six hundred and sixty feet or thereabouts southward of the present south-western extremity of the embankment constructed under the powers of the Bute Docks Act 1866 and thence in a northerly direction and terminating on that embankment at a point one thousand two hundred feet or thereabouts measured in a southerly direction from the centre of the outer gates of the sea lock of the Roath Basin ;

(2) A variation or extension in an easterly direction of the eastern portion of the embankment or sea wall authorised by the Bute

Docks Act 1882 wholly situate in or adjoining to the parish of Roath in the county of Glamorgan commencing at a point on the said embankment or sea wall two thousand one hundred feet or thereabouts measured in an easterly direction from the south-western angle of the Roath Dock and one thousand one hundred and seventy feet or thereabouts measured in a southerly direction from the south-eastern angle of such dock and terminating at a point nine hundred and sixty feet or thereabouts measured in an easterly direction from the south-eastern angle of the fence inclosing the Tharsis Copper Works and one thousand nine hundred feet or thereabouts measured in a north-easterly direction from the south-eastern angle of the Roath Dock ;

- (3) A pier and embankment wholly in or adjoining to the said parish of Saint Mary Cardiff commencing at a point on the wall on the seaward side of the Windsor Esplanade Cardiff one hundred and ten feet or thereabouts from the south-eastern corner of Dudley Street and extending in a southerly direction and terminating at a point on the foreshore two thousand two hundred feet or thereabouts from the said point of commencement ;
- (4) A Railway (No. 1) three furlongs and 9·4 chains in length wholly in the said parish of Roath commencing by a junction with the Railway (No. 1) authorised by the Taff Vale Railway Act 1885 as proposed to be constructed under the agreement between the Undertakers and the Taff Vale Railway Company herein-after mentioned at a point one thousand feet or thereabouts measured in a north-easterly direction from the south-eastern angle of the fence inclosing the Tharsis Copper Works and two thousand three hundred and fifty feet or thereabouts measured in a north-easterly direction from the south-eastern angle of the Roath Dock and terminating by a junction with the Railway (No. 2) authorised by the Bute Docks Act 1882 at a point one hundred and eighty feet or thereabouts measured in a south-easterly direction from the south-western angle of the fence inclosing the said Tharsis Copper Works and three hundred and eighty feet or thereabouts measured in a northerly direction from the north-eastern angle of the said Roath Dock ;
- (5.) A Railway (No. 2) two furlongs and 4·2 chains in length wholly in the said parish of Roath commencing by a junction with the said intended Railway (No. 1) at a point eight hundred and thirty feet or thereabouts measured in a south-easterly direction from the south-eastern angle of the fence inclosing the

A.D. 1886.

said Tharsis Copper Works and one thousand three hundred feet or thereabouts measured in a north-easterly direction from the south-eastern angle of the said Roath Dock and terminating by a junction with the said Railway (No. 2) authorised by the Bute Docks Act 1882 at a point four hundred feet or thereabouts measured in a southerly direction from the south-eastern angle of the said Roath Dock in a line with the eastern wall of the said dock ;

(6) A Railway (No. 3) four furlongs and six chains in length wholly in the said parish of Saint Mary Cardiff commencing by a junction with Railway (No. 4) authorised by the Bute Docks Act 1882 at a point seven hundred and seventy feet or thereabouts measured in a south-easterly direction from the south-western angle of the Roath Basin and one thousand one hundred and seventy feet or thereabouts measured in a south-westerly direction from the south-eastern angle of that basin and terminating at the southern termination of the variation or extension being the work Number (1) by this Act authorised.

Lateral and
vertical de-
viations.

9. Except as by this Act otherwise provided the Undertakers in the execution of the works by this Act authorised may deviate laterally from the lines of the works shown on the deposited plan to any extent within the limits of deviation shown thereon and vertically from the levels of the works shown on the deposited sections to any extent not exceeding five feet : Provided that in the construction of the variation or extension being the work Number (1) by this Act authorised the Undertakers shall not deviate southwards more than one hundred and fifty feet from the line of the said variation as shown on the deposited plan and shall not deviate westwards so as to touch the channel of the River Taff.

Restricting
limits of
deviation.

10. No deviation of any works authorised by this Act within the limits of deviation of which any public navigable tidal river or channel is included shall be made from the lines thereof as marked on the deposited plan even within the limits of deviation shown on such plan without the previous consent of the Board of Trade or otherwise than in such manner as is expressly authorised by the Board of Trade.

Period for
compulsory
purchase of
lands.

11. The powers of the Undertakers for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Restriction
on taking
houses occu-
pied by

12. The Undertakers shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish

or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers: A.D. 1886.
labouring
class.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

13. If the works by this Act authorised are not completed within the periods respectively after mentioned videlicet as regards the Railways within five years and as regards the works other than the railways within fifteen years from the passing of this Act then on the expiration of those respective periods the powers by this Act granted to the Undertakers for making and completing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed. Period for
completion
of works.

14. For the protection of the mayor aldermen and burgesses of the borough of Cardiff (herein-after called "the corporation") the following provisions shall have effect (that is to say):— For pro-
tection of the
Corporation
of Cardiff.

1. Before commencing the Railway (No. 1) by this Act authorised the Undertakers shall give to the corporation fourteen days notice in writing of their intention to commence the said works and the Undertakers shall take all reasonable precautions and do and maintain such works for preventing as far as possible any injury to the works and property of the corporation and make good all damage which may be occasioned thereby:
2. In every case where the said railway crosses the existing sewer of the corporation the Undertakers shall bear any costs incurred in strengthening and securing the said sewer from all damage which may be occasioned by reason of the construction of the said railway and shall for ever uphold and maintain in good and efficient repair to the reasonable satisfaction of the corporation such portions of the said existing sewer as may be crossed altered diverted or otherwise interfered with and the Undertakers shall allow the corporation their officials agents workmen contractors and materials to have free access at all times to any part of the sewer so

A.D. 1886.

crossed covered altered diverted or otherwise interfered with :

3. In case the corporation at any future time require to construct any sewer across or under the said railway the Undertakers shall give the corporation all reasonable facilities for carrying out the work required in the construction of any such sewer and shall bear all the extra costs incurred in strengthening and securing from damage the said sewers respectively: Provided that the powers of the corporation under section sixteen of the Public Health Act 1875 shall apply to the lands of the Undertakers as if this Act had not been passed and the corporation shall not in any event be or become liable to any additional costs or expenses by reason of the existence or construction of the works by this Act authorised :
4. All works to be executed by the Undertakers under the provisions of this section shall be executed and maintained by and at the expense of the Undertakers and to the reasonable satisfaction of the corporation and as regards the outfall sewerage works of the corporation in accordance with plans and sections to be approved of by the corporation :
5. The provisions of sections 18 to 23 both inclusive of the Railways Clauses Consolidation Act 1845 shall extend and apply to and in relation to the water mains pipes and apparatus of the corporation and in construing those sections for the purposes of this Act the expressions "water company" or "society" when used in those sections shall mean the corporation :
6. If any difference or dispute arise between the corporation and the Undertakers touching this section or anything to be done or any money to be paid thereunder such difference shall be determined by an arbitrator to be agreed upon between the parties or in default of agreement to be appointed by the Board of Trade on the application of either party and the costs of and incident to the arbitration shall be borne as he shall direct :
7. The provisions of this section shall be in addition to and not in derogation of any other provisions of this Act or of the Acts or parts of Acts incorporated herewith or of any public Acts relating to water supply and works which may exist for the protection or benefit of the corporation: Provided that the corporation shall not be entitled to proceed under more than one enactment with respect to one and the same matter :

8. Save as in this Act expressly provided nothing in this section shall extend to prejudice diminish alter or take away any of the rights powers and authorities vested or to be vested in the corporation but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed. A.D. 1886.
15. The Undertakers may discontinue the use of and abandon the existing low-water pier and remove the same and they may also abandon and discontinue the use of such of the works constructed or authorised under any of the Bute Docks Acts as may be rendered useless or unnecessary by the construction of the works and operations by this Act authorised or which it may be necessary to remove or alter for the construction of the same. Power to discontinue the existing low-water pier and to abandon works rendered useless or unnecessary.
16. The Undertakers may from time to time purchase build hire maintain and use steam-tugs steamers ferry-boats and other vessels as they may from time to time think necessary and may demand and take reasonable charges fares and payments from persons employing or using the same. Power to provide steam-tugs &c.
17. The Undertakers may from time to time demand and take in respect of the pier authorised by this Act the tolls specified or described in sections thirty and thirty-one of the Bute Docks Act 1866 and if steam hydraulic or other power or any other special accommodation or facilities shall at any time be supplied on or in connexion with the said pier they may demand and take reasonable charges and payments from the persons employing or making use of the same. Pier tolls.
18. The several provisions of the Bute Docks Act 1866 as amended by the Bute Docks Act 1882 with respect to tolls and rates for passengers and for steel iron iron ore or other ore timber goods animals and things conveyed on the railways of the Undertakers authorised by the said Act of 1866 and with respect to matters connected therewith shall in all respects (subject to the provisions of this Act) be read and have effect as if the railways works and lands of the Undertakers under this Act were railways works and lands of the Undertakers under the Bute Docks Act 1882. Provisions of 29 & 30 Vict. cap. cxxvi. as to railway rates &c. to apply to railways under this Act.
19. Whereas pursuant to the Standing Orders of both Houses of Parliament and to an Act passed in the session of Parliament held in the ninth and tenth years of Her present Majesty chapter twenty a sum of five thousand eight hundred and fifty-three pounds one shilling and fourpence has been transferred into the name and with the privity of Her Majesty's Paymaster General for and on behalf of the Supreme Court of Judicature in England in respect of the Railway deposit not to be repaid except so far as railway opened &c.

A.D. 1886. application to Parliament for this Act of which sum six hundred and sixty-seven pounds one shilling and sixpence (herein-after referred to as "the railway deposit fund") represents five per centum on the amount of the estimate in respect of the railways authorised by this Act and the remainder (herein-after referred to as "the dock deposit fund") represents four per centum on the amount of the estimate in respect of the works other than the railways authorised by this Act: Be it enacted that notwithstanding anything contained in the said recited Act the railway deposit fund shall not be paid to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Act referred to as "the depositors") unless the Undertakers shall within five years after the passing of this Act open the railways for the conveyance of public traffic: Provided that if within such period as aforesaid the Undertakers open any portion of the railways for the conveyance of public traffic then on production of a certificate of the Board of Trade specifying the length of the portion of the railways opened as aforesaid and the portion of the railway deposit fund which bears to the whole of the railway deposit fund the same proportion as the length of the railways so opened bears to the entire length of the railways the High Court of Justice shall on the application of the depositors order the said portion of the railway deposit fund so specified in such certificate as aforesaid to be paid to the depositors or as the depositors shall direct and the certificate of the Board of Trade shall if signed by the secretary or by an assistant secretary of the said Board be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the recited Act to the contrary notwithstanding.

Application
of railway
deposit.

20. If the Undertakers do not within five years after the passing of this Act complete and open the railways as aforesaid then and in every such case the railway deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railways or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Undertakers by this Act for the purposes of the railways and for which injury or loss no compensation or inadequate com-

compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court of Justice may seem fit; and if no such compensation shall be payable or if a portion of the railway deposit fund shall have been found sufficient to satisfy all just claims in respect of such compensation then the railway deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the court thinks fit to order on the application of the Solicitor to Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or at the discretion of the court if the Undertakers are insolvent or a receiver has been appointed shall wholly or in part be paid to such receiver or be otherwise applied as part of the assets of the Undertakers for the benefit of the creditors: Provided that until the railway deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

21. On the application of the depositors by petition in a summary way at any time after the passing of this Act the court may and shall order that the dock deposit fund and the interest and dividends thereon shall be transferred to the depositors or to any other person or persons whom the depositors may appoint in that behalf.

Release of
dock deposit
fund.

22. The limits of the dock-master's authority as defined in and by section twenty-one of the Bute Docks Act 1882 are hereby extended so as to comprise and they accordingly shall comprise the docks and works under the Bute Docks Acts 1865 1866 1882 and this Act and all places within two hundred yards from the centre of the entrance to any and every dock basin harbour cut and channel of the Undertakers from time to time existing under the said Acts or any of them or this Act and within three hundred yards from any and every part of any pier jetty quay wall or landing-place of the Undertakers thereunder but not extending southwards beyond a distance of seventy chains measured from the sea-gates of the Bute West Dock nor to any part of the River Taff above the junction of that river with the entrance channel to the Bute Docks nor to any lands westwards of the River Taff: Provided that nothing in this section shall be deemed in any manner to restrict or abridge the limits of the dock-master's authority as defined by the Bute Docks Act 1882: but nothing in this Act or

Extension of
limits of
dock-master's
authority.

A.D. 1886.

in the Bute Docks Act 1882 contained shall be deemed to limit the powers and authorities of the dock-master under the Harbours Docks and Piers Clauses Act 1847.

Running powers for Taff Vale Railway Company over the railways.

23. The Taff Vale Railway Company and all companies and persons lawfully using the railways of that company may subject to the provisions of this Act and to the byelaws rules and regulations of the Undertakers as approved by the Board of Trade run over and use with their engines carriages waggons officers and servants for traffic passing to or from the docks any of the railways of the Undertakers by this Act authorised together with any roads approaches signals machinery and other works and conveniences on those railways respectively free of toll as regards all coal coke and culm traffic and as regards all other traffic upon payments terms and conditions to be (failing agreement) determined by arbitration under the Railway Companies Arbitration Act 1859 as made applicable to this Act.

Running powers for other railway companies over Railway (No. 3).

24. The Rhymney Railway Company the Great Western Railway Company and the London and North-western Railway Company or any one or more of them and all companies and persons lawfully using the railways of those companies or any of them may subject to the provisions of this Act and to the byelaws rules and regulations of the Undertakers as approved by the Board of Trade run over work and use with their engines carriages waggons officers and servants for traffic passing to or from the docks of the Undertakers or to or from the variation or extension (being the work Number (1) by this Act authorised) the Railway (No. 3) by this Act authorised together with any roads approaches signals machinery and other works and conveniences on that railway free of toll as regards all coal coke and culm traffic and as regards all other traffic upon payments terms and conditions to be (failing agreement) determined by arbitration under the Railway Companies Arbitration Act 1859 and for the purposes of such arbitration the Undertakers shall be deemed to be a railway company.

Further powers to make byelaws.

25. In addition to the byelaws which the Undertakers may make under the Harbours Docks and Piers Clauses Act 1847 and under the Bute Docks Acts the Undertakers may from time to time make alter and repeal such byelaws as they think fit with reference to all or any of the following purposes (that is to say):—

To regulate the admission to any part of the docks works or property of the Undertakers of seamen forming or intending to form members of the crew of any vessel about to depart from the said docks; and

A.D. 1886.

For regulating or preventing the introduction to or on any part of the docks works or premises of the Undertakers of wine beer spirituous or intoxicating liquors either by or for the purpose of being supplied to such seamen or other persons frequenting the docks ;

And generally for preventing drunkenness and disorder or inducements or opportunities for drunkenness and disorder amongst such seamen or other persons :

And the provisions of the Harbours Docks and Piers Clauses Act 1847 with respect to byelaws made by the Undertakers shall extend and apply to byelaws made under the authority of this Act : Provided that such byelaws shall not have any force or effect until they shall have been approved by the Board of Trade and that any byelaws made by the Undertakers under this Act or any of the Bute Docks Acts and approved by the Board of Trade shall not require any other approval confirmation or allowance.

26. It shall be lawful for the Undertakers within the limits of the docks undertaking as defined by the Bute Docks (Transfer) Act 1886 to produce and supply electricity and light by means of electricity and for those purposes to use any lands for the time belonging to or held on lease by them and not by any Act specifically appropriated to any other purpose and upon any such lands to erect and maintain any necessary workshops engine-houses storehouses (including places for storing electricity) or other necessary buildings and to manufacture buy or hire any machinery steam-engines gas-engines or other apparatus and to manufacture or buy any gas or fuel or buy or rent any other motive power and any other necessary materials or articles and to acquire licenses (not being exclusive) for the use of any patented or protected processes inventions machinery apparatus methods materials or other things and to make and recover charges for the sale and supply of electricity or electric light and for the provision or hire of electric meters and other fittings :

Power to produce and supply electricity.

Provided that the Undertakers shall not produce or supply electricity or use the same for the purpose of transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster General by the Telegraph Act 1869 :

The expression " telegram " in this section has the same meaning as in the Telegraph Act 1869.

27. Saving always to the mayor aldermen and burgesses of the borough of Cardiff all such rates or duties for or in respect of all such ships or other vessels coming into the port of Cardiff as shall enter into or make use of the works of the Undertakers constructed

Savingrights of Corporation of Cardiff.

A.D. 1886.

under the authority of this Act in as full large ample and beneficial a manner to all intents and purposes as they enjoyed the same before the passing of this Act or could or might have enjoyed the same in case this Act had not been passed in respect of vessels coming into the port of Cardiff and entering or using the docks and works of the Undertakers already made.

Saving
rights of
corporation
as to water
apparatus
&c.

28. All water mains pipes hydrants and water apparatus belonging to and laid down or placed by the corporation or by their predecessors in title the Cardiff Waterworks Company and now being within the limits of the Bute Docks shall continue to belong exclusively to the corporation and they shall at all reasonable times have access thereto for the purpose of renewing repairing and maintaining the same and nothing in this Act contained shall in any manner alter vary or prejudicially affect any rights now possessed by the corporation in regard to the supply of water within the Bute Docks.

Saving
rights of the
Crown.

29. Nothing contained in this Act shall authorise the Undertakers to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give); neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the ~~estates~~ rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Saving
rights of the
Crown in the
foreshore.

30. Nothing contained in this Act shall authorise the Undertakers to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give); neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Provision as
to general
Railway Acts.

31. Nothing herein contained shall be deemed or construed to exempt the railways by this Act authorised to be made from the

[49 & 50 VICT.]

*Bute Docks (Further Powers)
Act, 1886.*

[Ch. cii.]

provisions of any general Act relating to railways now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges authorised by this Act. A.D. 1886.
—

32. All costs charges and expenses of and incident to the preparing and applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Undertakers. Costs of
Act.

LONDON: Printed by EYRE and SPOTTISWOOD, Printers to the Queen's most Excellent Majesty. 1886.

