



### CHAPTER clxi.

An Act to enable the Mayor Aldermen and Burgesses of the County Borough of Cardiff to construct and maintain additional Waterworks Street Road and Bridge Improvements and to make further provisions for the improvement health and good government of the Borough and for other purposes. [17th August 1894.]

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

And whereas the several local Acts and the provisional orders mentioned in the First Schedule to this Act are in force within the borough which Acts and orders are in this Act collectively referred to as the former Acts and each of them separately as an Act or order of the year in which the same was passed or made :

And whereas the Corporation are the owners of the water undertaking of the borough and under the powers of the Acts of 1853 1860 1878 1879 and 1884 supply water to the town and port of Cardiff and certain parishes and places adjacent thereto in the county of Glamorgan :

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

And whereas by the Act of 1884 the Corporation were empowered to construct additional waterworks and to obtain a supply of water from the River Taff Fawr in the county of Brecknock and to raise

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And whereas the Corporation have up to the first day of November one thousand eight hundred and ninety-three expended upon their waterworks undertaking the sum of nine hundred and sixty-two thousand nine hundred and four pounds and they are proceeding with the construction of the embankment of the Reservoir No. 1 authorised by the Act of 1884 within the limits of lateral and vertical deviation authorised by that Act and it is expedient that the Corporation be authorised to enlarge that reservoir to construct additional conduits and road diversions in connexion with their waterworks undertaking and to borrow three hundred and fifty thousand pounds :

And whereas no waters are intended to be taken from the River Taff Fawr or its tributaries for the use of the Corporation other than those which the Corporation are empowered to take by the Act of 1884 and it is intended that all the provisions contained in that Act as to compensation water shall remain in full force and that none of the waters secured by the Act of 1884 for the purposes of compensation shall be lessened affected or interfered with under the powers of this Act :

And whereas it is expedient to sanction the construction of the railway made by the Corporation in connexion with their waterworks and that the former Acts so far as they relate to the waterworks undertaking of the Corporation should be in divers particulars altered and amended :

And whereas it is expedient that the Corporation be empowered to construct and maintain the new streets roads and bridges and street road and bridge improvements herein-after in this Act mentioned and that further powers be conferred upon them in relation to street improvements and buildings within the borough :

And whereas it is expedient that the Corporation should acquire further lands for market purposes and that the tolls rates and stallages now levied in their markets should be altered :

And whereas it is expedient that the Corporation should acquire land for the erection of destructors and for a police station and parks :

And whereas the Corporation are the lessees of the Guildford Crescent Baths in the borough and it is expedient that the Corporation be authorised to acquire the freehold thereof :

And whereas it is expedient that a fund should be established for the encouragement of thrift among the officers and servants of the Corporation and that the Corporation be empowered to subscribe

or contribute to such fund and that such other provisions should be made in reference thereto as are in this Act contained : A.D. 1894.

And whereas the Corporation maintain a fire brigade for the borough (in this Act called "the fire brigade") which is under the control of the watch committee of the council and that committee are the police authority for the borough for the purposes of the Police Acts 1890 and 1893 and the members of the fire brigade devote the whole of their time to fire brigade duties and are in this Act called the permanent fire brigade and it is expedient that provision be made for the establishment of a pension fund for and for the superannuation of the permanent fire brigade :

And whereas the Corporation have from time to time expended upon permanent works in connexion with their waterworks undertaking sums amounting to one hundred and thirty-two thousand nine hundred and four pounds in excess of the sums which under the former Acts the Corporation are authorised to borrow for waterworks purposes :

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

And whereas it is expedient that further powers be granted to the Corporation for the improvement and better government of the borough and that the former Acts be in divers particulars altered and amended and the powers thereof extended as in this Act provided :

And whereas it is expedient that the Corporation be empowered to acquire for the purposes of this Act the lands in this Act mentioned and plans and sections showing the lines situation and levels of the works authorised by this Act and plans showing the lands which the Corporation may acquire under the powers of this Act and books of reference to such plans showing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands and describing the same have been deposited with the respective clerks of the peace for the counties of Glamorgan and Brecknock (which plans sections and books of reference are in this Act respectively referred to as the deposited plans sections and books of reference) :

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

And whereas estimates have been prepared by the Corporation for the purchase of lands for and for the execution of the various works by this Act authorised and such estimates are as follows :—

For the extension and improvement of the waterworks undertaking including the said sum of one hundred and thirty-two thousand nine hundred and four pounds already expended by

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the Corporation as herein-before mentioned three hundred and fifty thousand pounds ;  
For new streets bridge and street road and bridge improvements two hundred and thirty-five thousand pounds ;  
For parks pleasure grounds and open spaces ten thousand pounds ;  
For the erection of a crematorium one thousand five hundred pounds ;  
For the docks police station seven hundred and seventy pounds ;  
For markets eleven thousand four hundred pounds ;  
For the Guildford Crescent Baths one thousand pounds ;  
For refuse destructors six thousand pounds :

And whereas the several works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 :

And whereas an absolute majority of the whole number of the council at a meeting held on the eleventh day of December one thousand eight hundred and ninety-three after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the "South Wales Daily News" a newspaper published or circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged as to one fourth thereof on the water revenue as to another one fourth on the borough fund and as to the remaining one half on the general district fund :

And whereas such resolution was published twice in the said "South Wales Daily News" newspaper and has received the approval of the Local Government Board and of a Secretary of State :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the eighth day of January one thousand eight hundred and ninety-four being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the borough by resolution in the manner provided in Schedule III. of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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 :—

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## PART I.—PRELIMINARY.

1. This Act may be cited as the Cardiff Corporation Act 1894. Short title.
2. This Act is divided into parts as follows :— Act divided into parts.
  - Part I.—Preliminary.
  - Part II.—Waterworks.
  - Part III.—Street Improvements.
  - Part IV.—Markets &c.
  - Part V.—Parks and Public Grounds.
  - Part VI.—Destructors.
  - Part VII.—Police Station and Baths.
  - Part VIII.—Lands &c.
  - Part IX.—Streets and Buildings.
  - Part X.—Police and Street Traffic.
  - Part XI.—Infectious Diseases &c.
  - Part XII.—Thrift Fund.
  - Part XIII.—Fire Brigade Superannuation.
  - Part XIV.—Finance.
  - Part XV.—Miscellaneous Provisions.
3. The following Acts and parts of Acts (that is to say) :— Incorporation of Acts.

The Lands Clauses Acts ;

The Waterworks Clauses Acts 1847 and 1863 (except the provisions of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and except the words in the forty-fourth section of that Act “with the consent “ in writing of the owner or reputed owner of any such house “ or of the agent of such owner”);

so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are incorporated with and form part of this Act.
4. In this Act unless the subject or context otherwise requires— Interpretation.

Terms to which meanings are assigned by any Act wholly or partially incorporated with this Act have the same respective meanings ;

“The borough” means the county and municipal borough of Cardiff ;

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

“The council” means the council of the borough ;

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“The town clerk” “the treasurer” “the water engineer” “the surveyor” “the medical officer of health” and “the inspector of nuisances” respectively mean the town clerk the treasurer the water engineer the surveyor the medical officer of health (including any person duly authorised temporarily to act as medical officer of health) and the inspector of nuisances of the borough;

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

“District fund” and “general district rates” mean respectively the district fund and the general district rates of the borough;

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

“Waterworks regulations” means the waterworks regulations of the Corporation sanctioned by the Local Government Board and for the time being in force within their water limits;

“Daily penalty” means a penalty for each day on which any offence shall continue after conviction thereof;

“The Municipal Corporations Acts” mean the Municipal Corporations Act 1882 and any Act amending the same:

In this Act and for the purposes of this Act in any Act wholly or partially incorporated therewith—

“Court of competent jurisdiction” “superior courts” or any other like expression shall have effect as if the debt or demand with respect to which the expression is used was a common simple contract debt and not a debt or demand created by statute.

Act to be  
executed by  
council.

5. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council.

## PART II.—WATERWORKS.

Power to  
make works  
and to supply  
water.

6. Subject to the provisions of this Act the Corporation may if they think fit do all or any of the following acts and things (that is to say):—

They may upon the lands delineated on the deposited plans and described in the deposited books of reference and in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections make and maintain all or any of the works shown on the deposited plans among which are comprised the following principal works (namely):—

(1.) An enlargement of the Reservoir No. 1 authorised by the Act of 1884 in the valley of the River Taff Fawr situate

- in the parishes of Llanspythid and Defynock in the county of Brecknock to be called the Llanspythid or Beacons Reservoir and to be formed by an embankment across the said valley at a point about 5 chains measured up the said river from the centre of the bridge carrying the county road from Hirwain to Brecon over the said river ;
- (2.) Road Diversion No. 1—A diversion and alteration (wholly in the parish of Llanspythid) of the line and levels of the county road leading from Merthyr to Brecon ;
- (3.) Road Diversion No. 2—A diversion and alteration (wholly in the parish of Llanspythid) of the line and levels of the county road leading from Hirwain to Brecon ;
- (4.) A conduit consisting of one or more aqueducts or lines of pipes situate wholly in the parish of Llanspythid commencing by a junction with Conduit No. 1 authorised by the Act of 1884 at a point  $2\frac{1}{2}$  chains north-east of the said bridge and terminating in the River Taff Fawr in the catchment lodge and intake constructed there by the Corporation ;
- (5.) A conduit consisting of one or more aqueducts or lines of pipes wholly in the county of Glamorgan commencing in the road leading from Saint Mary Street Cardiff to Penarth at a point at or near the northern side of the railway bridge which carries the Great Western Railway from Cardiff to Newport over the said road passing through the parishes of Saint Mary the Virgin and Canton in the borough and terminating in the parish of Llandough and on the northern side of the Cogan Reservoir of the Corporation :

And subject to the provisions of the Act of 1884 the Corporation may from time to time collect divert impound appropriate and use for the purposes of the said new works and of their water undertaking all such streams and waters as will or may be intercepted by the proposed works or as may be found on in or under any of the lands for the time being belonging to the Corporation or over or in respect of which they have or may acquire easements and especially the following springs streams and waters (that is to say):—

The waters of the River Taff Fawr and its tributaries Blaen Taff Fawr Nant Penig and Nant-yr-Offeiriad and all other tributaries of and all other waters brooks and streams which flow into the River Taff Fawr above the embankment of the said reservoir as the Corporation are by the Act of 1884 empowered to take and use for the purposes of their water supply but so nevertheless that the

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Corporation shall not at any time take less or interfere with the compensation water secured by the Act of 1884 :

They may in connexion with the several works and things in this section mentioned or any of them and upon the lands delineated on the deposited plans and described in the deposited books of reference make erect lay down and maintain all or any of the following among other works (namely):—

All such embankments dams bye-washes bridges roads approaches ways wells tanks basins gauges filter-beds catchment lodges intakes stand-pipes sluices waste-weirs outlets outfalls adits shafts catchwaters tunnels aqueducts culverts cuts channels conduits drains mains pipes junctions valves telegraphs telephones and other means of electric communication engines constructions apparatus works appliances and conveniences as they think expedient for collecting impounding filtering and distributing water or for inspecting maintaining cleansing repairing conducting managing and using the before-mentioned works or any of them :

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

Power to  
maintain  
railway.

7. Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown on the deposited plans and sections continue to maintain the following railway (that is to say):—

A railway wholly in the county of Brecknock commencing in the parish of Cantreff by a junction with the railway there of the Corporation at the northern boundary of Blaen Taff Farm and terminating in the parish of Llanspythid by a junction with the railway of the Corporation there about 6 chains south-west from the centre of the bridge carrying the county road from Hirwain to Brecon over the River Taff Fawr ;

with all proper branches sidings approaches embankments bridges turntables works and other conveniences connected therewith and use the same only for the conveyance of materials matters and things in connexion with their waterworks undertaking and not otherwise Provided that with a view to afford free access to Cantreff Common the said railway shall remain unfenced where it crosses such common.



8. Subject to the provisions in the Railways Clauses Consolidation Act 1845 and in Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863 contained in reference to the crossing of roads on the level the Corporation may maintain the railway by this Act sanctioned with a single line only whilst the railway shall consist of a single line and afterwards with a double line only across and on the level of the road next herein-after mentioned (that is to say):—

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Power to  
cross road  
on the level.

No. on deposited Plan.	Parish.	Description of Road.
3	Llanspythid - -	Public road.

9. The Corporation shall during such period as the works in the county of Brecon by this Act authorised are in process of construction pay to the Breconshire County Council the cost of maintaining such an additional number of police as the county council may reasonably think necessary for the due preservation of order at their works.

For the  
protection  
of the county  
of Brecon.

The Corporation shall in respect of all lands acquired by them in the county of Brecon under this Act be liable to pay all county rates levied within the said county as if the Corporation were assessed in respect of such lands in the valuation list of the county in force at the time the Corporation acquire such lands whether such lands be occupied or vacant and shall continue liable to and pay all such rates until the waterworks are completed and assessed or liable to be assessed to such rates or until such of the lands as may not be required for the purposes of the waterworks shall have been otherwise duly assessed or liable to be assessed and become liable to such rates.

Any difference which may from time to time arise between the county council and the Corporation with respect to any payment to be made by the Corporation to the county council shall be settled by arbitration under the provisions of the Arbitration Act 1889.

All the enactments contained in sections 9 25 and 26 of the Act of 1884 shall apply to the works by this Act authorised and in construing section 9 of that Act the word persons shall include the county of Brecon and in construing section 26 of that Act the expression Breconshire County Roads Board shall mean the Breconshire County Council.

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For the protection of the Cantreff commoners.

**10.** The proviso to section 12 of the Waterworks Clauses Act 1847 which is incorporated with this Act shall for the purposes of this Act be read and have effect as if the words "sheep washing places" were inserted therein after the words "watering places" and the Corporation shall pay compensation to any person who may be deprived of the use of any sheep washing place by the exercise of the powers of this Act and for whose use an equally satisfactory place shall not have been provided by and at the expense of the Corporation.

New waterworks to form part of waterworks undertaking of Corporation.

**11.** Subject to the provisions of this Act the waterworks and railway to be constructed or continued under the authority of or sanctioned by this Act shall for all purposes whatsoever (inclusive of water rents rates and charges) be deemed part of the waterworks undertaking of the Corporation as if they had been authorised by or included or referred to in the former Acts.

Power to deviate.

**12.** Subject to the provisions of this Act the Corporation may in the construction of the waterworks roads and other works by this Act authorised or sanctioned deviate laterally from the lines and position thereof respectively as shown on the deposited plans relating thereto to any extent within the limits of deviation defined on those plans and where in any road no such limits are shown the boundaries of such road shall be deemed to be such limits and the Corporation may also deviate vertically from the levels shown on the deposited sections to any extent in respect of the waterworks and roads not exceeding ten feet upwards and five feet downwards and in respect of the railway three feet upwards and three feet downwards but not so as to raise any aqueduct conduit or line of pipes above the surface of the ground except so far as may be shown on the deposited sections Provided that the Corporation shall not construct the embankment of the reservoir so that the top water level thereof shall be higher than is shown on the deposited sections.

As to road diversions.

**13.** As to the road diversions by this Act authorised the following provisions shall have effect (that is to say) :—

- (1.) Upon the completion of any road diversion any two justices shall on the application of the Corporation and on proof of such completion to the satisfaction of such justices give a certificate to that effect which shall be conclusive evidence thereof and the Corporation may thereupon stop up the portion of road for which such diversion is substituted and all rights of way thereover shall be thenceforward by virtue of this Act extinguished and the site and soil of the said portion shall vest in the

Corporation if and so far as they are the owners of the adjoining land on both sides ; A.D. 1894.

- (2.) Every road diversion shall be properly maintained by and at the cost of the Corporation for one year after the completion thereof and on the expiration of that period such road diversion shall become and thenceforth form part of the public roads of the county parish or district in which the same is situate and shall be repairable as such accordingly.

14. For the protection of the Marquess of Bute and Lord Windsor and other the person or persons who may from time to time be owners of or interested in the road leading from Saint Mary Street Cardiff to Penarth who are together included in the expression "the road owners" where the same is hereafter used the following provisions shall have effect :—

As to  
Penarth  
Road.

- (A.) The Corporation shall not for the purposes of the said Conduit No. 5 authorised by this Act take or acquire the said road or any part thereof or any property of the road owners or either of them but shall only acquire the necessary easements for the construction and maintenance of such conduit for which easements the Corporation shall pay proper compensation to the owners of the land through or in which the same shall be constructed ;
- (B.) During the construction or laying of the said conduit and at all times when they may break up the said road for the purpose of maintaining or repairing the said conduit the Corporation shall properly fence and light their works and shall indemnify the road owners against all claims demands or liabilities whatsoever which may arise by reason of any accident or otherwise by or on account of any of their works or operations in connexion with the construction maintenance or repair of such conduit ;
- (C.) The Corporation shall carry out their works whether of construction or maintenance in such manner as to cause as little injury as possible to such road and shall not without the consent of the road owners cut down or destroy any of the trees upon or by the side of the said road and shall as speedily as reasonably may be make good metal and restore the said road wherever they may break up or interfere with the same and shall maintain the surface thereof wherever the same may be broken up or interfered with for a period of six months after such restoration and if the road owners shall incur any expenses in making good any defects which may arise or become apparent during such period by reason of any operations of the

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Corporation the amount thereof shall forthwith be paid by the Corporation to the road owners ;

- (D.) It shall be lawful for the road owners and the owners for the time being of the lands now belonging to the road owners adjoining the said road and their respective lessees and tenants from time to time to lay or place pipes passages wires or other apparatus in the said road over under or by the side of the said conduit without being responsible for any injury thereby occasioned to the said conduit otherwise than by neglect of reasonable precaution provided that no gas main shall be placed within a distance of three feet from the said conduit ;
- (E.) The Corporation shall be responsible for any damage or injury which shall be caused to the bridges carrying the said road over the Rivers Taff and Ely or either of such bridges whether in the course of the construction or repair of the said conduit or otherwise by reason of the construction maintenance or existence of such conduit and shall pay to the road owners the amount of any expenses which they may incur or sustain on account of any such damage or injury ;
- (F.) It shall be lawful for the road owners from time to time to reconstruct repair or alter the said bridges or either of them as the road owners may from time to time think fit notwithstanding that such conduit may be attached thereto or supported thereby and the Corporation shall pay to the road owners the amount of any additional expense which they may incur in the course of any such reconstruction repair or alteration by reason of the existence of such conduit and the road owners shall not be responsible for any injury which may occur or be occasioned to such conduit in the course of any such reconstruction repair or alteration nor shall the road owners be responsible for any injury to the said conduit which may be occasioned during such reconstruction repair or alteration otherwise than through neglect of reasonable precaution or by any failure or giving way of the said bridges or either of them whether through accident want of repair or otherwise ;
- (G.) The works necessary for carrying the said conduit over the Rivers Taff and Ely shall be carried out in accordance with plans to be approved by and to the reasonable satisfaction of an engineer to be appointed by the Marquess of Bute and before the Corporation shall commence the construction of any works in connexion with carrying the said conduit over the said rivers or either of them the Corporation shall furnish to the Marquess of Bute by leaving the same at the Bute estate office at Cardiff proper and sufficient plans and sections

of such works for the reasonable approval of such engineer and any difference which may arise thereon shall be settled by arbitration and the Corporation shall not commence the construction of any such works until such plans and sections shall have been approved as aforesaid and such works shall be carried out in all respects in accordance with such approved plans. Provided always that if the approval or disapproval of such plans or sections shall not be notified to the Corporation within fourteen days after the same shall have been so furnished it shall be lawful for the Corporation to proceed to carry out the said works as if such plans had been approved.

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**15.** The sums paid and to be paid by the Corporation under the provisions of the Act of 1884 or the Lands Clauses Acts and this Act to the committee of the persons interested in the lands known as the Commoners Allotments of the Great Forest of Brecknock may be expended by that committee in ascertaining and acquiring the rights of any other persons in such lands and also at the discretion of the said committee for the improvement of the said lands.

Application of sums paid in respect of commoners allotments of Great Forest of Brecknock.

**16.** Section 2 of the Commonable Rights Compensation Act 1882 shall as regards any compensation paid by the Corporation in respect of common lands taken by them under this Act or the Act of 1884 in the hamlet of Modrydd be read as if the following ways had been inserted therein in addition to the ways A B C D and E therein set out:—

Compensation in respect of commonable lands in Modrydd.

- (F.) In the improvement or new making of roads bridges and bridge approaches in that hamlet on to the remainder of such common land or giving improved access thereto ;
- (G.) In the redemption of the land tax tithe rentcharge or other charge bearing rateably on all the enclosed lands in such hamlet ;
- (H.) In providing pensions for aged or infirm shepherds who have been shepherds on such common lands for ten years or upwards ;
- (I.) In erecting works for the utilization of the water power of the streams on such common outside the watershed or drainage area over which the Corporation now obtain water for the purposes of their waterworks undertaking :

Provided always that nothing herein contained shall authorise the freeholders or commoners of the hamlet of Modrydd or any public body corporation or person to make or construct such works or any other works so as in any way to injuriously affect pollute or diminish or otherwise interfere with the springs streams and waters

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Temporary  
use of lands.

17. The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof shall be incorporated with this Part of this Act and for the purposes of such Part in the construction of the said provisions the expression "the company" shall mean the Corporation and the expression "the railway" shall include the reservoir authorised by this Part of this Act and expressions referring to the centre of the railway shall in the case of the reservoir be referable to the embankment thereof as shown on the deposited plans.

### PART III.—STREET IMPROVEMENTS.

Power to  
make new  
streets and  
improvements.

18. Subject to the provisions of this Act the Corporation may upon the lands delineated on the deposited plans and described in the deposited books of reference make and maintain in the lines and situations shown on the deposited plans and according to the levels shown on the deposited sections the new streets and bridge and street road and bridge improvements herein-after mentioned (herein-after referred to as "street improvements") and all roadways footways pavements piers arches gullies sewers drains gutters works and conveniences connected with the same works or necessary or ancillary thereto.

The street improvements are the following (that is to say):—

- (1.) A new street or road commencing in Nelson Terrace Bridge Street and terminating in Little Frederick Street;
- (2.) A widening of the east side of Station Terrace between Queen Street and a point distant 23 yards or thereabouts south thereof;
- (3.) A widening and improvement of Guildford Street Pembroke Terrace Guildford Crescent and the bridge spanning the Bute Docks feeder at the eastern end of Wellington Terrace Bridge Street;
- (4.) A widening of the northern side of Northcote Lane between Richmond Road and a point 22 yards or thereabouts north-east from Russell Street;
- (5.) A widening of the west side of Working Street between Saint John Street and Wharton Street;
- (6.) A new bridge spanning the Glamorganshire Canal commencing on the old town wall and terminating in Hill's Terrace;

- (7.) A widening of the western side of East Wharf between the ends of Crichton Street and Wharf Street;
- (8.) A widening improvement and reconstruction of the bridge and approaches known as East Wharf East Wharf Bridge and Canal Parade between the south side of Wharf Street and the north side of North Church Street;
- (9.) A widening of the southern side of Quay Street between Westgate Street and Saint Mary Street;
- (10.) An improvement of Mill Lane and a widening of the south side of Hayes Bridge commencing in Mill Lane and terminating in Bute Street;
- (11.) A widening of the north side of Hayes Bridge between the street known as the Hayes and Bridge Street;
- (12.) An improvement of Saint Mary Street and a widening of Custom House Bridge commencing at the centre of the northern parapet of such bridge and terminating at the south-east corner of Mill Lane;
- (13.) A widening of the north side of Cowbridge Road between Llandaff Road and Severn Road;
- (14.) A widening of the south side of Cowbridge Road between Alexandra Road and Leckwith Road;
- (15.) A new road commencing on the occupation road leading from Cowbridge Road to the new Cardiff Borough Sanatorium at a point on such road distant 447 yards or thereabouts measured in a southerly direction from the centre of the bridge carrying the Penarth branch of the Taff Vale Railway over such road and terminating in Leckwith Road 268 yards or thereabouts from the centre of the bridge carrying the Penarth branch of the Taff Vale Railway over such road;
- (16.) A new street or road commencing in Wyndham Road and terminating in King's Road;
- (18.) A widening of the south side of Glynne Street between a point in such street opposite the south-east corner of the house known as Number 2 Glynne Street and the western side of Severn Road;
- (19.) A widening of the west side of Glamorgan Street between Cowbridge Road and a point in Glamorgan Street 70 yards or thereabouts north thereof;
- (20.) A widening of the south side of Cowbridge Road opposite the premises belonging to Dumfries Cottage;
- (21.) A widening of the eastern side of Leckwith Road between Delta Street and Cowbridge Road;
- (22.) A widening of the northern side of Delta Street between Leckwith Road and Cowbridge Road;

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- (23.) A widening and improvement of both sides of Four Elms Lane between Newport Road and Clifton Street;
- (24.) A new street or road commencing at the northern end of Metal Street or Piercefield Place and terminating in Newport Road;
- (25.) A widening and improvement of both sides of the bridge spanning the Great Western (South Wales) Railway at Splott Road;
- (26.) A widening of the south-eastern side of Broadway between points 20 yards or thereabouts and 40 yards or thereabouts north-east of Fox Lane;
- (27.) A widening of the south-east side of Newport Road between the north-east side of Beresford Road and a point 85 yards or thereabouts from the north-east side of Beresford Road;

All the works in this section referred to will be situate in the borough :

Provided that with a view to afford free access to Leckwith Common the south side of the new road by this section authorised affecting such common shall remain unfenced where it crosses such common but nothing in this proviso shall affect or prejudice any rights or obligations of the Corporation under the Act of 1875 :

Provided also that as often as it may become necessary in the execution of the works authorised to be constructed or done under this section to remove raise lower undermine and support or otherwise interfere with any main or pipe of the Cardiff Gas Light and Coke Company the Corporation shall give to the engineer of the company at least twenty-four hours notice in writing of such necessity and the company shall forthwith at the expiration of such notice commence and with all reasonable speed complete at the expense of the Corporation such works as may be agreed upon between the engineers of the said company and of the Corporation respectively as proper and requisite for the removal raising lowering supporting replacement and general protection of the said mains or pipes of the said company.

For protection of Marquess of Bute.

**19.** For the protection of the Marquess of Bute and the trustees of the will of the late Marquess of Bute and other the person or persons for the time being owner or owners of or interested in the estates in the county of Glamorgan of which the said Marquess is tenant for life (all of whom together with the said Marquess are herein-after deemed to be included in the expression "the said Marquess") the following provisions shall (except as may be otherwise agreed in writing) apply and have effect (that is to say) :--

- (A.) For the purpose of the widening and improvement being the Street Improvement No. 3 authorised by this Act no property



of the said Marquess shall be taken except such part of the piece of land numbered 24B on the deposited plan as is distinguished by being coloured red on the plan marked A signed by Walter Hume Long the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and which plan has been deposited in the Private Bill Office of the House of Commons or be interfered with except so far as may be necessary for widening in manner and subject as herein-after mentioned the bridge spanning the Bute Docks feeder at the eastern end of Wellington Terrace Bridge Street for which purpose an easement only shall be acquired by the Corporation. The widening and improvement of the said bridge shall be limited to the lines of widening W X and Y Z drawn in red upon the said plan and so that no part of the said feeder or the sides or banks thereof shall be covered except within such lines and the height of the underside of such bridge and the span of such bridge when widened shall be throughout at least as great as the height and span of the existing bridge in order that at least as much headway over the said feeder and the banks and sides thereof may exist under the whole of the said bridge when widened as exists under the present bridge ;

(B.) In the construction of the works referred to in the last preceding sub-section no piles timbers supports or other matter or thing shall be placed in the said feeder nor shall the flow of water therein be in any way impeded or interrupted ;

(c.)—I. For the purposes of the widening improvement and reconstruction being the Street Improvement No. 8 authorised by this Act no land or property of the said Marquess shall be acquired or taken by the Corporation except such as may be necessary for the purpose of forming a street of the width of 45 feet in the line indicated by and between the red lines A A and B B on the plan marked B signed by Walter Hume Long the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and which plan has been deposited in the Private Bill Office of the House of Commons and no land or property of the said Marquess outside such lines shall be so taken nor shall the same be interfered with except so far as may be necessary for carrying out the requirements of this section with respect to the construction of the private road hereafter mentioned ;

II. Before the Corporation shall stop up or interfere with the private road immediately to the west of the buildings marked " John Bland and Co. Limited " on the said plan the Corporation shall take down under the direction and to the

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satisfaction of the surveyor for the time being of the said Marquess so much of the said buildings lying immediately to the east of the said line A A as shall be necessary for the purpose of forming a private road and the Corporation shall form and metal and drain to the satisfaction of such surveyor a private road of the width of fifteen feet upon the ground now occupied by buildings and coloured blue upon the said plan so that the same shall form as convenient a means of communication in all respects between Wharf Street and the land to the south thereof adjoining the Junction Canal as is afforded by the existing private road and in substitution therefor and the land on which the said substituted private road shall be formed shall remain the property of the said Marquess but in assessing the compensation to be paid to the said Marquess and his tenants the loss sustained by them by reason of the taking down of the said buildings and the use of the site thereof for such private road shall be taken into account;

III. For the purposes of this Act neither the waterway nor the towing path of the Junction Canal between the Glamorganshire Canal and the Bute West Dock nor any land within the span of the bridge to be formed as herein-after provided shall be taken but an easement only for the construction of the said bridge shall be acquired. The existing bridge known as East Wharf Bridge shall be taken down by the Corporation and a new girder bridge shall be erected in lieu thereof for the purpose of carrying the street to be formed between the said lines A A and B B over the said Junction Canal and towing path. Such new bridge shall be of a width not exceeding the width of the said street and have a span of fifty-seven feet at least throughout measured in the direction of the said street to be formed as aforesaid and so as to admit of the widening of the said Junction Canal and the underside of the girders over the said Junction Canal shall not at any point be lower than thirty-four feet nine inches above Ordnance datum and over the edge of the coping of the said Junction Canal the underside of the girders shall not at any point be lower than thirty-five feet above Ordnance datum;

IV. From and after the completion and opening for traffic of the street and bridge to be formed between the said lines A A and B B all rights (if any) of the Corporation to or in and all public rights of way over any land between the said line B B and the Glamorganshire Canal shall cease and be

extinguished and for the purpose of assessing the amount of compensation payable to the Marquess of Bute by the Corporation there shall be deducted from the land acquired by the Corporation an area equal to the area of so much land to the west of the said line B B as is occupied by the existing road and the said Marquess shall have a right of frontage to the street to be formed between the lines A A and B B as aforesaid ;

V. The Corporation shall be responsible in damages to the said Marquess for any injury to the said Junction Canal or the works connected therewith which may be occasioned by accident or otherwise in the course or in consequence of the construction of the works by this Act authorised ;

VI. The traffic on the said Junction Canal and the towing path thereof shall not be interrupted or interfered with during the construction of the works by this Act authorised ;

(D.) Before the Corporation shall commence the construction of the widening of the bridge spanning the Bute Docks feeder or the reconstruction of the East Wharf Bridge the Corporation shall furnish to the said Marquess proper and sufficient plans and sections of the works proposed to be carried out by them for the reasonable approval of the said Marquess and any difference between the Corporation and the said Marquess or their respective engineers which may arise thereon shall be settled by arbitration and the Corporation shall not commence the construction of either of the said works until the plans and sections relating thereto have been so approved Provided always that if the said Marquess shall neglect to notify his approval or disapproval of such plans and sections within fourteen days after the same shall have been so submitted it shall be lawful for the Corporation to proceed to carry out the said works anything herein contained to the contrary notwithstanding ;

(E.) The several works of which plans and sections are to be furnished by the Corporation as aforesaid shall be executed only according to the said plans and sections and the construction of all subsequent repairs shall be executed to the reasonable satisfaction of the engineer for the time being of the said Marquess ;

(F.) For the purposes of the widening and improvement of both sides of Four Elms Lane being the Street Improvement No. 23 authorised by this Act no land or property of the said Marquess shall be taken or interfered with except such land as may be required for the purpose of widening Four Elms Lane to a

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width not exceeding forty feet throughout and also such land of the said Marquess numbered 20 in the parish of Roath on the deposited plan relating to the said street improvement as lies between Four Elms Lane and Newport Road and the said widening shall not deviate in a southerly direction beyond the line of intended widening shown on the said deposited plan and for the purposes of the new street or road commencing at the northern end of Metal Street or Piercefield Place and terminating in Newport Road being the Street Improvement No. 24 authorised by this Act no land or property of the said Marquess shall be taken or interfered with except such land as shall be necessary for the formation of a street of equal width to Piercefield Place as now existing and having for its centre line the line on the deposited plan relating to the said street improvement between the points thereon marked "commencement of new road and termination of new road respectively";

(g.) The whole of the lands of the said Marquess which may be taken under the last preceding sub-section except so much of the said piece of land numbered 20 on the said deposited plan as may not be required for widening Four Elms Lane in manner aforesaid shall be used by the Corporation for the purpose of forming and maintaining thereon public streets and not otherwise and the rights of the Corporation and of the said Marquess with respect to such streets shall be the same in all respects as in the case of other public streets in the borough formed upon or adjoining lands of the said Marquess.

For protection of the Bute Docks Company.

**20.** For the protection of the Bute Docks Company herein-after referred to as "the docks company" the following provisions shall apply and have effect:—

(A.) The provisions in this Act contained for the protection of the Marquess of Bute with respect to the Street Improvement No. 3 authorised by this Act shall apply for the benefit of and may be enforced by the docks company and the Corporation shall be responsible for and shall indemnify the docks company against all damages injuries losses claims and demands which may happen arise or be occasioned by accident or otherwise in the course of carrying out the said street improvement or by the same or any of the works connected therewith when constructed or the maintenance or repair thereof whether to the traffic or property of the docks company or any other company or person;

(B.) The Corporation shall also be liable in damages to the docks company in respect of any losses which the docks company may sustain in consequence of any interruption to traffic whether

occasioned by accident or otherwise upon the Junction Canal between the Glamorganshire Canal and the Bute West Dock in the course or in consequence of the reconstruction of the East Wharf Bridge or the construction or repair of any other works by this Act authorised and shall also indemnify the docks company against any claims or demands of any other company or person arising out of or occasioned by any such interruption of traffic.

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**21.** For the protection of the company of proprietors of the Glamorganshire Canal Navigation (herein-after referred to as "the canal company") the following provisions shall have effect:—

For protection of Glamorganshire Canal.

- (A.) Notwithstanding anything contained in this Act or in any Act incorporated herewith the Corporation shall not acquire for the purposes of this Act or any works hereby authorised any land or property of the canal company otherwise than in this section expressly mentioned or by agreement but the Corporation may acquire and the canal company shall grant to the Corporation subject to the payment of proper compensation for the same and otherwise subject as in this Act provided the necessary easements for the execution of the works through or over the property of the canal company hereby authorised;
- (B.) The new bridge spanning the Glamorganshire Canal commencing on the Old Town Wall and terminating in Hill's Terrace being the Street Improvement No. 6 authorised by this Act shall be constructed with such span and in such manner as not to interfere in any way with the towing path or canal of the canal company and so as to leave a clear headway over every part of the canal and towing path of at least seven feet in height measured from the level of the existing coping of the present towing path to the underside of such bridge and the total width of such bridge over the canal and towing path measured from the north to the south side of such bridge shall not exceed fifty feet in any part;
- (C.) The widenings of the north and south sides of Hayes Bridge being the Street Improvements Nos. 10 and 11 authorised by this Act shall be carried out entirely within the lines of intended widening shown on the deposited plan and so that no part of the canal or towing path of the canal company beyond those lines in either direction shall be covered and no part of the works connected with such widenings shall be constructed upon or in the waterway of the canal and so that the underside of the girders of the said bridge shall not be lower than the following heights above Ordnance datum (that is to say) In the centre of the bridge thirty-four feet six inches at the sides

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next the abutments thirty-four feet and over the water edge of the towing path thirty-four feet three inches and the Corporation shall not take or acquire for the purpose of the said widening any further or other portions of the towing path or property of the canal company than such as are coloured red on the plan marked C signed by Walter Hume Long the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and deposited in the Private Bill Office of the House of Commons ;

(D.) The widening of Custom House Bridge being part of the Street Improvement No. 12 authorised by this Act shall be carried out entirely within the line of intended widening shown on the deposited plan and so that no part of the canal of the canal company beyond that line shall be covered and no part of the works connected with such widening shall be constructed upon or in the towing path or waterway of the canal and the works shall be so carried out that there shall be left under Custom House Bridge when widened as aforesaid at least as much headway throughout as at present exists under the said bridge ;

(E.) Before the Corporation shall commence the construction of any bridge widening or other work over the canal or towing path or any property of the canal company the Corporation shall furnish to the canal company proper and sufficient plans and sections thereof for their reasonable approval and any difference between the Corporation and the canal company or their respective engineers which may arise thereon shall be settled by arbitration and the Corporation shall not commence the construction of the said works until such plans and sections shall have been so approved and the works shall be carried out in all respects in accordance with the approved plans and sections and to the satisfaction of the engineer for the time being of the canal company Provided always that if the canal company shall neglect to notify their approval or disapproval of such plans and sections within fourteen days after the same shall have been so furnished it shall be lawful for the Corporation to proceed to carry out the said works anything herein contained to the contrary notwithstanding ;

(F.) The construction of the said bridge and widenings and any repairs which may at any time be necessary in connexion therewith shall be carried out in such a manner that the traffic upon the canal and towing path shall not be interrupted or interfered with and the means adopted for carrying out such construction and repairs shall be such as shall meet with

the reasonable approval of the engineer for the time being of the canal company; A.D. 1894.

(g.) The Corporation shall be liable in damages to the canal company for any injury to their canal works boats or other property or interruption of traffic which may happen whether by accident or otherwise by reason or in course of the construction or repair of the works by this Act authorised or any of them including any interruption of traffic upon the Junction Canal between the Glamorganshire Canal and the Bute West Dock and shall also indemnify the canal company against any claims or demands of any other company or person arising out of or occasioned by any such injury or interruption of traffic as aforesaid;

(h.) If the canal company or any person or persons authorised by them so to do shall at any time hereafter build upon or over any portions of the canal or property of the canal company adjoining to or abutting on the new bridge over the said canal to be constructed under the powers of this Act or the Hayes Bridge or Custom House Bridge the canal company or such person or persons shall have the right of using such bridges for the purpose of building frontage including the right for the purposes of such building to remove at their own expense and to the reasonable satisfaction of the Corporation the parapets at the sides of such bridges but no right of building frontage other than to such bridges shall be deemed to be conferred by this provision.

- 22. Section 35 (Power to make subsidiary works);
- Section 36 (Power to deviate vertically or laterally);
- Section 37 (Extinction of rights of way over streets stopped up &c.);
- Section 38 (Power to alter and divert sewers &c.);
- Section 39 (Alterations consequent on changing levels of streets to be made at expense of Corporation);
- Section 40 (Damage to buildings to be compensated for by Corporation);
- Section 41 (Alteration of gas and water pipes &c.);
- Section 43 (Elevation of buildings fronting streets to be as Corporation approve);
- Section 107 (Damages and charges in case of dispute to be settled by justices);

Incorporating certain sections of the Act of 1875.

of the Act of 1875 so far as the same are applicable for the purpose shall extend and apply mutatis mutandis to and in relation to the street improvements by this Act authorised Provided that the Corporation shall not remove alter or in any way interfere with any

A.D. 1894. telegraph telephone or other electric apparatus belonging to or used by any railway company or by the Postmaster General except in accordance with and subject to the provisions of the Telegraph Act 1878 or alter any watercourse main or pipe belonging to any railway company without the consent of that company.

Temporary use of lands.

23. The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof shall be incorporated with this Part of this Act in respect of the street improvements authorised by this Part of this Act and numbered 1 6 15 16 and 24 and for the purposes of such Part in the construction of the said provisions the expression "the company" shall mean the Corporation and the expression "the railway" shall mean the said street improvements and expressions referring to the centre of the railway shall mean in the case of such street improvements the centre lines thereof respectively as shown on the deposited plans and the prescribed limit shall be twenty-five yards from the said centre lines.

For the protection of the Great Western Railway Company. Not to enter on lands of Great Western Company until plans of proposed works affecting the Company approved.

24. For the protection of the Great Western Railway Company (in this section called "the Great Western Company") the following provisions shall have effect (that is to say):—

(1.) The Corporation shall not enter upon or interfere with the railway of the Great Western Company or any of the lands or works of that company or execute any works whatever under or affecting the same until the Corporation shall have delivered to the Great Western Company plans sections and drawings of such intended works except of the Conduit No. 5 and those plans sections and drawings shall have been approved in writing by the principal engineer for the time being of the Great Western Company or in the event of his failure for fourteen days after the delivery of the plans sections and drawings until the same shall have been approved by an engineer to be appointed on the application of the Corporation by the Board of Trade and all the intended works shall be executed by the Corporation at their sole expense in all things according to such approved plans and drawings and to the reasonable satisfaction of the said engineer for the time being of the Great Western Company or in case of difference of an engineer to be appointed by the Board of Trade ;

(2.) In constructing the widening and improvement of Splott Road Bridge by this Act authorised (herein-after referred to as "the widening") through or over the land and property of the Great Western Company the same shall be carried over the railway and works of that Company by means of steel or iron girders and brick jack arches or steel or iron plates on steel or

As to the construction of the widening of Splott Road Bridge on lands of the Great Western Company.



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iron columns and stone or brick abutments and with such spans not exceeding 45 feet in the clear as the Great Western Company require having in view the construction of a passenger station upon or adjoining the site of the bridge and the necessary alterations and additions to the lines of rails in consequence thereof and the bridge when widened shall not exceed a clear width between the parapets of 65 feet and shall have over the existing main lines of rails on the said railway a headway of not less than 14 feet 3 inches high and the roadway on such bridge shall be paved with wooden or stone sets not exceeding 5 inches in depth and such bridge widening shall be effected in such a manner as not to injure the stability of the railway and works of the Great Western Company in any way whatever and should it be necessary in constructing the said widening or in consequence of the construction thereof for the Great Western Company to alter or remove the telegraph posts and wires on or connected with their said railway or some of them at or near to the said widening the Corporation shall bear and on demand pay to the Great Western Company any expense to which that company may reasonably and properly be put in consequence of such widening any difference as to the amount of such expense to be determined by arbitration ;

- (3.) The Corporation shall bear and on demand pay to the Great Western Company the reasonable expense of the employment by them during the construction of the widening over and adjacent to the Great Western Company's Railway of a sufficient number of inspectors signalmen or watchmen to be appointed by them for watching their railway and works and the conduct of the traffic thereon with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Corporation with reference thereto or otherwise ;
- (4.) Notwithstanding anything in this Act contained the Corporation shall from time to time be responsible for and make good to the Great Western Company all losses costs damages and expenses which may be occasioned to them or any of their works or property or to the traffic on their railway or to any company or persons using the same or otherwise by reason of the execution or failure of any of the intended works or of any act default or omission of the Corporation or of any persons in their employ or of their contractors or otherwise and the Corporation shall effectually indemnify and hold harmless the

Corporation to pay to Great Western Company expenses of watchmen during construction of works.

Damages sustained by Great Western Company to be repaid.

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Maintenance  
of works  
affecting the  
railways of  
the Great  
Western  
Company.

Great Western Company from all claims and demands upon or against them by reason of such execution or failure and of any such act default or omission ;

(5.) The Corporation shall at their sole expense at all times maintain the widening by this Act authorised and shall at all times keep the same watertight and the roadway thereon and the other works by which the widening shall be carried over the railway of the Great Western Company in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer for the time being of the Great Western Company and if and whenever the Corporation fail so to do after one month's notice from the Great Western Company to that effect or in case of urgency the Great Western Company may make and do in and upon as well the land of the Corporation as their own lands all such works and things as the Great Western Company shall think requisite in that behalf for ensuring such repair and the sum from time to time certified by their engineer to be the amount of the expenditure reasonably incurred in that behalf shall be repaid to them by the Corporation and in default of full repayment the amount due may be recovered with full costs by the Great Western Company from the Corporation in any court of competent jurisdiction ;

Not to inter-  
fere with  
traffic on  
Great  
Western  
Railway.

(6.) In constructing the widening of the bridge above described and by this Act authorised the Corporation shall not in any way obstruct or interfere with the traffic passing along the Great Western Railway and if by reason of any works or proceedings of the Corporation there shall be any obstruction or interference with the said Great Western Railway or the convenient passage of engines and carriages along the same the Corporation shall pay to the Great Western Company the sum of fifty pounds per hour for every hour during which any such obstruction or interference shall continue ;

No land of  
the Great  
Western  
Company  
to be taken  
except for  
certain  
works.

(7.) Except for the purpose of the widening by this Act authorised the Corporation shall not take or acquire any land of the Great Western Company or any right in or over the same and save as aforesaid nothing in this Act contained shall extend to authorise or enable the Corporation to take or enter upon or use either temporarily or permanently any of the lands of the Great Western Company or to alter vary or interfere with the railway of that company or with any of the works thereof further or otherwise than is necessary for the construction and maintenance of the widening by this Act authorised without the consent in writing in every instance for that purpose first

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had and obtained of the Great Western Company under their common seal and with respect to any lands of the Great Western Company which the Corporation are by this Act from time to time authorised to purchase take use enter upon or interfere with for the purpose of such widening or otherwise the Corporation shall not purchase or take any greater or other estate or interest in any such lands than an easement or right of using such lands in perpetuity for the purposes for which but for this enactment the Corporation might purchase and take the same and the provisions of this Act and of the Acts incorporated with this Act shall be construed and apply accordingly and the provisions of the Lands Clauses Consolidation Act 1845 with respect to lands shall extend and apply to such easement or right of using so far as such provisions are not inconsistent with this enactment;

(8.) The Corporation shall pay to the Great Western Company by way of purchase or compensation for the rights and easements to be acquired under the provisions of this Act such an amount as may be agreed upon or in the event of difference as may be determined by arbitration under the provisions of the Lands Clauses Consolidation Act 1845 relating to the purchase of lands otherwise than by agreement;

Corporation to pay for easement.

(9.) The roadway on the north-east side of the bridge as widened shall be so constructed that openings may be formed in the parapet of the bridge so as to obtain access from the road passing over the said bridge to the station and station buildings which may be constructed by the Great Western Company and to any other buildings or works between the boundaries of the Great Western Company's property;

Roadway on the north-east side of the bridge to be so constructed that openings may be formed in the parapets for access.

(10.) The Great Western Company may reconstruct the existing bridge carrying the existing roadway with steel or iron girders and brick jack arches or steel or iron plates on steel or iron columns and stone or brick abutments and may lengthen the same such lengthening shall be of a width as the Corporation require not exceeding 65 feet and the Corporation shall bear and on demand pay to the Great Western Company the increased expense of such width over and above the present width of the bridge and the roadway thereon to which the Great Western Company may reasonably and properly be put any difference as to the amount of such expense to be determined by arbitration. In the reconstruction and lengthening of the said bridge the Great Western Company shall not raise the level of Splott Road in any part above the existing levels thereof;

Great Western Company may carry the existing roadway between certain points on iron girders.

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(11.) If at any time hereafter the Corporation shall in continuation of the new road by this Act authorised improve the occupation road which crosses the South Wales Railway of the Great Western Company on the level about  $16\frac{1}{2}$  chains westward of the post on that railway indicating 172 miles from Paddington between the Great Western Company's Railway and the southern side of the Penarth Railway they shall carry such road over the said railway by a bridge and such bridge shall be of such dimensions and constructed in such a manner as shall be agreed upon between the Corporation and the Great Western Company or failing agreement shall be determined by arbitration in the manner provided by the Railways Clauses Consolidation Act 1845 and the Great Western Railway Company shall afford all reasonable facilities for the construction of such bridge ;

Arbitration.

(12.) If any dispute shall arise between the Great Western Company and the Corporation respecting the matters and provisions aforesaid or any of them such dispute shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London the costs of such arbitration to be in the discretion of such arbitrator.

Streets may be raised or lowered.

25. Subject to the provisions of this Act the Corporation may for the purposes of and in connexion with the street improvements alter the line or level of any of the streets and places described on the deposited plans or sections as intended to be diverted raised or lowered in the manner shown on such plans or sections any such alteration of line or level shall be deemed to be an execution of works within the meaning of section 68 of the Lands Clauses Consolidation Act 1845.

Power to alter steps areas pipes &c.

26. The Corporation within the limits of deviation defined on the deposited plans may for the purposes of and in connexion with the street improvements raise sink or otherwise alter or cause to be altered the position of any of the steps areas cellars cellar-flaps gratings fencings windows and watercourses pipes or spouts belonging to any house or building and may remove all other obstructions 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 Corporation shall make reasonable compensation to any company society or person who suffers damage by any such alteration.

**27.** If the Corporation take for the purposes of this Act any part of land forming part of any churchyard or burial ground the following provisions shall apply and have effect namely:— A.D. 1894.  
—  
Removal  
of bodies.

(A.) All human remains interred or deposited in or on such churchyard or burial ground shall be removed and interred by the Corporation to and in such other consecrated graveyard or cemetery in which human remains may be lawfully interred as the Corporation may appoint under such precautions for public health and decency and for the security of the men employed as a Secretary of State thinks fit to prescribe and such removal and interment shall be carried out under the supervision and to the satisfaction of the medical officer of health;

(B.) Nevertheless the heirs executors administrators relatives or friends of persons whose remains are interred in any portion of any such churchyard or burial ground so disturbed may remove the same under such precautions and supervision as aforesaid to any burial ground in which human remains may be lawfully interred and may remove any tablets or monuments erected to the memory of such persons on such portion of ground and the expenses of such removal not exceeding ten pounds in each case shall be paid by the Corporation.

#### PART V.—MARKETS &c.

**28.** Subject to the provisions of this Act the Corporation may for the purposes of their markets take and use all or any of the lands following delineated on the deposited plans and described in the deposited books of reference (that is to say):— Power to  
acquire  
lands for  
market.

Certain lands houses and buildings known as Evans Terrace and Stacey Terrace and also certain lands houses and buildings known as Railway Terrace wholly in the parish of Canton.

**29.** The Corporation may for the purposes of their markets stop up and extinguish all rights of way on or over and all liability to repair Stacey Terrace Evans Terrace and Railway Terrace so soon as they have acquired all rights of property therein and the sites of those terraces shall upon such stopping up be vested in the Corporation. Stopping up  
of Stacey  
Terrace  
Evans Ter-  
race and  
Railway  
Terrace.

**30.** The Second Schedule to the Act of 1835 is hereby repealed and the Second Schedule to this Act is hereby substituted therefor as from the expiration of one month from the passing of this Act and such last-mentioned schedule shall have the same force and effect as if it had been enacted by and was the schedule referred to Market  
tolls &c.

A.D. 1894. in the Act of 1835 but not so as to give this enactment any retrospective effect.

Power to let shops stalls &c. in markets.

**31.** The Corporation may from time to time let any shops stalls sheds pens stands benches trestles and other buildings or conveniences belonging to them in their market places for such period not exceeding three years and at such rent and on such terms and conditions as they think fit.

PART V.—PARKS AND PUBLIC GROUNDS.

Power to purchase lands for park.

**32.** Subject to the provisions of this Act the Corporation may for the purposes of parks and open spaces take and use all or any of the lands following delineated on the deposited plans and described in the deposited books of reference (that is to say) :—

Certain lands in the parish of Canton together with the dwelling-house outbuildings and appurtenances thereto belonging in the occupation of William Griffiths and numbered 788 (in the parish of Llandaff) on the map or plan of the  $\frac{1}{2500}$  scale Ordnance Survey of 1879.

Power to charge for fishing &c.

**33.** The Corporation may charge for bathing or fishing in or boating on any lake mere or water in any parks belonging to or under the control of the Corporation.

Power to close parks on certain occasions.

**34.** The Corporation may on the occasion of any show of the Royal Agricultural Society or Bath and West of England Agricultural Society Shows or of any other show of a similar nature to be held in any of the parks close to the public any such park or any part thereof for any period not exceeding twenty-one consecutive days and the admission to such park or to any building or inclosure within the same on the days when the same shall be so closed to the public may be either with or without payment Provided that no more than one park of the Corporation shall be closed to the public at one and the same time.

Application of moneys received from admission to parks &c.

**35.** The moneys received by the Corporation from the admission of any persons to any park or to any building or inclosure therein or otherwise in connexion therewith or for bathing fishing or boating as aforesaid shall be applied to the maintenance and improvement of the parks or any of them and towards providing bands of music amusements and games therein as the Corporation may direct.

Amendment of section 68 of Act of 1875.

**36.** Section 68 (Power to make byelaws) of the Act of 1875 shall be repealed in part namely the words “(not exceeding with respect to each of the pleasure grounds one half thereof)”:

Provided that the part of the park about to be formed or laid out on the land formerly known as Canton Common between Leckwith

Road and Sloper Road and the part of Roath Park situate between Penylan Road and Alder Road shall be always open to the free use of the public.

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#### PART VI.—DESTRUCTORS.

**37.** Subject to the provisions of this Act the Corporation may on the lands described in the Third Schedule to this Act erect construct and maintain and from time to time alter enlarge and renew destructors and other machinery and apparatus and use the same for the destruction by combustion or otherwise of and for the treatment disposal and deposit of mud dust and refuse of streets and dust cinders garbage and other waste materials of houses and tenements and trade and other refuse but nothing in this Act shall exempt the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any lands so taken Provided always that no such works shall be executed or constructed or deposits made upon any part of such lands which is within ten feet of the boundary of any property of the Taff Vale Railway Company.

Destructors.

#### PART VII.—POLICE STATION AND BATHS.

**38.** Subject to the provisions of this Act the Corporation may for the purpose of the docks police station take and use all or any part of the lands following delineated upon the deposited plans and described in the deposited books of reference (that is to say) :—

Power to purchase lands.

Certain lands houses and buildings (leased to the Corporation) wholly in the parish of Saint Mary the Virgin and known as 227 and 228 Bute Street and 1A Maria Street.

**39.** Subject to the provisions of this Act the Corporation may purchase and acquire by compulsion or agreement the fee simple and reversion of and any other interest in the Guildford Crescent Baths in the parish of Saint John the Baptist delineated upon the deposited plans and described in the deposited books of reference :

Corporation may acquire fee simple of Guildford Crescent Baths.

Provided that the Corporation shall as regards the land over which an easement only is granted by the existing lease of the said baths acquire in perpetuity such easement only and not the fee simple of the land over which such easement is so granted and such easement shall not (notwithstanding anything in such lease or the plan therein referred to) be deemed to extend to any part of the watercourse of the Bute Docks feeder Provided also that any right of the Corporation to use the water of the Bute Docks feeder whether under the said lease or by virtue of the purchase of the

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reversion shall cease at the expiration of ten years from the passing of this Act and in the meantime shall be subject to the provisions of the said lease with regard to such user :

Provided always that no works proposed by the Corporation to be done in connexion with the said baths which may in any way interfere with the mains pipes or other property of the Cardiff Gas Light and Coke Company shall be commenced or proceeded with except during the months of May June July and August Provided nevertheless that any works required by the company for the protection of any of their said mains or pipes shall be done forthwith by the company at their own expense upon receiving from the Corporation during any of the months aforesaid twenty-four hours notice in writing of the intention of the Corporation to carry out any such works as may interfere with such mains or pipes.

PART VIII.—LANDS &c.

Power to  
take lands.

40. Subject to the provisions of this Act the Corporation may enter upon take and use such of the lands shown on the deposited plans and described in the deposited books of reference as they may require for the purposes of this Act Provided that the Corporation shall not under the powers of this Act purchase or acquire for the purposes of this Act a greater quantity of commons or commonable lands than is specified in the Fourth Schedule to this Act :

For protec-  
tion of  
National  
Provincial  
Bank.

Provided further that the Corporation shall not enter upon take or use any part of the lands numbered in the deposited books of reference 29 in the parish of Saint Mary the Virgin Cardiff in the county of Glamorgan.

For the pro-  
tection of  
commoners.

41.—(1.) If any right of access by the commoners and the public to the common lands (other than Leckwith Common) authorised to be acquired as aforesaid shall be interfered with by the exercise of the powers of this Act the Corporation shall provide and fix in any fence or inclosure of the reservoir and Conduit No. 4 by this Act authorised sufficient gates and stiles Provided always that right of access shall not extend to any such lands situate within one hundred yards of high-water level of the reservoir or of any part of the waterworks undertaking.

(2.) Any commonable lands (except Leckwith Common) so acquired and not required for the waterworks undertaking may be sold to commoners to be held by them as part of the common of which the portion sold originally formed part or such lands (except as aforesaid) may be held by the Corporation subject to such rights of common to which the land is now subject.

(3.) Except as aforesaid the Corporation shall not sell any of such commonable lands as they shall acquire under the powers of this



Act and neither the Corporation nor the commoners shall be entitled to build thereon. A.D. 1894.

**42.** If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited books of reference the Corporation after giving ten days notice to the owners lessees and occupiers of the lands in question may apply to any two justices acting for the county of Glamorgan or Brecknock as the case may be for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission in question such certificate shall be deposited with the clerk of the peace for the county in which the lands affected thereby are situate and a duplicate thereof shall also be deposited with the parish clerks of the several parishes in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerk of the peace and parish clerks respectively with the other documents to which the same relate and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate. Correction  
of errors  
omissions  
&c.

**43.** And whereas in the construction of the works hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the Fifth Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise. Owners may  
be required  
to sell parts  
only of  
certain  
lands and  
buildings.

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Corporation  
may acquire  
easement  
only in cer-  
tain lands.

44. The Corporation may in lieu of acquiring any lands for the purpose of any aqueducts conduits or pipes by this Act authorised acquire such easements and rights in such lands as they may require for the purpose of constructing placing laying inspecting maintaining cleansing repairing conducting or managing the same and may give notice to treat in respect of such easements and rights and may (in such notice) describe the nature thereof and the several provisions of the Lands Clauses Acts shall mutatis mutandis extend and apply to and in relation to such easements and rights as fully as if the same were lands within the meaning of those Acts Provided always that nothing herein contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this proviso Provided also that as regards any lands taken or used by the Corporation for the purpose of laying aqueducts conduits or pipes therein where such aqueducts conduits or pipes are laid underground the Corporation shall not (unless they give notice to treat for such lands and not merely for easements therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights with respect to such lands for all purposes as if such lands had not been taken or used by the Corporation provided that no building shall be erected over any sewer without the written consent of the Corporation.

Owners  
may sell  
easements.

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

Limit of time  
for compul-  
sory pur-  
chase of  
lands.  
Power to  
purchase

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

47. The Corporation may from time to time by agreement in addition to any lands which they are by this Act authorised to take

by compulsion purchase and hold for the purposes of the waterworks by this Act authorised any land not exceeding in the whole three hundred acres :

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—  
additional  
lands by  
agreement.

Provided always that the Corporation shall not erect or authorise or permit the erection on any such lands of any buildings other than buildings connected with or necessary for their waterworks or for the convenient use and occupation of the said lands for agricultural purposes :

Provided further that nothing in this Act shall exempt the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any lands so purchased.

**48.** The Corporation may subject to the sanction of the Local Government Board and under such conditions as they may prescribe from time to time appropriate and use for any of the purposes of this Act but subject to the provisions (if any) under which such lands were respectively acquired any lands from time to time vested in them and being part of their corporate estates but nothing in this Act shall exempt the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any lands so appropriated.

Corporation  
may use  
their own  
lands for  
purposes of  
Act.

**49.—(1.)** The Corporation shall not under the powers by this Act granted purchase or acquire in any parish 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 unless and until—

Restrictions  
on displacing  
persons of  
labouring  
class.

(A.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(B.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such

A.D. 1894. scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4.) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire Provided that nothing in this section shall relieve the Corporation from the necessity of obtaining the approval of the Local Government Board for such appropriation or use of their corporate land as would require such approval under the Municipal Corporations Act 1882 (as amended by section 72 of the Local Government Act 1888) or any other general Act or shall enable the Corporation to use any lands for the purposes of any such scheme as aforesaid in contravention of any covenant or stipulation subject to which such lands may have been or may be acquired by the Corporation.

(7.) Subject to the provisions of this section the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act 1875 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of

the general purposes of that Act Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be indorsed with notice of this enactment Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit. A.D. 1894.

(8.) The Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any provisional order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(9.) 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.

**50.** The receipt of the Corporation or of any person duly authorised by the Corporation for any purchase money rent or money payable to the Corporation by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the receipt shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received. Receipts of Corporation to be effectual discharges.

**51.** The proceeds of sale of any surplus lands of the Corporation under the powers of this Act shall be distinguished as capital in the accounts of the Corporation and shall be applied in discharge of any moneys borrowed by the Corporation under this Act for the purposes for which such lands were acquired but shall not be applied to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board provided that borrowed money discharged by the application of such moneys shall not be reborrowed. Proceeds of sale of surplus lands to be treated as capital.

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Lands in certain cases not to be sold without consent of the Local Government Board.

52. Except as to lands acquired by the Corporation under this Act nothing in this Act shall enable the Corporation to sell alienate encumber or demise without the consent of the Local Government Board any lands which the Corporation could not have sold alienated encumbered or demised without such approbation before the passing of this Act and the Local Government Board shall be deemed to be substituted for the Commissioners of Her Majesty's Treasury in section 84 of the Act of 1884.

PART IX.—STREETS AND BUILDINGS.

Power to vary line of new streets.

53. The Corporation may by order vary or alter the intended position or direction of any intended new street for the purpose of causing it to communicate in a direct line with any other street or any intended new street adjoining or near thereto or leading in the direction thereof. The Corporation shall make compensation to all persons injuriously affected by the exercise of the powers of this section.

Sanitary conveniences in new roads.

54. Any person laying out any estate or land for building purposes shall upon receiving notice in writing from the Corporation so to do reserve a sufficient site or sites in such situation or situations to be approved by the Corporation for urinals for public accommodation there and when the road or street wherein the same are situate becomes repairable by the inhabitants at large such site and any urinal that may have been erected upon it shall vest in the Corporation:

Provided that every such notice shall be accompanied by a plan showing the land to be reserved and shall be served upon the owner and also upon the lessee and occupier (if any) of such land before any buildings shall have been erected on such land and that the Corporation shall make compensation for such land to such owner lessee and occupier the amount in case of dispute to be settled as in other cases of disputed compensation under this Act or the Acts incorporated with this Act the notice herein provided for being deemed to have the effect of a notice to treat for the purchase of land therein referred to.

As to temporary and movable buildings.

55.—(1.) Before any person erects or sets up any temporary or movable building within a distance of fifty feet of any public street (not being a new building within the meaning of this Act) he shall apply to the Corporation for permission so to do and such application shall be accompanied by a plan and sections of the proposed building drawn to a scale of not less than one inch to every eight feet and a block plan drawn to a convenient scale showing the

intended situation and surrounding of the proposed building together with a specification describing the materials proposed to be used in the construction thereof and the purpose for which the building is intended.

(2.) The Corporation shall within twenty-one days after the delivery of the plans and sections and specification signify in writing their approval or disapproval of the intended building to the person proposing to erect or set up the same.

(3.) The Corporation may attach to their approval any condition which they deem proper with regard to the sanitary arrangements of such building the ingress thereto and the egress therefrom protection against fire and the period during which such building shall be allowed to stand.

(4.) If any such building is commenced erected or set up without such application accompanied by such plans sections and specification or after the disapproval of the Corporation or before the expiration of the said twenty-one days without such approval or is in any respect not in conformity with any conditions attached by the Corporation to their approval the person who commenced erected or set up such building or if any such building is not removed within the period allowed by the Corporation or any prolongation thereof the owner of such building shall be liable to a penalty for every such offence not exceeding forty shillings and to a daily penalty of the like amount and the Corporation may cause such building to be pulled down or removed and any expense incurred by them in or about the pulling down or removal of the building may be recovered in a summary manner from the owner of the building or from the person erecting or setting up the same at their discretion.

(5.) The following buildings and works shall be exempt from the operation of this section:—

(A.) Buildings expressly exempt from the operation of the Acts or byelaws for the time being in force within the borough with respect to new buildings and any tent or stand not remaining for more than seven days;

(B.) Any wooden or other building or erection of a movable or temporary character erected or set up for use during the construction alteration or repair of any building but such building or erection shall be pulled down or removed immediately after the completion of such construction alteration or repair and if not so taken down or removed the Corporation may cause the same to be pulled down or removed and any expense incurred by them in or about the pulling down or removal of the building may be recovered in a summary manner from the owner of

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the building or from the person erecting or setting up the same at their discretion ;

(c.) Any wooden or other building or erection erected or set up for the purpose of protecting or of preventing the acquisition of right of light ; and

(d.) Buildings or erections erected or set up upon the premises of any canal dock or railway company and used for the purposes of or in connexion with the traffic of such canal dock or railway.

Ovens and furnaces to have protecting walls.

**56.** The owner of any oven used by any baker for the first time after the passing of this Act and of any furnace used by any tradesman or artificer for the first time after the passing of this Act shall construct a wall of not less than nine inches in thickness between the fire of the oven or furnace and the wall of the building in which such oven or furnace shall be and such wall shall be constructed above below and around the oven or furnace and a sufficient air space between the fire of the oven or furnace and the separate side or end wall party-wall or outer wall of the house or building on which such oven or furnace shall be provided to the satisfaction of the Corporation.

Any person acting in contravention of this section shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Provisions as to houses without proper water supply.

**57.—(1.)** Any dwelling-house without a proper and sufficient water supply shall be deemed to be unfit for human habitation within the meaning of section 97 of the Public Health Act 1875.

(2.) No new building shall be occupied as a dwelling-house until a proper and sufficient water supply shall have been provided thereto to the satisfaction of the borough engineer and if any building shall be occupied contrary to the provisions of this section the owner of such building if he shall occupy or allow to be occupied such building and every person who shall wilfully and knowingly occupy such building as a dwelling-house shall be deemed to have committed an offence against the provisions of this section and shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

Urinals to be attached to refreshment houses.

**58.** Where any inn public-house beerhouse eating-house or other place of public entertainment built before or after the passing of this Act has no urinal belonging or attached thereto the Corporation may by notice in writing require the owner of such inn public-house beerhouse eating-house or other place of public entertainment to provide and maintain on or near the premises in a position to be specified in the order a urinal or urinals which shall be



supplied with water in conformity with the waterworks regulations to the satisfaction of the Corporation and the Corporation may order the owner of any buildings or lands to remove any urinal belonging or attached thereto which appears to them so situated or constructed as to be a nuisance or offensive to public decency Any person who fails within a reasonable time to comply with a notice under this section shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding ten shillings.

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**59.**—(1.) After such byelaws as are in this section mentioned shall have come into operation it shall not be lawful for any person upon land in the borough of which the surface is below the level of high-water mark to erect any building to be used wholly or in part as a dwelling-house or to adapt any building to be used wholly or in part as a dwelling-house otherwise than in accordance with byelaws to be made in that behalf by the Corporation.

Dwelling-houses on flat lands below the sea level.

(2.) The Corporation by their officers may subject to the provisions of the 305th section of the Public Health Act 1875 at all reasonable times between the hours of nine in the forenoon and six in the afternoon enter upon any such building for the purpose of examining and ascertaining if such byelaws in relation to the erection of such buildings have been or are being duly complied with and any person who wilfully obstructs any such officer in the performance of his duties shall for every such offence be liable to a penalty not exceeding five pounds.

“High-water mark” in this section shall mean the high-water mark of an extraordinary spring tide rising to the height of twenty-five feet above Ordnance datum.

**60.** The Corporation from time to time in any part of the borough liable to be flooded may by byelaw regulate the level of the ground floor of any new building in such part of the borough and any person who shall act in contravention of any such byelaw shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Power to prohibit cellars in districts liable to floods.

**61.** If it shall appear to the Corporation by the report of the surveyor or medical officer of health or any of their inspectors of nuisances that any cesspool or other receptacle used or formerly used as a receptacle for excreta or for the whole or any part of the drainage of a house or any ashpit or any well disused or otherwise belonging to any such house or part of a house is prejudicial to health or otherwise objectionable for sanitary reasons and that it is desirable that the same should be filled up or removed or so altered as to remove any such objection as aforesaid the Corporation may if they think fit by notice in writing require the owner or occupier

Provisions as to the filling up of cess-pools &c.

A.D. 1894. of such house or part of a house within a reasonable time to be specified in the notice to cause such cesspool ashpit or well to be filled up or removed and any drain communicating with such cesspool to be effectually disconnected destroyed and taken away. And in case it appears that any such cesspool ashpit or well is used in common by the occupiers of two or more houses or parts of houses the notice for the filling up or removal of any such cesspool ashpit or well may be served on any one or more of the owners or occupiers of such houses and it shall not be necessary to serve such notice upon all such owners or occupiers.

Any person acting in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

PART X.—POLICE AND STREET TRAFFIC.

Street musicians to depart when required to do so.

62. Any householder tenant or occupier personally or by his servant or by any constable may require any street musician or singer to depart from the neighbourhood of the house or premises of such householder tenant or occupier and every person who shall sound or play upon any musical instrument or sing in any street near or within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

Prohibition of persons assembling in streets for purposes of betting.

63. Any three or more persons assembled in any street for the purpose of betting shall be deemed to be obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings.

Penalty on persons obstructing footway.

64. If two or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers and if any such person shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall assault insult or annoy any foot passenger he shall be liable to a penalty not exceeding forty shillings.

Indecent shows &c.

65. If any person exhibits any indecent show or exhibition in any street or in any place to which admission is obtained by payment of money he shall for every such offence be liable to a penalty not exceeding five pounds.

As to leading or driving cattle.

66. The Corporation may direct and prescribe the streets in which and the manner according to which the leading or driving of animals shall be permitted within the borough. Provided that the streets which it shall be lawful for the Corporation so to prescribe

shall not be such as would prevent the passage of cattle between any market and any railway station in the borough or any place beyond the boundary of the borough when such animals are merely passing between such market and railway station or other place as aforesaid and the Corporation shall be bound to allow at all times a reasonably short and efficient route or routes for the passage of such animals. Provided also that any such directions shall only operate between the hours of eight in the morning and nine in the evening and shall not prevent the owner of any animals driving the same to his own premises and nothing in this enactment contained shall authorise the Corporation to interfere with the driving of any animals to any slaughter-house so long as the slaughtering of such animals therein is lawful.

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**67.** Every railway company being the owners of any bridge constructed over any road or street under the jurisdiction of the Corporation after the passing of this Act except the bridge carrying the Great Western Railway Company's main line of railway over the Penarth Road within the borough or any existing bridge which shall be reconstructed after the passing of this Act shall construct and maintain on each side of every bridge so belonging to them substantial parapets or closed screens not less than seven feet in height above the levels of the rails on such bridge. Every such bridge shall be made and maintained by the railway company to whom it belongs so as to prevent as far as reasonably can be the dripping of water therefrom on any part of the roadway or footways thereunder and shall in all respects be kept by the railway company in complete repair. Any railway company being the owners of any such bridge over any road or street under the jurisdiction of the Corporation who fails to comply with the provisions of this section shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings and the representation in writing of the surveyor to the effect that the provisions of this section have not been complied with shall be *primâ facie* evidence thereof.

Prevention of drippings from bridges belonging to railway companies.

**68.**—(1.) Where any railway or canal crosses over any street in the borough by a bridge or viaduct or where any street in the borough crosses over any railway or canal by a bridge or viaduct the owner of such railway or canal shall on receiving twenty-eight days notice from the Corporation remove any placard or advertisement exhibited on such bridge or viaduct or on any parapet thereof at the passing of this Act and which may be specified in such notice. Provided that this sub-section shall not prejudice or affect any subsisting contract until the thirty-first day of December one thousand eight hundred and ninety-four.

Regulations as to advertising on bridges vehicles &amp;c.

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(2.) It shall not be lawful for any railway or canal company after the passing of this Act to affix or exhibit or permit to be affixed or exhibited upon any part of any bridge or viaduct to be hereafter constructed over any street or along or near to any street in the borough or any parapet of any such bridge or viaduct which is under any such street any placards or advertisements except such as shall have been approved in writing by the Corporation which approval may be for such time and on such conditions as therein expressed and if any such placard or advertisement be affixed or exhibited the Corporation may remove the same at the cost of such company Provided that nothing in this or the last preceding sub-section contained shall extend to prevent placards or advertisements relating solely to the business of a railway or canal company on the face of the abutments underneath any such bridge or viaduct over any street or upon the parapet of any bridge or viaduct carrying any street over any such railway or canal but nothing herein contained shall authorise the covering over with placards or advertisements of any white or glazed bricks or tiles or other material which any such company is under obligation to provide or maintain Provided always that nothing in this or the last preceding sub-section shall apply to any bridge or viaduct of any railway or canal company or any parapet thereof existing at the passing of this Act or to the widening of any such bridge or viaduct authorised before the passing of this Act.

(3.) It shall not be lawful in any street in the borough to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing and may be for such time and contain such terms and conditions as the Corporation think fit.

(4.) It shall not be lawful to erect fix maintain or retain to upon or in connexion with any building or erection any sky-sign whether now existing or not except with the licence in writing of the Corporation and in the event of such licence being granted except for such period not exceeding two years and under and subject to such terms and conditions as shall be therein prescribed:

Provided that in any of the following cases a licence of the Corporation under this sub-section shall become void namely:—

- (i.) If any addition to any sky-sign be made except for the purpose of making it secure under the direction of the surveyor of the borough;
- (ii.) If any change be made in the sky-sign or any part thereof;
- (iii.) If the sky-sign or any part thereof fall either through accident decay or any other cause;

(iv.) If any addition or alteration be made to or in the house building or structure on over or to which any sky-sign is placed or attached if such addition or alteration involves the disturbance of the sky-sign or any part thereof;

(v.) If the house building or structure over on or to which the sky-sign is placed or attached become unoccupied or be demolished or destroyed:

Provided also that if any sky-sign be erected or retained contrary to the provisions of this Act or after the licence for the erection maintenance or retention thereof for any period shall have expired or become void it shall be lawful for the Corporation and for the surveyor or in his absence any other duly qualified surveyor to take proceedings for the taking down and removal of the sky-sign in the same manner and with the same consequence as to recovery of expenses and otherwise in all respects as if it were a dangerous building within the meaning of section 75 of the Towns Improvement Clauses Act 1847.

(5.) Any person acting in contravention of any of the provisions of this section or of the terms and conditions (if any) of any approval licence or consent under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(6.) The word "street" in this section includes any present or future square street highway footpath lane or road but shall not include any approach road to any station of any railway company being the property of such company or to the canal of any canal company and being the property of such canal company.

(7.) "Sky-sign" as used in this section means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part over any house building or structure which or any part of which sky-sign shall be visible against the sky from any point in any street and includes all and every part of any such pole standard framework or other support. The expression "sky-sign" shall also include any balloon parachute or similar device employed wholly or in part for the purposes of any advertisement or announcement on over or above any building structure street or erection of any kind or on or over any street or public way but shall not include (1) any flagstaff pole vane or weathercock unless adapted or used wholly or in part for the purposes of any advertisement or announcement or (2) any sign or any board frame or other contrivance securely fixed to or upon the top of any wall or parapet of any building or the cornice or blocking course of any wall or to the ridge of a roof

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Provided that such board frame or contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported or (3) any such word letter model sign device signal or representation as aforesaid which relates exclusively to the business of a railway or canal company and which is placed or may be placed wholly upon or over any railway railway station yard platform or station approach belonging to a railway company or premises belonging to a canal company and which is also so placed that it could not fall into any street.

Provisions as to hoards and other structures used for advertising purposes.

**69.**—(1.) Every hoard or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Corporation.

(2.) It shall not be lawful after the passing of this Act to erect any hoard or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street without the consent of the Corporation and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoard as the Corporation may determine.

(3.) The owner or other person using any hoard wall or other structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Corporation and in the event of any nuisance being created in any street by reason of the falling off of any papers affixed for advertising purposes to such hoard wall or other structure shall forthwith remove and clear away such papers.

(4.) Any person who acts in contravention of any of the provisions of this section or who violates any conditions or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(5.) Any consent or condition under this section may be under the hand of the town clerk or the surveyor :

Provided always that this section shall not apply to any hoard or similar structure affixed to any railway station or premises of any railway or canal company.

#### PART XI.—INFECTIOUS DISEASES &c.

Definition of infectious disease.

**70.** “Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 applies.

71. Whereas the Corporation as the port sanitary authority of Cardiff have established for the cremation of human remains a crematorium upon the Flat Holmes an island in the Bristol Channel about three or four miles from the borough and the Corporation are the burial board for the borough and they desire to establish another crematorium in their cemetery Therefore be it enacted—

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Power to  
establish cre-  
matorium.

(1.) The Corporation may in a convenient and proper place in their cemetery set apart for and build provide fit up equip and maintain a crematorium proper and sufficient for the cremation of human remains but so as not to create or permit a nuisance Provided that such crematorium shall not be erected within three hundred yards of the property of the Secretary of State for War;

(2.)—(A.) No cremation of human remains shall take place in any crematorium of the Corporation until the plans of such crematorium have been approved by a Secretary of State;

(B.) The Corporation shall prepare regulations as to cremation and submit them to a Secretary of State and the Secretary of State may approve such regulations with or without modifications and after having approved such regulations he may at any time require them to be submitted to him for revision or modification;

(C.) The regulations shall prescribe in what cases in what mode and under what conditions cremations may take place and they may prescribe the forms of the certificates and declarations to be given or made before a cremation is permitted to take place and such declarations shall be made under and by virtue of the Statutory Declarations Act 1835 and such certificates shall be confirmed by a declaration made under and by virtue of the same Act;

(D.) Every person who shall contravene any such regulations or shall wilfully carry out or procure or take part in the cremation of any human remains in such crematorium except in accordance with such regulations shall (in addition to any liability or penalty which he may otherwise incur) be liable on summary conviction to a penalty not exceeding fifty pounds;

(E.) Every person who shall wilfully make any false declaration or representation or sign or utter any false certificate with a view to procuring the cremation of any human remains in such crematorium shall in addition to any penalty or liability which he may otherwise incur be liable on summary conviction to a fine not exceeding fifty pounds;

(3.) The Corporation may demand payment of any such charges or fees for such cremation as may be authorised by any table

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approved by a Secretary of State and such charges or fees shall be deemed to be a debt due to the Corporation from the estate of the deceased ;

- (4.)—(A.) The bodies of persons who may within the jurisdiction of the port sanitary authority of Cardiff die of cholera shall without any other sanction than this Act but subject to the regulations made thereunder be cremated in such crematorium of the Corporation as their medical officer of health may in each case direct ;
- (B.) The Corporation or their officers on showing their authority if demanded shall have power of entry on any premises or vessels for the purpose of carrying into effect this sub-section ;
- (C.) Any person obstructing the execution of this sub-section shall be liable to a penalty not exceeding fifty pounds ;
- (5.) Any expenses incurred by the Corporation under this section shall be payable out of the borough fund or out of the borough rate ;
- (6.) Nothing in this section shall interfere with the jurisdiction of any coroner and jury under the Coroners Act 1887 or any Act amending the same already passed or to be passed in this or any future session.

Dairyman to furnish list of customers in certain cases.

**72.** Whenever it shall be certified to the Corporation by the medical officer of health that the outbreak or spread of infectious disease is in the opinion of such medical officer of health attributable to the milk supplied by any dairyman the Corporation may require such dairyman to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the borough and such dairyman shall furnish such list accordingly and the Corporation shall pay to him for such list the sum of sixpence and after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings and every person who shall wilfully or knowingly offend against this enactment shall for each offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings For the purposes of this section dairyman means any cowkeeper purveyor of milk or occupier of a dairy milk-store or milk-shop.

Saving for Acts relating to dairies animals &c.

**73.** Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Acts 1878 to 1886 or of any order licence or act of Her Majesty's Privy Council or the Local Government Board made granted or done or to be made granted or done thereunder or of any order regulation licence or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council



or the Local Government Board or exempt the dairies milk-stores or milkshops to which this Act relates or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies milk or animals already passed or to be passed in this or any future session of Parliament. A.D. 1894.

74. Public notice of the provisions of this Act relating to infectious disease shall be given forthwith after the passing of this Act by advertisement in two newspapers published and circulating in the borough and by a notice affixed for twenty-eight days outside the town hall of the borough. Public notice to be given of provisions of this part of this Act.

75. Where the medical officer of health of the Cardiff Port Sanitary Authority is satisfied that the water in any tank cistern cask or other fixed receptacle in any ship vessel or boat within the district of that authority used or likely to be used by man for drinking or domestic purposes is so polluted as to be injurious to health the medical officer of health of such authority may cause to be emptied and cleansed any such tank cistern cask or other fixed receptacle. Power as to polluted water tanks &c. in vessels.

Expenses incurred by the Port Sanitary Authority in the execution of this section shall be defrayed as any other expenses of the authority are authorised to be defrayed.

## PART XII.—THRIFT FUND.

76. The Corporation may establish in manner herein-after provided a fund for the encouragement of thrift and with a view of providing a sum of money which in the event of retirement discharge or death of any person in the service of the Corporation who has contributed to the fund shall be available for himself or his representatives such fund to be called the thrift fund. Thrift fund-

The Corporation may prepare and approve by resolution a scheme or schemes for the establishment of the thrift fund and may determine in and by any such scheme the following matters and things or any of them (that is to say):—

(A.) What classes of persons shall be entitled to contribute to and participate in the benefit of the thrift fund, and to what extent such contribution shall be payable by persons entering or who shall have entered the service of the Corporation after the passing of this Act and also upon what terms and conditions persons in the service of the Corporation at the passing of this Act shall on their own application be admitted to the benefit of the thrift fund;

(B.) The division of the persons contributing to and to be benefited by the thrift fund into two or more classes according to the

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amount of salary or according to such other conditions as the Corporation shall determine power being reserved by the scheme to remove any contributor from the one class to the other Provided that no such removal shall place the contributor or his representatives in a worse position than he would have occupied if the removal had not been made ;

- (c.) What (if anything) shall disqualify any person in the employ of the Corporation from becoming a contributor to the thrift fund and participating in the benefits thereof ;
- (d.) Under what circumstances any person having been a contributor to the thrift fund shall cease to continue a contributor and to be entitled to participate in the benefits thereof ;
- (e.) What proportion (if any) of his own contributions to the thrift fund and of the interest which shall have accrued thereon under the scheme any person having been but ceasing to be a contributor thereto shall be entitled to receive ;
- (f.) What proportion (if any) of the additions made by the Corporation to the thrift fund in respect of the contributions of any member shall be payable to the representatives of such member in the event of his dying before he becomes entitled to any benefit under the scheme on resignation or retirement ;
- (g.) The per-centage or proportion not exceeding without the consent of the Secretary of State two pounds ten shillings per centum of their salaries or wages which shall be payable to the thrift fund by the contributors ;
- (h.) The age at which or other circumstances in which a person shall become entitled to benefit under any scheme so that no person not incapacitated by illness shall be entitled to benefit (except by way of return of his own contributions with interest under the next succeeding section of this Act) at a less age than sixty ;
- (i.) The payment to a person entitled to benefit under any scheme either by way of a gross sum or by way of an annuity instead of such gross sum calculated at such rate of interest as may be defined by the scheme ;
- (j.) The rate not exceeding three pounds ten shillings per centum at which interest whether simple or compound shall be calculated in respect of the moneys contributed to the thrift fund by the contributors and by the Corporation respectively ;
- (k.) The future management and direction of the thrift fund and the number of and mode of appointment of the committee for administering and managing the same and the powers to be conferred upon the committee with respect to such administration and management and whether any and if so what persons

other than members of the Corporation should form part of or be associated with the said committee for the purposes of the administration and management of the thrift fund or form a separate consultative committee to be elected by the contributors of the thrift fund and to define the functions and mode of election of such consultative committee ;

(L.) The securities upon which the moneys received on account of the thrift fund shall from time to time be invested Provided that such investment shall not be made in any mortgage bond debenture debenture stock Corporation stock annuity rentcharge rent or other security of the Corporation or in securities transferable by delivery ;

(M.) And generally all such other matters and things in relation to the thrift fund as the Corporation shall deem fit and proper to form part of and to be included in such scheme.

**77.** Any scheme under this Part of this Act shall contain the following provisions :—

Forfeiture of rights under scheme in certain cases.

(1.) Any contributing member retiring bonâ fide from the service of the Corporation of his own accord before attaining the age prescribed by the scheme (and not to escape dismissal for fraud dishonesty or misconduct involving pecuniary loss to the Corporation) shall be entitled to receive back the whole amount of his own contributions with such interest as shall have accrued thereon under the scheme and shall have no further claim upon the thrift fund ;

(2.) The representatives of any contributing member who not having been guilty of fraud dishonesty or misconduct involving pecuniary loss to the Corporation shall die before he becomes entitled to any benefit under the scheme on resignation or retirement shall be entitled to receive back the whole contributions of such member with such interest as shall have accrued thereon under the scheme and shall have no further claim upon the thrift fund except as may be provided by the scheme ;

(3.) Any contributing member dismissed from the service of the Corporation for fraud or dishonesty or for misconduct involving pecuniary loss to the Corporation or retiring to escape dismissal for any of those causes shall at the discretion of the Corporation forfeit all or any part of his contributions and the interest thereon and lose all benefits from the thrift fund except such return (if any) as may at such discretion be made to him out of his own contributions and the interest thereon ;

(4.) Any contributing member who shall become entitled to superannuation or shall be required to retire in consequence of any

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reduction of the number of persons in the service of the Corporation shall be entitled to payment as follows if by way of a gross sum the total amount of the contributions made by him to the fund and of the equivalent contributions made by the Corporation with interest thereon and if by way of an annuity such an amount as shall be determined by actuarial calculation to be of equal value to such gross sum as aforesaid.

Copies of scheme to be supplied.

**78.** The Corporation shall supply a copy of any scheme in force under this Part of this Act at a price not exceeding sixpence to any person in the employ of the Corporation interested in the thrift fund or the representatives of any such officer or servant in case of death and shall supply gratuitously to every officer or servant or other person having an interest in the thrift fund a copy of the last annual balance sheet of the same for the time being.

Corporation to contribute to fund.

**79.**—(1.) The Corporation shall at the end of each and every half year after the establishment of the thrift fund contribute thereto out of the rate or revenue upon which the salary or wages of each contributing member is or are respectively chargeable a sum equal to one third of the sum which during the same half year has been contributed thereto by such contributing member.

(2.) In the event of the moneys standing to the credit of the thrift fund being at any time inadequate for the payment to contributing members of the sums to which they will be entitled under the provisions of the scheme the amount of any deficiency shall from time to time be made good by the Corporation out of the borough rate or general district rate.

(3.) The Corporation may also pay out of the borough rate or general district rate any salaries costs and expenses of the management and administration of the thrift fund and of and incidental to investments.

Scheme to be submitted to actuary.

**80.** Prior to the scheme coming into operation it shall be submitted by the Corporation to an actuary being a fellow either of the Institute of Actuaries of Great Britain and Ireland or of the Faculty of Actuaries in Scotland to be appointed by the council with the approval of a Secretary of State who shall consider such scheme and report thereon as to its solvency or otherwise. In the event of such actuary reporting that in his opinion the scheme as a whole is a solvent one without recourse to the guarantee of the Corporation the scheme may come into operation but not otherwise.

Once in every five years after the commencement of the scheme it shall be submitted to an actuary to be appointed as aforesaid

for revision (if necessary) and in the event of such actuary recommending any modifications alterations or amendments therein such modifications alterations or amendments shall if approved by a Secretary of State be forthwith adopted by the Corporation. If upon such actuary's recommendations the Corporation are satisfied that any addition (specified by him) may be made to all annuities payable within the following period of five years without risk that a deficiency in the funds may at any future time be thereby caused they may direct such addition to be made in all annuities for such period.

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There shall be paid to such actuaries such reasonable remuneration as may be agreed or as may be fixed by a Secretary of State.

**81.** It shall be lawful for the Corporation from time to time to enter into and carry into effect any contract with any company carrying on the business of life assurance for the undertaking by such company of the liabilities of the Corporation under any scheme or schemes made under this Part of this Act or any of them.

Contracts with Assurance Society.

**82.** The provisions of sections 7 to 10 of the Provident Nominations and Small Intestacies Act 1883 shall (so far as applicable) extend and apply to the thrift fund and to the contributors thereto and to the Corporation as if the thrift fund were the funds of a registered trade union and the contributors to the thrift fund were members of a registered trade union and the Corporation were directors within the meaning of that Act.

Certain provisions of Provident Nominations and Small Intestacies Act 1883 made applicable.

**83.** The Corporation shall not be bound to recognise or see to the execution of any assignment or of any trust (whether express implied or constructive) relating to any contributions of any contributing member to the thrift fund or the interest thereon or additions thereto but the receipt of the contributing member for the same or (if he is dead) of his legal personal representatives or the person or persons to whom the same may be paid under the authority of this Act shall from time to time be a sufficient discharge to the Corporation in respect thereof notwithstanding any assignment thereof or any trust to which the same may be subject and whether or not the Corporation have had notice express implied or constructive of any such assignment or trust or of any charge or incumbrance upon any such contributions or the interest thereon or additions thereto or any part thereof respectively and the Corporation shall not be bound to see to the application of any money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application thereof.

Corporation not to regard trusts or assignments.

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## PART XIII.—FIRE BRIGADE SUPERANNUATION.

Application  
of provisions  
of Police  
Acts 1890  
and 1893 to  
fire brigade.

84. The following provisions of the Police Act 1890 as amended by the Police Act 1893 namely those contained in—

Sections 1 and 2 ;

Sub-sections 1 2 3 4 6 and 7 of section 3 the year 1895 being substituted for the year 1891 in the said sub-section (3) ;

Sub-sections 1 2 3 and 5 of section 4 ;

Sections 5 to 14 both inclusive ;

Sub-section 1 of section 15 ;

Section 16 except paragraphs (B) (C) (H) and (K) ;

Section 18 ;

Sub-section 1 of section 19 ;

Sections 20 and 21 ;

Sub-section 3 of section 33 ; and the first schedule ;

And also sections 3 4 5 and 6 of the Police Act 1893 ;

shall apply to the permanent fire brigade with the following modifications :—

(1.) A member of the permanent fire brigade shall be substituted for a constable ;

(2.) Service in the permanent fire brigade shall be substituted for service in the police ;

(3.) The permanent fire brigade shall be substituted for the police force ;

(4.) The chief officer for the time being of the fire brigade shall be substituted for the chief officer of the police ;

(5.) The permanent fire brigade pension fund shall be substituted for the pension fund ;

(6.) The provisions of section 14 of the Police Act 1890 shall apply to a person who has served both in a police force and in the permanent fire brigade ;

(7.) The fund and rate out of which the expenses of the permanent fire brigade are paid shall be substituted for the police fund and the rate levied for the police fund ;

(8.) The deductions from the pay of a member of the permanent fire brigade made under section 15 of the Police Act 1890 shall be at the rate of two and a half per centum per annum on his pay ;

(9.) The approved service of a member of the permanent fire brigade for any period before as well as after the passing of this Act and his approved service in the police force of the borough for any period either before or after the passing of this Act shall be reckoned as approved service and approved service for not less than three years either wholly or partly before or after the passing of this Act in any police force or in any fire brigade in which such service would reckon for pension

in any part of the United Kingdom from which he removed with the sanction of the chief officer or police authority of that force to the permanent fire brigade shall (notwithstanding the sanction was not given in writing) be reckoned as approved service for the said period in the permanent fire brigade. Provided that under no circumstances shall any such member be entitled to more than one pension from any police superannuation fund or the permanent fire brigade pension fund in respect of his approved service;

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(10.) The term "police authority" shall mean the Corporation.

**85.** The Corporation shall make annually a return containing such particulars of the capital income and expenditure of the permanent fire brigade pension fund as the Secretary of State may direct and verified if the Secretary of State so requires by the statutory declaration of the treasurer of the fund.

Annual return of Permanent Fire Brigade Pension Fund.

**86.** The Corporation shall pay from the borough fund or borough rate such contribution to the permanent fire brigade pension fund as the Secretary of State may by order determine to be a fair contribution in respect of the pensions gratuities or allowances by this Act authorised to be paid.

Payment by Corporation to Permanent Fire Brigade Pension Fund.

#### PART XIV.—FINANCE.

**87.** And whereas there is about to be established and incorporated by Royal Charter a university to be endowed by parliamentary grants and otherwise and to be called "The National University for Wales" and it is expedient with a view to secure the said university being situate in Cardiff that the Corporation be authorised to contribute the sum of six thousand pounds towards the cost of the said university or out of the said sum to acquire certain lands and property in the borough as and for a site for the erection thereon of the buildings necessary for the said university. Therefore the following provisions shall have effect (that is to say):—

Contribution to the National University for Wales.

(1.) The Corporation may contribute towards the funds of the National University for Wales any sum or sums not exceeding in the whole six thousand pounds and they may appropriate the whole or any portion of such sum or sums to or towards the acquisition by agreement of a suitable and convenient site for the said university and if a suitable and convenient site can be obtained for less than that amount the Corporation may if they think fit contribute the balance remaining of the said sum or any part thereof towards the cost of erecting on such site suitable buildings and premises for the purposes of the said university:

Corporation may contribute 6,000*l.* for the National University for Wales.

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Power to borrow 6,000*l.*

As to repayment &c. of money borrowed.

Expenses of execution of Act.

Repayment of moneys borrowed under Acts

(2.) The Corporation may from time to time in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow on mortgage at interest on the security of the borough fund and borough rate for the purposes of the said university any sum or sums not exceeding in the whole six thousand pounds :

(3.) All the provisions of this Act with respect to the borrowing reborrowing and repayment of borrowed moneys shall extend and apply mutatis mutandis to the borrowing reborrowing and repaying of the said sum or sums provided that the period within which the same shall be repaid shall be twenty years from the date of the borrowing thereof and that the appropriation for any sinking fund created for such repayment shall commence on the first day of January next following the date of the borrowing of the moneys to be repaid by means thereof.

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

(1.) Expenses incurred for sanitary purposes out of the district fund and general district rate ;

(2.) Expenses incurred for waterworks purposes out of water revenue and if in any year the water revenue be insufficient for the purposes to which it is applicable such deficiency shall be made up out of the district fund and general district rates ;

(3.) Expenses incurred for all other purposes out of the borough fund and borough rate :

And all moneys other than borrowed moneys and moneys received on the sale or exchange of land or by way of fine or premium on leases or otherwise in the nature of capital received by the Corporation under the powers of this Act for or in relation to the following purposes shall be carried to the credit of the following funds (that is to say) :—

(A.) Moneys received for waterworks purposes to the credit of water revenue ;

(B.) Moneys received for street works and private improvement expenses to the credit of the district fund and to the proper account therein ;

(C.) Moneys received for all other purposes to the credit of the borough fund and to the proper account therein.

**89.** And whereas the Corporation have from time to time under the provisions of the Acts of 1835 and 1837 borrowed and reborrowed for the purchase of land for market purposes and for other purposes



and now owe the sum of twenty-three thousand five hundred and twenty-seven pounds ten shillings and twopence and it is expedient that such provisions as are herein-after contained be made for paying off the said sum Therefore the following provisions shall have effect:—

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—  
of 1835 and  
1837.

- (1.) The Corporation shall pay off or make provision for paying off all moneys borrowed and reborrowed by them under the Acts of 1835 and 1837 and now owing within sixty years from the date of the borrowing thereof;
- (2.) The provisions of sections of this Act of which the marginal notes are "As to repayment of borrowed moneys" and "Power to re-borrow" shall so far as applicable extend and apply mutatis mutandis to the said sums and to the Corporation in relation thereto as if the sums had been borrowed under the powers of this Act **Provided** that the date of the first payment by instalments or into the sinking fund shall be the first day of January one thousand eight hundred and ninety-five;
- (3.) Section XL. (Power to borrow money) and section XLV. (Corporation may raise money by mortgage or sale) of the Act of 1835 and section LXXXV. (Power to raise money) of the Act of 1837 are hereby repealed without prejudice to any mortgages or other securities already granted under the authority of those sections respectively.

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

Power to  
borrow for  
various  
purposes.

- (A.) On the security of the borough fund and borough rate—
  - (1.) For paying one fourth part of the costs charges and expenses of and in relation to this Act as herein-after defined the sum requisite for that purpose;
  - (2.) For the purposes of purchasing the freehold of the Docks Police Station seven hundred and seventy pounds;
  - (3.) For the purposes of purchasing lands for markets eleven thousand four hundred pounds;
  - (4.) For the purposes of purchasing the freehold of Guildford Crescent Baths one thousand pounds;
  - (5.) For the erection of a crematorium one thousand five hundred pounds;
- (B.) On the security of the water revenue district fund and general district rate or on any one or more of those securities—
  - (1.) For waterworks purposes three hundred and fifty thousand pounds;

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- (2.) For paying one fourth part of the said costs charges and expenses of and in relation to this Act the sum requisite for that purpose;
- (c.) On the security of the district fund and general district rate—
- (1.) For the purposes of street improvements two hundred and thirty-five thousand pounds;
  - (2.) For the purposes of parks ten thousand pounds;
  - (3.) For the purposes of purchasing lands for refuse destructors six thousand pounds;
  - (4.) For paying one-half part of the said costs charges and expenses of and in relation to this Act the sum requisite for that purpose;
- (d.) For any of the purposes aforesaid or for other the purposes of this Act which may require expenditure of capital moneys such further sums as in each case may from time to time be sanctioned by the Local Government Board and for the purposes of securing the repayment of such moneys the Corporation may mortgage or charge the fund or rate which having regard to the objects of expenditure in each case they may (with the approval of the Local Government Board) consider to be properly applicable thereto:

And in calculating the sum the Corporation may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing shall not be restricted by any of the provisions of the Public Health Acts Provided that for the purpose of raising the money authorised to be borrowed under this Act the Corporation may from time to time create and issue Cardiff Corporation stock under the Act of 1884 Provided that the annual contributions to the Corporation loans fund under the said Act for payment of dividends on and towards the redemption and extinction or purchase and extinction of stock created and issued by the Corporation for the purposes of this Act shall be payable out of the borough fund or borough rate in respect of moneys borrowed upon the security of that fund or rate and out of the water revenue district fund or general district rate in respect of moneys borrowed upon the security of that revenue fund or rate and out of the district fund and general district rate in respect of moneys borrowed upon the security of that fund or rate:

Provided that the Corporation shall out of the said sum of three hundred and fifty thousand pounds borrowed by them for water-works purposes under the authority of this Act repay to their bankers the sum of one hundred and thirty-two thousand nine

hundred and four pounds borrowed in excess of the sums which under the former Acts the Corporation are authorised to borrow for waterworks purposes. A.D. 1894.

**91.** It shall not be lawful for the Corporation after the passing of this Act to create or issue irredeemable stock or to invest any loans fund or sinking fund in any securities of the Corporation. Repeal of power to issue irredeemable stock.

**92.** The following provisions of the Public Health Act 1875 (that is to say):— Incorporation of certain provisions of Public Health Act.

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

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

**93.** With respect to the repayment of moneys to be borrowed under the powers of this Act the following provisions shall have effect (that is to say):— As to repayment of borrowed moneys.

The Corporation shall repay or make provision for repaying—

- (A.) All moneys borrowed under the powers of this Act for parks refuse destructors and crematorium and for the purchase of the freehold of the Docks Police Station and of the Guildford Crescent Baths or with the sanction of the Local Government Board in such period in each case not exceeding sixty years from the date of the borrowing of the same as the Local Government Board may sanction;
- (B.) All other moneys borrowed under the powers and for the other purposes of this Act (except the contribution to the National University for Wales and the costs charges and expenses of and in relation to this Act) in any period not exceeding forty-five years from the respective dates of the borrowing of the same:

The repayment of the moneys borrowed under and for the purposes of this Act shall be made within the periods prescribed by this Act or as the case may be by the Local Government Board either by equal annual instalments of principal or of principal and interest or by paying annually throughout the prescribed periods into the sinking fund to be created invested and applied as hereinafter provided several equal sums as will with accumulations by way of compound interest at a rate not exceeding three pounds per centum per annum throughout the respective periods be sufficient to pay off those moneys respectively within those periods:

Provided that in case at any time the principal sums to be repaid are reduced by the application to such repayment of the proceeds

A.D. 1894. — of the sale or disposition of land or other moneys received on capital account other than borrowed moneys the payments to the sinking funds may be reduced to such extent and upon such terms as may be from time to time approved by the Local Government Board :

The Corporation may at any time apply the whole or any part of any loans fund or sinking fund in or towards the purchase and extinction of the securities for the repayment of which the fund is established Provided that they pay into the fund each year and accumulate at compound interest until the expiration of the full period allowed for repayment of the sum so paid off a sum equivalent to the interest which would have been produced by the loans fund or the sinking fund or the part of the loans fund or the sinking fund so applied at the rate per centum per annum on which the equal annual payments to the loans fund or the sinking fund are based :

If the Corporation at any time apply the whole or any part of any loans fund or sinking fund in or towards the purchase and extinction of securities at a premium any payments to such loans funds or sinking fund shall if required by the Local Government Board be increased to such extent and upon such terms as may from time to time be approved by that Board :

The Corporation shall pending the application of any sinking fund in repayment of debt invest the same and the dividends interest and annual income thereof in the purchase of securities in which trustees are by law for the time being authorised to invest or in mortgages debentures debenture stock or other securities not being annuities or securities payable to bearer issued by any local authority as defined by section 34 of the Local Loans Act 1875 other than the Corporation the Corporation being at liberty from time to time to vary and transpose such investments :

Provided always that if in any year the rate of income produced by the investments of any sinking fund falls short of the rate of accumulation on which the payments to the fund are based the Corporation shall forthwith make good such deficiency out of the rates or revenues liable to make the equal annual payments to the fund :

Provided also that in case in any year the rate of income received from the investments of any sinking fund is in excess of the rate of accumulation on which the payments to the fund are based any such excess may be applied by the Corporation in reduction of the other payments to the fund :

The first instalment or the first payment as the case may be to any sinking fund in respect of the moneys borrowed under this Act shall be paid or made within twelve months after the respective dates of borrowing.

**94.** All the provisions of the former Acts and orders relating to re-borrowing are hereby repealed without prejudice to anything done before the passing of this Act under the said provisions and in lieu thereof the following provisions shall have effect (viz.) The Corporation may from time to time re-borrow any money borrowed or to be borrowed by them and paid off otherwise than by instalments or by means of a sinking fund or out of the proceeds of the sale or disposition of land or out of other moneys received on capital account not being borrowed moneys :

A.D. 1894.  
Power to  
reborrow.

Provided always that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing is made and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

**95.** The treasurer shall within twenty-one days after the thirty-first day of March in each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under any of the former Acts and orders or this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purposes of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and

Annual  
return to  
Local  
Government  
Board with  
respect  
sinking fund.

A.D. 1894.

invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court. The provisions of this section shall apply mutatis mutandis to appropriations and annual repayments.

All provisions of the former Acts and orders requiring any annual return with respect to a sinking fund or instalments to be made to the Local Government Board are hereby repealed.

Application  
of borrowed  
moneys.

**96.** All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are respectively authorised to be borrowed and to which capital is properly applicable.

Corporation  
not to regard  
trusts.

**97.** The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Corporation shall be a sufficient discharge to the Corporation in respect thereof notwithstanding any trust to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register and the Corporation shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any of such money.

For protec-  
tion of  
lenders.

**98.** A person lending money to the Corporation shall not be bound to inquire as to the observance by them of any provision of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of such money or of any part thereof.

Power to  
borrow  
under Local  
Loans Act  
1875.

**99.—(1.)** The Corporation may if they think fit raise any moneys which they are by this Act authorised to borrow in accordance with the provisions of the Local Loans Act 1875 and the periods for repayment of moneys borrowed by this Act or by the Local Government Board prescribed shall be the prescribed period within the meaning of the Local Loans Act 1875.

**(2.)** All moneys paid into any sinking fund formed for the purpose of such discharge shall be invested or applied by the Corporation in the manner in which sinking funds are by this Act authorised to be invested or applied.

PART XV.—MISCELLANEOUS PROVISIONS.

A.D. 1894.

**100.** There shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building structure or work vested in or in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service.

Exemption of Government property from building regulations.

**101.** All penalties imposed by this Act not otherwise specially provided for shall be recovered in manner provided by the Summary Jurisdiction Acts.

Recovery of penalties.

**102.** All byelaws from time to time made by the Corporation under the powers of this Act shall be made under and according to the provisions with respect to byelaws contained in sections 182 to 185 of the Public Health Act 1875 except so much thereof as relates to the byelaws of a rural sanitary authority.

General provisions as to byelaws.

**103.** Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may appeal (but in cases where application for relief is authorised to be made to the Corporation then only after such application) to the next practicable court of quarter sessions under and according to the provisions of section 269 of the Public Health Act 1875.

As to appeal.

**104.** Proceedings with a view to the summary conviction of offenders under this Act or under any byelaw of the Corporation under this Act or to the recovery of penalties (except when otherwise expressed) or of any money or expenses authorised to be recovered summarily or any order to be made by a court of competent jurisdiction under this Act or any such byelaw shall be taken according to the provisions of the Summary Jurisdiction Acts.

Proceedings for summary convictions and appeals.

**105.** In case of any demand or complaint under this Act to which two or more persons being owners or occupiers of lands or partly the one or partly the other are answerable jointly it shall be sufficient to proceed against any one or more of them without proceeding against the others or other of them but nothing in this Act shall prevent the parties so proceeded against from recovering contributions in any case to which they would be entitled by law to contribution if this Act had not been passed.

Proceedings against one or more of joint owners or occupiers.

A.D. 1894.

Several sums  
in one  
summons.

Penalties to  
be paid over  
to the  
treasurer &c.

Audit of  
accounts.

Saving for  
indictments  
&c.

Judges &c.  
not dis-  
qualified.

Powers of  
Act cumu-  
lative.

Saving  
rights of the  
Crown in the  
foreshore.

**106.** Any summons or warrant issued for any purpose of this Act may contain in the body thereof or in a schedule thereto several sums.

**107.** All penalties recovered by the Corporation under this Act or any byelaw thereunder shall be paid to the treasurer and be by him carried to the credit of the borough fund.

**108.** The provisions of the Municipal Corporations Acts relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under those Acts shall extend and apply to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

**109.** Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act.

**110.** A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate or by reason of his being a member of the Council.

**111.** All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred on them by the Public Health Acts the Municipal Corporations Acts or the Burial Acts 1852 to 1885 and the Corporation may exercise such other powers as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

**112.** Nothing contained in this Act shall authorise the Corporation 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.



**113.** Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections 21 and 22 of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty Her heirs or successors.

A.D. 1894.

Saving  
rights of  
Crown under  
Crown  
Lands Act.

**114.** The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons including the costs charges and expenses preliminary to and of and connected with the obtaining of the resolution of owners and rate-payers aforesaid shall be paid by the Corporation as to one fourth part thereof out of the water revenue and as to another one fourth part thereof out of the borough fund and as to the remaining one half thereof out of the general district fund or out of moneys borrowed on the security thereof respectively under the powers of this Act Provided that all money to be borrowed for the purposes of this section shall be repaid in five years.

Expenses of  
Act.

A.D. 1894.

The SCHEDULES referred to in the foregoing Act.

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 THE FIRST SCHEDULE.
 

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## FORMER ACTS AND ORDERS RELATING TO CARDIFF.

5 & 6 Will. 4. c. li.	An Act for removing the markets held in the town of Cardiff in the county of Glamorgan and for providing other market places in lieu thereof.
7 Will. 4. c. xviii.	An Act for better paving cleansing lighting and otherwise improving the town of Cardiff in the county of Glamorgan.
13 & 14 Vict. c. cviii.	A Provisional Order relating to the borough of Cardiff confirmed by the Public Health Supplemental Act 1850 (No. 3).
16 Vict. c. xxiv.	The Cardiff Waterworks Act 1853.
21 & 22 Vict. c. cv.	The Llandaff and Canton District Markets Act 1858.
22 & 23 Vict. c. xi.	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Supplemental Act 1859 (No. 2).
23 & 24 Vict. c. cv.	The Cardiff Waterworks Act 1860.
25 & 26 Vict. c. cxxiii.	The Cardiff Borough Act 1862.
28 & 29 Vict. c. cviii.	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Supplemental Act 1865 (No. 5).
34 & 35 Vict. c. clxi.	The Cardiff Improvement Act 1871.
36 & 37 Vict. c. i.	A Provisional Order relating to the borough of Cardiff confirmed by the Local Government Board's Provisional Orders Confirmation Act 1873.
38 & 39 Vict. c. clxxxvii.	The Cardiff Improvement Act 1875.
41 & 42 Vict. c. cxliv.	The Cardiff Waterworks Act 1878.
42 & 43 Vict. c. cxxxiii.	The Cardiff Corporation Act 1879.
47 & 48 Vict. c. ccxxii.	The Cardiff Corporation Act 1884.
50 & 51 Vict. c. lx.	The Cardiff Corporation Act 1887.
54 & 55 Vict. c. civ.	A Provisional Order relating to the borough of Cardiff confirmed by the Electric Lighting Orders Confirmation (No. 8) Act 1891.

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 THE SECOND SCHEDULE.
 

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## TABLE OF TOLLS RENTS AND STALLAGE.

THE NEW MARKET NOW KNOWN AS THE SAINT MARY STREET MARKET.

	<i>Butchers.</i>	<i>s.</i>	<i>d.</i>
For every butcher's stall per week - - - - -		6	0
For every such stall for every Wednesday or Saturday - - - - -		3	6
For every such stall for every other day - - - - -		1	0

	s.	d.	A.D. 1894.
For the carcase of every bull ox steer cow or heifer or any part thereof by any person not occupying a stall - - -	2	0	1894
For the carcase of every calf sheep pig hog goat lamb or kid or any part thereof by any person not occupying a stall - - -	0	8	
For every sucking pig by any person not occupying a stall - - -	0	1	

*Fruit and Vegetables.*

For every stall standing or place for laying down and exposing for sale fruit and vegetables only per week - - -	6	0
For every such stall for every Wednesday or Saturday - - -	3	6
For every such stall for every other day - - -	1	0

*Fishmongers.*

For every fish stall per week - - -	7	0
For every such stall for every Wednesday or Saturday - - -	5	0
For every such stall for every other day - - -	1	0

*Shops.*

For every enclosed covered shop for exposing to sale manufactured goods wares or merchandise per week - - -	14	0
For every such enclosed covered shop for every Wednesday or Saturday - - -	6	0
For every such enclosed covered shop for every other day - - -	2	0

*Poultry and Butter.*

For every stall sitting or place occupied by one person for exposing to sale poultry butter eggs cheese bacon or any other article of provision usually sold in poultry markets (except vegetables and fruit) per week - - -	14	0
For every such stall for every Wednesday or Saturday - - -	6	0
For every such stall for every other day - - -	2	0

*Hawkers.*

For every stall standing or place for the sale of manufactured goods wares or merchandise provisions or any other article not herein-before enumerated per week - - -	4	0
For every such stall standing or place for every Wednesday or Saturday - - -	2	6
For every such stall for every other day - - -	1	0

*Sundries.*

For every bag of potatoes carrots turnips or other vegetables apples pears plums or other fruit - - -	0	2
For every basket or hamper of potatoes carrots turnips or other vegetables apples pears plums or other fruit (such basket not being more than 2 feet in length 15 inches in breadth and 12 inches in depth) - - -	0	1

A.D. 1894.

	s.	d.
For every such basket or hamper of a larger size - - -	0	2
For every stall or place occupied by tanners per week - - -	14	0
For every stall or place occupied by fellmongers per week - - -	14	0
For every hand-basket carried by a person containing fish poultry butter eggs vegetables fruit or any other article of provision (such basket not being more than 18 inches in length 15 inches in breadth and 7 inches in depth) - - - - -	0	2
For every such hand-basket of a larger size - - - - -	0	4
For every superficial foot of ground used for selling or exposing to sale goods wares or merchandise potatoes vegetables provisions or any other article - - - - -	0	2
For every person standing or walking in the market and exposing to sale goods wares or merchandise of any kind - - - - -	1	0
For every tub barrel or cask of salt butter brought into the market for sale - - - - -	0	4
The several tolls rents and stallage before-mentioned and specified to be payable and paid for and in respect of the occupation or use of any stall standing-place bench compartment or space of ground as well by the original taker or occupier thereof for a part or portion of the day in case he shall not occupy the same the whole day as also by any subsequent taker or occupier of the same for the residue of any part or portion of the same day.		

THE CORN MARKET.

For every bushel of wheat peas beans or malt - - - - -	0	2
For every bushel of barley or oats - - - - -	0	1
For every one hundred and twelve pounds weight of flour clover trefoil turnip or other seeds and so in proportion for a greater or less quantity - - - - -	0	6
For every pocket of hops - - - - -	0	6
For every pack of wool of two hundred and forty pounds per pack and so in proportion for a greater or less quantity - - - - -	2	6

*Weighing and Measuring.*

(Not applicable to live cattle sheep or swine.)

For every quantity of meat article or thing weighing not exceeding twenty-eight pounds avoirdupois - - - - -	0	0½
Above twenty-eight pounds and not exceeding fifty-six pounds - - -	0	1½
Above fifty-six pounds and not exceeding one hundred and twelve pounds - - - - -	0	3
And so on in proportion for any greater quantity than one hundred and twelve pounds weight over and above one hundred and twelve pounds weight.		
For every quantity of goods articles or things sold by measure per bushel or any less quantity - - - - -	0	0½

## THE ROATH AND CANTON CATTLE MARKETS.

A.D. 1894.

	s.	d.
For every horse gelding or mare - - - - -	1	0
For every colt filly foal mule or ass - - - - -	0	6
For every bull ox cow bullock steer or heifer - - - - -	0	4
For every calf (except a sucking calf) - - - - -	0	2
For every score and so in proportion for any greater or less number of sheep lambs or swine (except sucking pigs) - - - - -	1	8
For every sucking pig - - - - -	0	0½

*Slaughter-houses.*

For every bull ox cow bullock steer or heifer - - - - -	2	6
For every calf - - - - -	1	0
For every sheep or lamb - - - - -	0	6
For every hog or pig - - - - -	0	9
For any other beast - - - - -	2	0

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 THE THIRD SCHEDULE.
 

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## LANDS FOR REFUSE DESTRUCTORS.

Certain lands in the parish of Canton about  $14\frac{3}{10}$  roods in extent bounded on the north by lands belonging or reputed to belong to James Harvey Insole and the Penarth branch of the Taff Vale Railway on the east by land belonging or reputed to belong as to part thereof by the Taff Vale Railway Company and as to the other part thereof by the Ecclesiastical Commissioners on the south by land belonging or reputed to belong to James Harvey Insole and on the west by land belonging or reputed to belong to the Corporation and which land is numbered (in the parish of Llandaff) 887 upon the map or plan of the  $\frac{1}{2500}$  scale Ordnance Survey of 1879.

Certain lands in the parish of Roath about 8 roods in extent bounded on the south-west by the Roath branch of the Taff Vale Railway on the north-west by lands belonging or reputed to belong to the Right Honourable Lord Tredegar in the occupation of Thomas Williams and on the north-east and south-east by land in the occupation of Mr. Jonathan E. Billups and belonging to or reputed to belong to Captain J. G. R. Homfray and being parts of the fields or inclosures numbered 231 and 239 on the map or plan of the  $\frac{1}{2500}$  scale Ordnance Survey of 1879.

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A.D. 1894.

THE FOURTH SCHEDULE.

PORTIONS OF COMMONS WHICH MAY BE TAKEN.

Name of Common.	Parish where situate.	Quantity which may be taken.		
		A.	R.	P.
Llanspythid - - -	Llanspythid - - -	60	0	0
Defynock or Glyn - - -	Defynock - - -	40	0	0
Cantreff - - -	Cantreff - - -	4	0	0
Leckwith - - -	Canton - - -	1	1	20

THE FIFTH SCHEDULE.

LANDS AND BUILDINGS OF WHICH PORTIONS ONLY ARE REQUIRED.

Parish.	Number on deposited Plan.
Canton - - -	191 200 201 204 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 247 248 249 251 252 253 254 255 256 257 258 260 261 262 263 264 265.
Roath - - -	6 7 8 9 10 11 12 13 14 15 16.
Saint John-the-Baptist - - -	1 6 7 8 9 10 11 12 13 14 15 16 17 18 41.
Saint Mary-the-Virgin - - -	23.

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