**CHAPTER cvi.**

An Act for conferring further powers upon the Rhyl District Water Company and for other purposes. A.D. 1892.

[20th June 1892.]

WHEREAS the Rhyl District Water Company (in this Act called the Company) were incorporated by the Rhyl District Waterworks Act 1865 (in this Act referred to as the Act of 1865) and were thereby authorised to construct and maintain waterworks and supply water within the limits therein mentioned :

And whereas the authorised share capital of the Company under the Act of 1865 was twenty thousand pounds with power to raise additional capital to the amount of six thousand pounds and to borrow in respect of the said sums of twenty thousand pounds and six thousand pounds the sums of five thousand pounds and one thousand five hundred pounds respectively :

And whereas by the Rhyl District Waterworks Act 1871 (in this Act referred to as the Act of 1871) further powers were conferred upon the Company and they were authorised to raise additional capital to the amount of eleven thousand pounds by the creation of new ordinary shares or stock or preference shares or stock and to borrow in respect of such additional capital the sum of three thousand pounds and they were also authorised to raise by the creation and issue of preference shares or stock (with a dividend limited to seven pounds per centum per annum) the sum of five thousand and sixty pounds being the then unissued balance of the share capital of six thousand pounds authorised by the Act of 1865 :

And whereas by the Rhyl District Water Order 1879 (in this Act referred to as the Order of 1879) the Company were authorised to raise a further sum of twelve thousand pounds by the creation and issue of new preference shares or stock with a dividend limited to five pounds per centum per annum and to borrow a further sum of three thousand pounds :

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And whereas the share capital of the Company now consists of the following sums:—

Fully paid up ordinary shares - - -	£20,750
Eighteen ordinary shares allotted as fully paid up in consideration of land purchased by the Company - - -	180
Amount forfeited on one ordinary share -	3
Fully paid up five per centum preference shares	12,000
Fully paid up six per centum preference shares	16,060
	<hr/>
Total -	£48,993
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The whole of which sums have been expended and the Company have also expended and now owe the whole of the moneys amounting in the aggregate to twelve thousand five hundred pounds which they are authorised to borrow:

And whereas by the Act of 1865 (section 44) the rate which the Company are authorised to charge for the supply of water for domestic purposes is limited to six pounds five shillings per centum per annum upon the rateable value of the house supplied:

And whereas in consequence of unexpected difficulties in carrying out the works authorised by the Acts of 1865 and 1871 and the increased demand for water within the district the capital and borrowing powers conferred upon the Company by those Acts and the Order of 1879 have proved insufficient to meet the capital expenditure necessary for the completion of those works and for affording a supply of water to their district and the Company have been obliged to expend on capital account further sums to the amount of three thousand five hundred and thirty-six pounds three shillings and tenpence out of revenue and further sums amounting to four thousand and ninety-one pounds or thereabouts have been expended by the directors of the Company out of their own moneys on behalf of the Company while owing to the aforesaid difficulties and increased demand for water and also in consequence of the rateable value of house property at Rhyl and Pensarn having been diminished by the action of the assessment committee of the Saint Asaph Union the rates which the Company are authorised to charge are insufficient to produce a fair return on the capital expended:

And whereas no profits were divided among the ordinary shareholders of the Company from the year one thousand eight hundred and seventy-one to the year one thousand eight hundred and seventy-eight both inclusive and no profits were divided among the preference shareholders from the year one thousand eight hundred and seventy-

three to the year one thousand eight hundred and seventy-eight both inclusive and from the year one thousand eight hundred and eighty-two to the year one thousand eight hundred and ninety both inclusive the profits divided among the ordinary shareholders have never amounted to more than two pounds five shillings per centum per annum : A.D. 1892.

And whereas the Company require to construct additional works for improving and increasing the supply and storage of water but are unable under present circumstances to raise additional capital for that purpose :

And whereas it is expedient that the rates which the Company are authorised to charge should be increased as provided by this Act and that the powers of the Company should be enlarged and that they should be empowered to borrow further moneys and to create and issue first preference shares or stock as herein-after provided :

And whereas the proposals to borrow such further moneys and to create and issue first preference shares or stock as aforesaid have received the assent in writing of the holders of three fourths in value of the mortgages of the Company and also of the holders of three fourths in value of each class of the preference shares of the Company :

And whereas plans and sections showing the lines situations and levels of the works authorised by this Act and also a book of reference to the plans 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 of or under the powers of this Act were duly deposited with the clerk of the peace for the county of Denbigh and are herein-after referred to as the deposited plans sections and book of reference :

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

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) :—

1. This Act may be cited as the Rhyl District Water Act 1892. Short title.

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

The Lands Clauses Acts :

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The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof: and

The Waterworks Clauses Acts 1847 and 1863 except the words in section 44 of the former of those Acts "with the consent in writing of the owner or reputed owner of any such house or the agent of such owner":

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for nonpayment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The conversion of borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested:

And Part I. (relating to cancellation and surrender of shares)

Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869.

Interpreta-
tion.

3. Terms to which meanings are assigned in Acts incorporated wholly or in part with this Act or which have therein special meanings have in this Act (unless varied thereby) the same respective meanings and in this Act and (for the purposes of this Act) in Acts incorporated wholly or in part with this Act the expression—

"Superior courts" or "court of competent jurisdiction" or any other like expression shall 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:

In the Railways Clauses Consolidation Act 1845 for the purposes of this Act—

The expressions "the railway" "the work" and "the centre of the railway" respectively mean the reservoir by this Act authorised. A.D. 1892.

4. Subject to the provisions of this Act the Company may in the lines and situations and upon the lands shown on the deposited plans and according to the levels shown on the deposited sections make and maintain in the parish of Llanefydd otherwise Llanyfydd in the county of Denbigh the reservoir conduit line of pipes and other works shown on the deposited plans and sections among which are the following principal works (that is to say) :— Power to construct works.

A new reservoir to be formed by means of an embankment or dam across the stream commonly called or known by the name of Dolwen otherwise Caeren otherwise Nantllwyd (in this Act called the Dolwen Stream) :

An aqueduct conduit or line of pipes commencing at the northern end of the said new reservoir and terminating at the southern corner of the Company's existing reservoir called the Plas Uchaf Reservoir :

The waterworks to be constructed under the authority of this Act shall for all purposes whatsoever be deemed part of the undertaking of the Company.

5. The Company in addition to the foregoing works may from time to time upon any lands acquired or to be acquired by them make and maintain all such cuts channels adits catchwaters aqueducts culverts drains sluices by-washes weirs gauges wells tanks banks walls approaches engines machinery and appliances as may be necessary or convenient in connexion with the before-mentioned works or any of them. Power to make subsidiary works.

6. Subject to the provisions of this Act the Company may enter upon take and use such of the lands shown on the deposited plans and described in the deposited book of reference as they require for the purposes of this Act and may divert collect appropriate and use for the purposes of the Company the waters of the Dolwen Stream and any other streams brooks or springs found in on or under any lands for the time being belonging to the Company or which will or can be intercepted by the works by this Act authorised. Power to take lands and waters.

7. In the construction of the works authorised by this Act the Company may deviate to any extent not exceeding the limits of the deviation shown on the deposited plans and where on any road no limits of lateral deviation are shown the boundaries or fences of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and ten feet downwards Limits of deviation.

A.D. 1892. but not so as to raise any aqueduct culvert or conduit above the surface of the ground unless so shown on the sections and then only to the extent so shown and two feet in addition. Provided always that if it be found necessary or expedient to alter the situation of any embankment or retaining wall of the reservoir the Company shall not construct any such embankment or wall of a greater height above the general surface of the ground than that shown upon the deposited sections and three feet in addition.

Period for compulsory purchase of lands.

8. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing thereof.

Period for completion of works.

9. If the principal works authorised by this Act are not completed within the period of seven years from the passing of this Act then on the expiration of such period the powers by this Act granted to the Company for executing the same or in relation thereto shall cease except as to so much thereof as is then completed but nothing in this Act shall restrict the Company from extending enlarging altering reconstructing or removing any of their mains pipes or other works or plant at any time and from time to time as occasion may require.

Power to take additional lands by agreement.

10. The Company may from time to time for the purposes of their undertaking acquire by agreement in addition to lands which they are already authorised to hold under the powers of the Acts of 1865 and 1871 or to take by compulsion under the powers of this Act any lands not exceeding in the whole five acres or any easement right or privilege therein thereunder or thereover but the Company shall not deal with such lands so as to create or permit the creation of a nuisance nor use any such lands for any building except buildings required for the undertaking of the Company.

Power to owners to grant easements.

11. Persons empowered by the Lands Clauses Acts or otherwise enabled to sell and convey or release lands may subject to the provisions of those Acts and of this Act grant to the Company in fee either absolutely or in consideration of any yearly or other rent any easement interest right privilege or power (not being an easement of water) required for the purposes of this Act in over affecting or belonging to 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 interests rights privileges and powers as aforesaid respectively.

Restriction on taking houses of

12.—(1) The Company shall not under the powers of this Act purchase or acquire in any city borough or urban sanitary district

or in any parish or part of a parish not being within an urban sanitary district ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or without the consent of the Local Government Board ten or more houses which were not so inhabited on the said fifteenth day of December but have been subsequently so inhabited:

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labouring
class.

(2) For the purposes of this section the expression "labouring class" includes mechanics artisans 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. Subject as herein-after provided section 44 of the Act of 1865 is hereby repealed and in lieu thereof the following provisions shall have effect (that is to say):—

Alteration of
rates for
domestic
supply.

The Company shall at the request of the owner or occupier of any house in any street in which any service pipe of the Company shall be laid or of any person who under the provisions of the Rhyl District Waterworks Act 1865 or under this Act or under any Act incorporated with either of such Acts shall be entitled to demand a supply of water for domestic purposes furnish to such owner or occupier or other person a sufficient supply of water for domestic uses at any rate which may be agreed upon between the Company and such owner occupier or other person not exceeding the rates and charges per annum following:—

Where the rateable value (as appears by the poors rate assessment for the time being) of such house so supplied shall not exceed five pounds the sum of eight shillings and eightpence:

Where the rateable value shall exceed five pounds and shall not exceed six pounds the sum of ten shillings and eightpence:

Where the rateable value shall exceed six pounds and shall not exceed seven pounds the sum of twelve shillings and eightpence:

Where the rateable value shall exceed seven pounds and shall not exceed eight pounds fourteen shillings and fourpence:

Where the rateable value shall exceed eight pounds and shall not exceed nine pounds sixteen shillings and fourpence:

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Where the rateable value shall exceed nine pounds and shall not exceed ten pounds eighteen shillings :

Where the rateable value shall exceed ten pounds and shall not exceed eleven pounds nineteen shillings and fourpence :

Where the rateable value shall exceed eleven pounds and shall not exceed twelve pounds twenty-one shillings :

Where the rateable value shall exceed twelve pounds and shall not exceed thirteen pounds twenty-two shillings and fourpence :

Where the rateable value shall exceed thirteen pounds and shall not exceed fourteen pounds twenty-three shillings and eightpence :

Where the rateable value shall exceed fourteen pounds and shall not exceed fifteen pounds twenty-four shillings and eightpence :

Where the rateable value shall exceed fifteen pounds and shall not exceed sixteen pounds twenty-six shillings and fourpence :

Where the rateable value shall exceed sixteen pounds and shall not exceed seventeen pounds twenty-seven shillings and fourpence :

Where the rateable value shall exceed seventeen pounds and shall not exceed eighteen pounds twenty-nine shillings :

Where the rateable value shall exceed eighteen pounds and shall not exceed nineteen pounds thirty shillings and fourpence :

Where the rateable value shall exceed nineteen pounds and shall not exceed twenty pounds thirty-two shillings :

Where the rateable value shall exceed twenty pounds and shall not exceed forty pounds eight pounds per centum per annum :

Where the rateable value shall exceed forty pounds seven pounds ten shillings per centum per annum :

Provided always that the Company shall not be compelled to supply any house for less than eight shillings and eightpence per annum or for a less period than six months Provided also that this section shall not have any effect unless and until the other powers of the Company under this Act come into force and are exerciseable by the Company under the provisions herein-after contained.

Constant
pressure.

14. Water supplied under this Act need not be supplied in any case at a level above that at which water can be supplied by gravitation from the waterworks of the Company but subject thereto it shall be constantly laid on in accordance with section 35 of the Waterworks Clauses Act 1847 Provided always that

the water to be supplied by the Company need not be constantly laid on under pressure until the expiration of two years after the passing of this Act.

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15. For preventing waste misuse undue consumption or contamination of the water of the Company the following provisions shall have effect (that is to say):—

Regulations
for prevent-
ing waste of
water.

(1) The Company may from time to time make regulations for the purpose of preventing the waste undue consumption or misuse or contamination of water and may by such regulations prescribe the size make nature materials workmanship and strength and the mode of arrangement connexion disconnexion alteration and repair of the pipes meters cocks ferrules valves soil-pans waterclosets baths tanks cisterns and other apparatus fittings means contrivances receptacles or appliances whatsoever to be used and forbid any arrangements and the use of the several things before mentioned or any or either of them which may allow or tend to waste or undue consumption misuse erroneous measurement or contamination :

(2) No such regulations shall be of any force or effect except within such part or parts of the district as the Company for the time being do in fact supply or are prepared on demand to supply with water under constant pressure and unless and until the same shall have been submitted to and confirmed by the Local Government Board who are hereby empowered to confirm the same :

(3) No such regulations shall be confirmed until after the expiration of one month after notice in writing of the intention to submit the same for confirmation together with a copy of the proposed regulations shall have been given by or on behalf of the Company to the local authorities (as defined by the Public Health Act 1875) within the limits of this Act who may within the said period of one month make such representations to the Local Government Board as they see fit :

(4) A copy of all such regulations in force for the time being shall be kept at the office of the Company and all persons may at all reasonable times inspect such copy without payment and the Company shall cause to be delivered a printed copy of all regulations for the time being in force to every person applying for the same on payment of a sum not exceeding sixpence for each copy :

(5) A printed copy of any such regulations dated and purporting to have been made as aforesaid and to be sealed with the seal of the Company and to have been confirmed by the Local Government Board shall be evidence until the contrary be

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proved in all legal proceedings of the due making confirmation publication and existence of such regulations without further or other proof :

- (6) In case of failure of any person to observe such regulations as are for the time being in force the Company may if they think fit after twenty-four hours notice in writing and between the hours of nine in the forenoon and four in the afternoon enter and by and under the direction of their duly authorised officer repair replace or alter any pipe meter valve cock ferrule tank cistern bath soil-pan watercloset or other apparatus means contrivance or receptacle fittings or appliances belonging to or used by such person and the expense of every such repair replacement or alteration shall be repaid to the Company by the person on whose credit the water is supplied and may be recovered by them as water rent is recoverable :
- (7) Any person who shall offend against any such regulations shall (without prejudice to any other right or remedy for the protection of the Company or punishment of the offender) be liable to a penalty not exceeding five pounds for each offence and to a further penalty not exceeding forty shillings for each day whereon such offence shall occur after conviction thereof and the Company may in addition thereto recover the amount of any damages sustained by them.

Power to
supply water
to local au-
thorities and
others.

16.—(1) It shall be lawful for the Company to supply water by agreement to any local or urban or rural sanitary authority company or person beyond their limits of supply on such terms and conditions in all respects and for such periods as the Company and such local or urban or rural sanitary authority company or person may from time to time agree but no such supply shall interfere with the Company giving a proper supply for all purposes to persons within their said limits or continuing to give a supply to the parish of Llanddulas or to the parish of Henllan under and in accordance with the several agreements as respectively set forth in the schedule to this Act namely :—

- (A) An agreement dated the tenth day of April one thousand eight hundred and seventy-nine and made between the Company of the one part and the St. Asaph Rural Sanitary Authority of the other part ;
- (B) An agreement dated the thirteenth day of January one thousand eight hundred and eighty-one and made between the Company of the one part and the St. Asaph Rural Sanitary Authority of the other part :
- (2) Nothing in this section shall authorise any local or urban or rural sanitary authority to enter into any agreement which they

could not enter into under the general law and any agreement entered into as aforesaid by any such authority shall be deemed to have been entered into by such authority for the purposes of the Public Health Act 1875:

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(3) For the purpose of affording a supply of water under this section the Company may exercise the powers of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes within the district of any local or urban or rural sanitary authority immediately adjacent to the water limits of the Company Provided that no such power shall be exercised without the consent in writing of the road authority and of the sanitary authority:

(4) At any time after the laying down of any mains pipes or apparatus under this section by the Company the Company shall if required by the sanitary authority of the district within which such mains pipes or apparatus are situate sell to that authority all such mains pipes and apparatus at such price and on such terms and conditions as may be settled by agreement between the Company and the sanitary authority or failing agreement as may be determined by an arbitrator to be appointed for that purpose by the Local Government Board on the application of either party.

17. The Company with the authority of three fourths of the votes of the ordinary shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose may from time to time raise any additional capital not exceeding twenty-five thousand pounds by borrowing on mortgage of their undertaking or by the creation and issue of debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 or by the creation and issue of shares or stock to be called first preference shares or stock Provided always that the Company shall not raise by borrowing on mortgage and by the creation and issue of debenture stock under this Act any greater sum than twelve thousand five hundred pounds.

Company may raise further moneys.

18. All mortgages debentures or debenture stock created by the Company under the powers of this Act and the moneys secured thereby and the interest thereon at the rate of not exceeding five pounds per centum per annum shall notwithstanding anything contained in this Act or in any former Act under which the Company have issued mortgages bonds or debentures rank pari passu for all purposes with such mortgages bonds and debentures and the moneys secured thereby and the interest thereon respectively.

Mortgages &c. under this Act to rank pari passu with existing mortgages.

19. The holders of first preference shares or stock to be created by the Company under the powers of this Act shall be

As to first preference shares or stock.

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entitled to dividend thereon at such rate not exceeding five pounds per centum per annum as the Company shall by the resolution creating the same determine in priority to all preference shares of whatsoever class heretofore created by the Company and to all other shares of the Company except mortgages bonds debentures or debenture stock.

Shares not to be issued until one fifth paid.

20. The Company shall not issue any share created under the authority of this Act of less nominal value than ten pounds nor shall any such share vest in the person or corporation accepting the same unless and until a sum being not less than one fifth of the amount of such share is paid in respect thereof.

Limiting amount of calls.

21. Twenty-five per centum shall be the largest amount of a call which the Company may make in respect of any such share and there shall be an interval of not less than two months between successive calls.

Restriction as to votes in respect of first preference shares or stock.

22. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of first preference shares or stock.

Repealing existing provisions as to receiver.

23. Section 13 of the Act of 1865 and section 11 of the Act of 1871 are hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings pending at the passing of this Act under the said sections.

Appointment of a receiver.

24. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Application of sums raised under this Act.

25. All and every part of the sums of money which the Company are by this Act authorised to raise shall be applied only to the purposes of this Act and to the general purposes of their undertaking including the repayment of any moneys not exceeding four thousand one hundred pounds with interest thereon which the directors of the Company may have expended or become personally liable for to meet the necessary expenditure of the Company being in all cases purposes to which capital is properly applicable.

Certain powers of Act not to be exercised in certain events.

26. In the event of the Rhyl Improvement Commissioners being authorised by Parliament during the present session to purchase the undertaking of the Company the Company shall not (except as herein-after provided) exercise any of the powers of this Act unless the said commissioners fail within one year from the passing of the

Act authorising such purchase to complete the purchase and pay the purchase money in accordance with the provisions of such Act and upon such completion and payment the powers of this Act (except those relating to the application of the purchase money and the payment of the costs of this Act) shall absolutely cease but if from any cause whatsoever the purchase money be not paid by the said commissioners to the Company within one year from the passing of the Act authorising such purchase as aforesaid then and immediately upon the expiration of such one year as aforesaid any and every obligation or liability of the Company to sell their undertaking to the commissioners shall absolutely cease and determine and thereupon the powers conferred upon the Company by this Act shall come into full force and be exerciseable by the Company.

27. The purchase money to be paid by the said commissioners and all other moneys belonging to the Company shall be applied by the directors in the manner following :— Application of purchase money.

First. In paying off in accordance with their several priorities all moneys owing by the Company on mortgage bond or other charge on the undertaking of the Company with interest thereon up to the date of payment :

Second. In discharging all outstanding debts and liabilities of the Company which shall not have been so secured including any moneys (not exceeding in the aggregate four thousand one hundred pounds) which the directors of the Company may have expended or become personally liable for as aforesaid on behalf of the Company and also including unless previously paid by the Company the costs charges and expenses preliminary to and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto and the costs of the Company of and incident to the sale of the undertaking and to the winding up and dissolution of the Company :

Third. In making a rateable division of the residue amongst the holders of the shares of the Company in proportion to the amount paid up on their several holdings :

And the directors may exercise all powers and do all acts necessary or proper for the foregoing purposes respectively and for winding up the affairs of the Company and when and as soon as the moneys aforesaid have been distributed by the directors of the Company and all the debts and liabilities of the Company have been paid and satisfied and the affairs of the Company have been completely wound up the directors or any two of them acting in pursuance of a resolution of the directors shall certify under their hands to that effect and shall cause a copy of their certificate to be published in the

A.D. 1892. — London Gazette and thereupon the Company shall be by virtue of this Act dissolved.

Restricting
expenditure
of capital
by the
Company.

28. The Company shall not between the passing of this Act and the date of transfer expend any moneys in extensions of mains or other works without the consent of the commissioners in writing under their common seal except in case of emergency or in case of the Company being called upon to expend capital in pursuance of any statutory obligation. Provided always that nothing in this Act contained shall prevent the raising of capital for the payment by the Company of the costs charges and expenses preliminary to and incidental to the applying for obtaining and passing of this Act but so that any capital so raised shall not be repayable by the Rhyl Improvement Commissioners.

Saving
rights of the
Crown.

29. Nothing contained in this Act shall authorise the Company 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.

Costs of Act.

30. All costs charges and expenses preliminary to and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

SCHEDULE referred to in the foregoing Act.

A.D. 1892.

PART I.

MEMORANDUM OF AGREEMENT made this tenth day of April one thousand eight hundred and seventy-nine between the RHYL DISTRICT WATER COMPANY (herein-after called the "said Company") of the one part and the SAINT ASAPH RURAL SANITARY AUTHORITY (herein-after called the "said Authority") of the other part whereby the said Company and the said Authority mutually agree as follows:—

1. The said Company shall and will lay down and maintain (subject to the proviso hereafter mentioned) at the cost of the said authority a three-inch turn and bore cast-iron pipe coated with Dr. Smith's composition from and connected with their existing four-inch pipe near the river bridge in the town of Abergele to the boundary of the local board district near the toll gate as shown by the blue line marked on the plan hereto annexed (point A to point B) but in case the said Company attach a junction or junctions to any of the pipes laid down at the expense of the said authority (which they hereby reserve to themselves always the power of doing) the expense of repairs and maintenance of the said pipe between the river bridge and the boundary of the local board district and also the other pipes mentioned in this agreement within the parish of Abergele shall be borne by the said Company and the said authority in proportion to the quantity of water consumed by the Company and the authority respectively during the year (twenty-fifth day of December to twenty-fifth day of December) immediately preceding the work done in repairs and maintenance.

2. The said authority shall at their own risk and expense but subject to the approval as regards pipes valves laying and junctions within the parish of Abergele of the person for that purpose appointed from time to time by the said Company be empowered to attach to or extend a three-inch cast-iron pipe from the western end of the three-inch pipe mentioned in the last clause (point B in the said plan) to Tanyrogo with a two-inch branch leading from the same to Clip Terfyn and from Tanyrogo aforesaid a two-and-a-half-inch pipe for a distance not exceeding two hundred and twenty yards from the western end of the bridge near Llanddulas Church with a two-inch branch from the same pipe to Tanyffordd Hamlet together with a two-inch branch as far as Taidulas and smaller branches for services.

3. The price for the water which shall be supplied through a meter shall be fixed at sixpence for one thousand gallons from the twenty-ninth September to the twenty-fifth March in each year and ninepence per one thousand gallons from the twenty-fifth March to twenty-ninth September in each year.

4. A proper sized meter shall be put up by the said Company anywhere they may consider desirable on the said pipe line marked blue on the said plan and the expense of fixing and meter rent shall be paid by the said authority at the time and in manner prescribed by the 48th section of the Rhyl District Waterworks Act 1865.

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5. No water shall be supplied by the said authority outside the parish of Llanddulas without the consent of the said Company being first had and obtained in writing.

6. The said Company reserve to themselves the exclusive right of attaching at their own expense junctions to the said main pipe between Abergele and Llanddulas so to be laid down from point A as aforesaid but in that case the said Company shall attach at their own expense a meter to each junction for the purpose of supplying water to consumers within the parish of Abergele and the said authority shall render them every facility for so doing and shall not be entitled to any charge or compensation for the exercise of such reservation and supply.

7. This agreement is entered into subject to the provisions of the Rhyl District Waterworks Act of 1865 and the Rhyl District Waterworks Act of 1871 and the several Acts incorporated therewith and must not be construed to bind the said Company to supply water in the event of the directors of the said Company deeming it necessary to discontinue it in order that the supply required by the district formed by the first-named Act shall not be prejudiced but subject thereto and to the provisions of the said Acts the said Company shall at all times do what they reasonably can to afford a good ample and wholesome supply of water to the said authority.

8. In case of dispute between the said parties the same shall be settled by arbitration in manner prescribed by the Common Law Procedure Act of 1854 or any modification thereof.

In witness whereof the said authority have hereunto affixed their common seal the day and year first above written.

The common seal of the St. Asaph }
 Union Rural Sanitary Authority } W.M. M. CLARKE
 was affixed hereto in the presence } Presiding Chairman.
 of }


 L.S.

CHAS. GRIMSLEY

Clerk to the Saint Asaph Union
 Rural Sanitary Authority.

PART II.

MEMORANDUM OF AGREEMENT made this thirteenth day of January one thousand eight hundred and eighty-one between the RHYL DISTRICT WATER COMPANY (herein-after called the "said Company") of the one part and the ST. ASAPH RURAL SANITARY AUTHORITY (herein-after called the "said Authority") of the other part whereby the said Company and the said Authority mutually agree as follows :—

1. The said authority shall at their own risk and expense but subject to the approval as regards pipes laying and junctions within the parish of St. Asaph of the person for that purpose appointed from time to time by the said Company be empowered to attach to or extend a three-inch turned and bored cast-iron pipe coated with Dr. Smith's composition from the said Company's three-inch main pipe at a point not exceeding eight yards from the gateway leading to the front of Bryn Elwy House.

2. The price for the water which shall be supplied through a meter shall be fixed at the rate of sixpence for one thousand gallons from the twenty-ninth day of September to the twenty-fifth day of March in each year and ninepence per one thousand gallons from the twenty-fifth day of March to the twenty-ninth day of September in each year.

3. A proper sized meter shall be put up by the said Company at or near the junction with the said three-inch main pipe and the expense of fixing and meter rent shall be paid by the said authority at the time and in manner prescribed by the 48th section of the Rhyl District Waterworks Act 1865.

4. No water shall be supplied outside the parish of Henllan without the consent of the said Company being first had and obtained in writing.

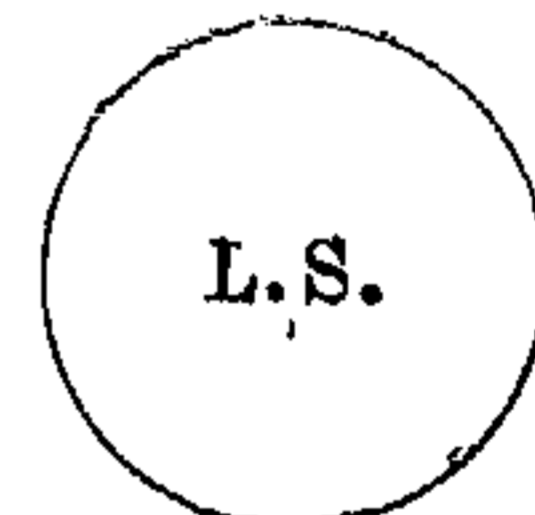
5. The said Company reserve to themselves the exclusive right of attaching at their own expense junctions to the said three-inch turned and bored pipe so to be laid down by the said authority between that pipe and the boundary dividing the parish of Saint Asaph from the parish of Henllan but in that case the said Company shall attach at their own expense a meter to each junction for the purpose of supplying water to consumers within the district of the Company and the said authority shall render them every facility for so doing and shall not be entitled to any charge or compensation for the exercise of such reservation and supply.

6. This agreement is entered into subject to the provisions of the Rhyl District Waterworks Act 1865 and the Rhyl District Waterworks Act 1871 and the several Acts incorporated therewith and must not be construed to bind the Company to supply water in the event of the directors of the said Company deeming it necessary to discontinue it in order that the supply required by the district formed by the first-named Act shall not be prejudiced but subject thereto and to the provisions of the said Act the said Company shall at all times do what they reasonably can to afford a good ample and wholesome supply of water to the said authority.

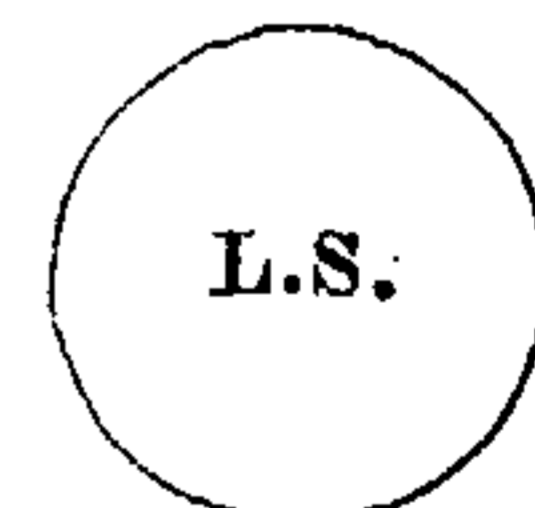
7. In case of dispute between the said parties the same shall be settled by arbitration in manner prescribed by the Common Law Procedure Act of 1854 or any modification thereof.

In witness whereof the said parties have caused their respective common seals to be hereunto affixed the day and year first above written.

R. J. SISSON
Chairman R. W. Co.



T. GRIFFIES DIXON
Chairman St. Asaph Union
Rural Sanitary Authority.



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