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of a railway company and which is or may be placed wholly upon or over any railway station yard platform or station approach belonging to a railway company and so placed that it cannot fall into any street or public place:

"Infectious disease" means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the district:

"Closet accommodation" means any receptacle for human excreta and the fittings and apparatus connected therewith:

"Daily penalty" means a penalty for every day on which any offence is continued after conviction:

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or of any local authority as defined by section 34 of the Local Loans Act 1875 but does not include securities of the Council or annuities rentcharges or securities payable to bearer.

PART II.

WATER.

By Local Board

5. Subject to the provisions of this Act the Council may make construct lay down and maintain in the situation and lines and according to the levels shown on the deposited plans and sections relating thereto and in and upon the lands described upon such plans the several works shown on the said plans together with all proper embankments bridges roads approaches ways wells tanks basins gauges filter beds dams sluices bye-washes waste weirs outlets outfalls discharge pipes adits shafts tunnels aqueducts culverts cuts channels conduits drains mains pipes standpipes junctions valves telegraphs telephones and other means of electric communication engines pumping machinery constructions apparatus buildings houses works and conveniences connected with or ancillary to the said works or any of them or which the Council may consider necessary for inspecting maintaining cleansing repairing conducting managing and using the same The works

Power to
construct
new works.

A.D. 1904. shown on the deposited plans and sections comprise the following principal works (that is to say) :—

Work No. 1 A reservoir situate wholly in the parish of Embsay-with-Eastby in the rural district of Skipton in the west riding of the county of York to be formed by means of an embankment across the valley of the Embsay Beck on certain fields numbered 204 206 207 212 and 213 on the 1/2500 Ordnance map of the said parish of Embsay-with-Eastby published in 1891 such embankment commencing in field numbered 204 as aforesaid at a point 2·5 chains or thereabouts measured in an easterly direction from the western corner of the said field and 8·9 chains or thereabouts measured in a north-westerly direction from the south-eastern corner of the said field and terminating in the said field numbered 212 as aforesaid at a point 3·9 chains or thereabouts measured in a north-westerly direction from the south-east corner of the said field and two chains or thereabouts measured in a westerly direction from the north-eastern corner of the said field such reservoir extending up the valley of the Embsay Beck and its tributaries in a north-easterly direction to a point 3 chains measured in an easterly direction from the south-east corner of the cottage in the occupation of Mary Ann Tattersall and Betsy Tattersall and one chain measured in a north-westerly direction from the north-east corner of field numbered 215 on the said 1/2500 Ordnance map of the said parish of Embsay-with-Eastby and in a north-westerly direction to a point 3·1 chains measured in a south-easterly direction from the north-west corner of the field numbered 201 on the said 1/2500 Ordnance map of the said parish of Embsay-with-Eastby and 5·2 chains or thereabouts measured in a northerly direction from the south-west corner of the said field :

Work No. 2 An aqueduct consisting of one or more lines of pipes situate partly in the parish of Embsay-with-Eastby in the rural district of Skipton and partly in the parish and urban district of Skipton commencing in the aforesaid reservoir (Work No. 1) at a point 16·3 chains or thereabouts measured in a north-westerly direction from the north-west corner of the building known as the Crown Spindle Works and terminating by a junction with the existing main of the Council in High Street Skipton immediately opposite the Skipton Town Hall :

Work No. 3 A road diversion situate in the said parish of Embsay-with-Eastby commencing by a junction with the existing road known as Embsay Pasture Road at a point 5 chains or thereabouts measured in a straight line along the said road in a north-westerly direction from the north-west corner of the house known as Crown Cottage and terminating by a junction with the existing Moor Road situate on the Embsay-with-Eastby Common at a point 6·9 chains or thereabouts measured in a straight line in a south-easterly direction from the south-east gable of the house known as Crag End:

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Provided that no telegraph telephone or other means of electric communication constructed under the authority of this Act shall be used for the purpose of transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

6. Subject to the provisions of this Act the Council may in the construction of the works by this Act authorised deviate from the lines or 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 the line of any work is shown on those plans as passing along any road and no limits of deviation are marked on the deposited plans the Council may in making such work deviate laterally to any extent within the boundaries of such road and the Council may also deviate from the levels of the works by this Act authorised as delineated on the deposited sections to any extent not exceeding ten feet upwards and to any extent downwards Provided that no such deviation upwards shall cause any part of any pipe to be raised above the surface of any road or (except for the purpose of crossing any stream or railway) ground unless shown upon the deposited sections as intended to be placed above the surface of the ground or to a greater extent than is shown Provided also that if it be found necessary or expedient in the construction of the reservoir by this Act authorised to alter the situation of any embankment as shown on the deposited plans the Council may within the limits of deviation thereof marked on the deposited plans alter the same accordingly and may also in the construction of the works authorised by this Act deviate vertically from the levels of such embankment as shown with reference to the datum line of such sections to any extent not exceeding twenty feet but the Council shall not construct any embankment of the said reservoir of a greater height above the general surface of the

Power to deviate in construction of works.

A.D. 1904. ground than that shown on the deposited sections in the case of the corresponding embankment and three feet in addition.

Power to
take waters.

7. Subject to the provisions of this Act the Council may take collect divert impound and use for the purposes of the water undertaking all such brooks streams springs and waters as can or may be intercepted or taken by the works by this Act authorised and especially the waters of the Embsay Beck and its tributaries including Lowburn Gill and Moor Beck at and above the point at which the same will be intercepted by the said reservoir (Work No. 1) hereinbefore described.

As to com-
pensation
water.

8.—(1) Until the expiration of the period in this Act contained or provided for the completion of the said reservoir the Council may take from the Embsay Beck any water they may require subject to the following restrictions :—

They shall place a gauge weir across the said Embsay Beck at or near the proposed intake through an aperture in which two hundred and sixty-one thousand gallons of water shall be allowed to pass and flow down the said Embsay Beck continuously every day of twenty-four hours :

During such time as the flow of water through the said aperture of the gauge weir into the said Embsay Beck shall be less than at the rate of two hundred and sixty-one thousand gallons per day of twenty-four hours the Council shall not be entitled to draw any water therefrom but during such time as the flow is in excess of such rate the Council may take all or such part of the excess as they may require.

After the said reservoir is completed the following provisions shall apply :—

(A) The Council shall during every day of twenty-four hours discharge or deliver into the Embsay Beck at a point therein situate not more than one hundred yards below the foot of the embankment of the reservoir not less than two hundred and sixty-one thousand gallons of water in a continuous flow :

(B) For the purpose of measuring the quantity of water to be so discharged or delivered into the Embsay Beck the Council shall erect and maintain at a point on the said Embsay Beck below the said reservoir a proper and suitable measuring gauge over or through which the said compensation water shall flow.

(2) The said gauge weir and the measuring gauge shall respectively be constructed and duly maintained in a position approved by and otherwise to the reasonable satisfaction of the surveyor engineer or other person appointed in that behalf by the West Riding of Yorkshire Rivers Board (hereinafter referred to as "the rivers board") and shall be open to the inspection and examination of the said rivers board and their duly authorised officers and agents and of all other persons interested therein. A.D. 1904.

(3) In case the Council shall before the date of the completion of the said reservoir take any water from the Embsay Beck during any time in which less than the rate of two hundred and sixty-one thousand gallons per diem is flowing through the aperture of the said gauge weir or after the said reservoir is completed shall omit or fail to discharge or cause to flow the quantity of water by this Act required to flow or be discharged over or through the said measuring gauge as the case may be the Council shall be liable to a penalty not exceeding five pounds for every day on which any such act omission or default shall occur and such penalty shall be recoverable by the said rivers board in a court of summary jurisdiction. The Council shall also make compensation to each of the persons affected thereby who may have sustained loss by any such act omission or failure for or in respect of all such loss so sustained by them respectively by reason of such act omission or failure the same to be recoverable with costs in any court of competent jurisdiction.

(4) If any difference arises between the Council and the rivers board or any other person so interested with respect to the construction or use of any gauge or the accuracy state of repair or condition thereof such difference shall be referred to the arbitration of an engineer to be nominated (unless otherwise agreed) on the application of either of them by the Board of Trade.

(5) The provisions of this section shall be accepted and taken by all parties interested as full compensation for all water the Council may or can at any time by any works now or hereafter to be constructed collect divert impound and abstract from the brooks streams diversions springs and waters situated within the area delineated and coloured pink on the Ordnance map signed by George Henry Hill on behalf of the Council and by Trevor Edwards on behalf of the rivers board which map shall be deposited with the clerk of the peace for the west riding of the county of York who shall permit any person to inspect the same within the usual office hours on payment of one shilling and a copy or

A.D. 1904. copies thereof duly certified by the said clerk of the peace shall be evidence.

Power to take additional lands by agreement.

9. The Council may for the purposes of their water undertaking purchase by agreement any lands not exceeding thirty acres in addition to the lands which they are authorised by this Act to take by compulsion and in addition to the lands which they were authorised to purchase under the Act of 1874 as amended by the Order of 1895 but the Council shall not create or permit the creation of any nuisance on any such lands and shall not erect or permit the erection or user on any such lands of any buildings other than houses or buildings required for or used in connection with the water undertaking.

Power to agree as to drainage of lands &c.

10. The Council may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of the reservoirs and works by this Act authorised with reference to the execution by the Council or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters by this Act authorised to be diverted collected and appropriated by the Council flowing to upon or from such lands directly or derivatively into such reservoirs and works.

Power to hold lands for protection of waterworks.

11. The Council may hold any lands acquired by them under the powers of this Act which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of this Act or the Lands Clauses Acts respectively but the Council shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their water undertaking.

New waterworks to form part of water undertaking of Council.

12. The waterworks by this Act authorised to be made by the Council shall form part of the water undertaking of the Council and the Council may use the water obtained by means thereof for the purpose of supplying water under the Act of 1874 and this Act.

Provisions as to fouling of water.

13. For the prevention of the pollution of any waters over which the Council have any powers of user or of any watercourse through which any water may for the time being flow into any such waters the Council may with the consent of the county council

in whose county and of the district council in whose district such pollution occurs enforce the provisions of the Rivers Pollution Prevention Acts 1876 and 1893 or of the Public Health Acts with respect to any such waters and watercourses or in respect of any nuisance which may exist in proximity thereto and the Council with such consent as aforesaid shall have and may if they think fit from time to time exercise such or the like powers as may for the time being be exercised by such county council or district council as the case may be under any enactment for the prevention of the pollution of any such water or watercourse or for the prevention or abatement of any such nuisance and the provisions of such enactment shall for the purpose aforesaid be extended and apply mutatis mutandis to the Council Provided that if the county council in whose county and the district council in whose district the pollution occurs or is likely to occur refuse or neglect for the space of one month after being requested by the Council by notice in writing under the hand of their clerk either to enforce the provisions of the said Acts or to consent to the enforcement thereof by the Council the Council may appeal to the Local Government Board who may give to them such consent and thereupon the Council may proceed to enforce the provisions of the said Acts.

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Any expenses incurred by the Local Government Board in relation to any inquiry 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 shall be paid by and recoverable from the Council or the county council or the district council or partly from the one and partly from the other or either of them as the Local Government Board may determine.

14.—(1) The Council may for the purposes of their water undertaking construct lay down erect and maintain such conduits mains pipes culverts sluices wells tanks cisterns engines machinery buildings works and conveniences as they may from time to time deem necessary.

Application
of provisions
of Public
Health Acts
as to water-
works.

(2) The Council shall in carrying out the provisions of subsection (1) of this section have the powers of a local authority under section 54 of the Public Health Act 1875 in respect to the carrying of water mains within and without their district and for the purposes of that section all parishes and places within the water limits shall be deemed to be included in the district of the Council.

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(3) In the exercise of the powers of this section the Council shall be subject to the provisions as far as they are applicable of the Public Health Acts and the Waterworks Clauses Act 1847 in the same manner and to the same extent as if such powers were conferred by those Acts.

Period for
completion
of works.

15. If the works by this Act authorised are not completed within seven years from the passing of this Act the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as is then completed. Provided always that subject to the restrictions and provisions of this Act the Council may at any time after the expiration of the said period lay down additional lines of pipes and alter enlarge extend and renew their mains pipes and other works as they may think expedient to provide for the requirements of their water supply.

For preven-
tion of
plumbism.

16.—(1) All water supplied by the Council under this Part of this Act whether in bulk or otherwise and used for dietetic purposes shall before delivery be efficiently and continuously filtered through such material or shall be chemically treated so as to prevent the action of such water on lead or on any material used for the construction of pipes cisterns or other receptacles into the manufacture of which lead enters in a manner injurious or liable to prove injurious to public health.

(2) The Council shall forthwith construct and thenceforward maintain the necessary apparatus and appliances to prevent such action.

(3) If the Council shall fail to construct such apparatus or appliances or apply such treatment as shall efficiently prevent such action or shall fail thenceforward to efficiently maintain the same or shall at any time supply water in such a condition as to be capable of such action they shall be liable to a penalty not exceeding ten pounds for every day on or on any part of which any infringement of this section shall occur and such penalty shall be recoverable summarily at the instance of the county council.

(4) For the better enforcement of the provisions of this section any person duly authorised by the county council may at any time enter on the property of the Council for the purpose of inspecting the apparatus and appliances and materials used for filtering or treating the water as the case may be and may take samples of the water in duplicate and shall thereupon before he carries away the same from the property of the Council seal up

and mark such samples and shall leave one of such samples with the person (if any) in charge of the property and any person who molests hinders or obstructs any such person in the performance of his duty under this section shall be liable to a penalty not exceeding five pounds for every such offence.

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17. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Council so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

Rates payable by owners of small houses.

18. The Council shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Council not bound to supply several houses by one pipe.

19. A notice to the Council from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Council.

Notice of discontinuance.

20.—(1) The Council may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

Byelaws for preventing waste &c. of water.

(2) Such byelaws shall apply only in the case of premises to which the Council are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Council may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace

A.D. 1904. or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Council as the water rates in respect of the premises are recoverable.

(4) So soon as the byelaws provided for by this section are in force section 48 of the Act of 1870 and section 18 of the Act of 1874 and any regulations made thereunder shall be repealed.

Supply of
water for
other than
domestic
purposes and
by measure.

21. The Council may supply water for other than domestic purposes on such terms and conditions as the Council think fit and may supply water by measure either for domestic or other purposes and the moneys payable for the supply of water under this section shall be recoverable in the same manner as water rates. Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes. Provided also that the price to be charged for a supply by measure shall not exceed one shilling and sixpence per thousand gallons.

Power to
sell or let
meters.

22. The Council may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

The provisions of section 14 of the Waterworks Clauses Act 1863 shall extend to authorise the Council to let for hire any water fittings to any person supplied by them with water.

Notice to
Council of
connecting
or discon-
necting
meters.

23. Before any person connects or disconnects any meter by means of which any of the water of the Council is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Council of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Council and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Injuring
meters &c.

24. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Council or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the

quantity of water supplied or fraudulently abstracts consumes or uses water of the Council shall (without prejudice to any other right or remedy for the protection of the Council) be liable to a fine not exceeding five pounds and the Council may in addition thereto recover the amount of any damage by them sustained : A.D. 1904.

And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Council or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Council the Council may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Council by the person so offending and may be recovered by them as water rates are recoverable. The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Council when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be *prima facie* evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

25. The Council may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets apparatus and receptacles as are required or permitted by their regulations and may provide all materials and do all work necessary or proper in that behalf and the reasonable charges of the Council in providing such materials and executing such work shall be paid by the person requiring the same. Power to supply materials.

26. Sections 49 and 53 of the Act of 1870 and sections 20 and 33 of the Act of 1874 are hereby repealed. Sections 49 and 53 of Act of 1870 and sections 20 and 33 of Act of 1874 repealed.

27. The words "gross annual value" in the Acts of 1870 and 1874 are hereby defined to mean the gross estimated rental as estimated for the purposes of the poor rate. Definition of "gross annual value" in Acts of 1870 and 1874.

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Power to lay
pipes in
streets not
dedicated to
public use.

28. The Council may on the application of the owner or occupier of any premises within the water limits abutting on or being erected in any street laid out but not dedicated to public use supply such premises with water and may lay down take up alter relay or renew in across or along such street such pipes and apparatus as may be requisite or proper for the furnishing such supply.

Contracts for
supplying
water in
bulk.

29. The Council may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the water limits to any such authority company or persons respectively in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon. Provided that such supply shall not be given except with the consent of any company or person supplying water under parliamentary authority within the district to be supplied and of the local authority of that district nor if and so long as such supply would interfere with the supply of water for domestic purposes within the water limits.

For protec-
tion of Duke
of Devon-
shire.

30. The following provisions shall unless otherwise agreed in writing have effect for the protection of the Most Noble Spencer Compton Duke of Devonshire his heirs and assigns (all of which persons are in this section included in the expression "the owner") :—

(1) The Council shall not for the purpose of the aqueduct (Work No. 2) acquire otherwise than by agreement any lands of the owner or any other or greater right than the easement or right of laying maintaining and renewing the aqueduct or line of pipes in a strip of the owner's land not more than six feet wide. The Council shall not fence off such strip of land from the other lands of the owner and the owner and his tenants shall at all times have the right of passing over such strip of land and so far as compatible with the rights of the Council therein of using the same for his or their own purposes :

(2) The Council shall provide and maintain for the free use of the owner and his tenants and the commoners having rights on Emsay-with-Eastby Common a fit place for washing sheep on a site below the reservoir (Work No. 1) approved by the owner or his agent with access thereto from the public road :

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- (3) The Council shall not take any stone or other minerals from Embsay-with-Eastby Common and shall not take any stone or other minerals from any other lands acquired by them from the owner under the powers of this Act save for the purpose of the construction of the works authorised by this Act :
- (4) The owner shall have the sole right of shooting over the lands acquired by the Council in the parish of Embsay-with-Eastby under the powers of this Act whether or not hereafter covered with water with access and right of entry thereto and such rights may be exercised and enjoyed by the owner and his tenants and all persons authorised by the owner :
- (5) The Council shall make good the drainage and sewerage of all lands and buildings belonging to the owner where interfered with by any of the works of the Council :
- (6) In all cases where the supply of water to any land or building of the owner is severed or injured by the works of the Council a proper and sufficient supply not less in quantity or convenience than the supply existing before such severance or injury shall be given and maintained at all times by the Council for the use of the owner and his tenants free of charge and the Council shall bear the cost of making and maintaining all necessary works for affording such substituted supply :
- (7) The Council shall so far as they lawfully may at the request of the owner supply water under the same regulations and at the same scale of charges as may for the time being be in force within the urban district of Skipton to any property of the owner within 200 yards of the aqueduct (Work No. 2) between the reservoir (Work No. 1) and Brackenley Lane as shown on the deposited plans :
- (8) The Council shall construct the road diversion (Work No. 3) so that the new road shall have a width of 16 feet and shall be properly metalled to a width of 12 feet and rolled by a steam roller and fenced with stone walls not less than five feet high but with gates and posts at whatever points in the westerly wall may prior to the erection of such westerly wall be selected

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by the owner and the owner and his tenants shall so far as the Council have power to authorise the same have the use of such road and access through such gates to the road. The owner and his tenants shall also be entitled at any time at their own cost to alter the position of any such gates and posts or to make and use additional gates and posts in such wall as they may from time to time require for the accommodation of their adjoining lands. All gates and posts referred to in this subsection shall be kept in repair by the owner:

- (9) The Council shall erect a gate and posts across the new road at the end adjoining Embsay-with-Eastby Common:
- (10) The Council shall construct and maintain from the road diversion (Work No. 3) a road 15 feet in width metalled to a width of 12 feet with proper approaches either along the top or along the slope of the embankment of the reservoir (Work No. 1) (with a gradient if on the slope of the embankment not steeper than one foot in 20 feet) and shall construct and maintain gates and posts at each end of such road and the owner and his tenants shall be entitled to use such road as an access to the property of the owner on the south-east side of the reservoir (Work No. 1):
- (11) The Council shall take all reasonable precautions for the protection of game on the property of the owner during the construction of the works authorised by this Act:
- (12) Except as hereinbefore provided with reference to the aqueduct (Work No. 2) the Council shall fence off all the property acquired by them for the purposes of the works by this Act authorised with stone walls of not less than five feet in height and shall maintain such walls in good repair and condition:
- (13) The owner shall sell and the Council shall buy the lands of the owner (including the timber and the two houses and buildings now occupied by Jeffery Wellock and David Read thereon) delineated on the plan signed by Gilson Martin on behalf of the owner and by John Mallinson on behalf of the Council and thereon coloured pink and containing forty-four acres or thereabouts:

- (14) The owner shall also sell and the Council shall buy the rights of the owner as lord of the manor in any common lands which may be acquired by the Council under the powers of this Act: A.D. 1904.
- (15) The owner shall also sell and the Council shall buy any rights of the owner as a commoner in any such lands but such last-mentioned rights shall be purchased jointly with the rights of other commoners and separately from his rights as lord of the manor:
- (16) The price or consideration for the sale of the lands of the owner shown in pink on the said plan and the houses buildings and timber thereon (exclusive of any claims of the tenants of the owner) and for the sale of the easement of laying and maintaining and renewing the aqueduct referred to in subsection 1 of this section shall be the sum of eight thousand seven hundred and seventeen pounds ten shillings and the Council shall pay one half of the said sum of eight thousand seven hundred and seventeen pounds ten shillings on the twenty-ninth day of September one thousand nine hundred and five and the balance of the said sum shall be paid in two equal instalments on the twenty-ninth day of September one thousand nine hundred and eight and the twenty-ninth day of September one thousand nine hundred and eleven with interest in the meantime at the rate of four pounds per centum per annum calculated from the said twenty-ninth day of September one thousand nine hundred and five. The purchase shall be completed on the twenty-ninth day of September one thousand nine hundred and eleven. Provided that the Council may require completion on an earlier day and shall in that case give the owner three calendar months' previous notice and pay the unpaid purchase-money and interest up to the date of completion or such earlier day. The purchase-money or compensation to be paid to the owner for the acquisition by the Council of any other property of the owner or any easements rights or interests therein and for his rights as lord of the manor mentioned in subsection 14 of this section shall unless otherwise agreed be determined in manner provided by the Lands Clauses Acts:
- (17) The acquisition by the Council of the lands of the owner shown in pink on the said plan shall not confer on the

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Council any common or other rights on the Embsay-with-Eastby Common and the Council shall without valuable consideration convey to the owner any common or other rights upon Embsay-with-Eastby Common which may become vested in them as appurtenant to any other lands already acquired or hereafter acquired by the Council for the purposes of the works authorised by this Act :

- (18) The Council shall within three months after commencing any of the works by this Act authorised pay to the owner the sum of one hundred pounds as compensation for the removal and rebuilding of and damage to the fences of the owner which the Council may require to interfere with for the purposes of the works. Provided that nothing in this subsection shall limit or restrict any other claim for compensation competent to the owner under this Act :
- (19) It shall be lawful for the Council or any person appointed by them in writing under the hand of their clerk at any time after giving seven days' previous notice in writing to the owner or his agent of their intention so to do or in case of emergency without notice to enter upon and inspect any lands or buildings of the owner within the drainage area of the reservoir and works by this Act authorised including any lands in which the owner is interested as lord of any manor or any water or watercourses thereon and if upon any such inspection it shall be found that the waters flowing into such reservoir are being or are liable to be polluted the owner shall so far as he legally can permit the Council at their own cost to construct such drains sewers or other works upon the lands of the owner as may be necessary for the prevention of such pollution and if any difference shall arise between the Council and the owner as to the necessity for or nature of any such works such difference shall be settled by arbitration. The section of this Act whereof the marginal note is "Provisions as to fouling of water" shall not apply to any lands or buildings of the owner including any lands in which the owner is interested as lord of any manor or any water or watercourses thereon :
- (20) The Council shall pay compensation to the owner and his tenants for any damage loss or injury which they

may sustain or be put to in consequence of any works or operations of the Council under the last preceding subsection and such compensation shall be settled in default of agreement by arbitration: A.D. 1904.

- (21) The costs charges and expenses of the owner and his tenants in connection with any arbitration under the two last preceding sections of this section shall unless the arbitrator otherwise directs be paid by the Council:
- (22) Whereas in the year 1895 the Council acquired the mill with the buildings cottages and land thereto (except the mines and minerals thereunder and rights of common and other rights of the owner therein) all known as the Council's Eastby Mill property in the township of Embsay-with-Eastby in anticipation of the same being required in connection with their water-works undertaking and such mill buildings cottages and land are no longer required by the Council Therefore the Council shall sell and the owner shall purchase the said mill buildings cottages and land (except as aforesaid) at the price of one thousand five hundred pounds:
- (23) The Council shall pay to the owner all costs charges and expenses of the owner in relation to this Act and of the opposition of the owner thereto and of the settlement of the price to be paid to the owner as hereinbefore provided and of the negotiating preparing and completing the terms of the withdrawal of such opposition and of carrying into effect the acquisition by the Council of the property of the owner under the powers of this Act and of otherwise carrying into effect the provisions of this section:
- (24) Any difference between the owner and the Council under this section other than questions purely of law shall except where otherwise provided for by this section be referred to arbitration under the Arbitration Act 1889.

PART III.

LANDS.

31. Subject to the provisions and for the purposes of this Act the Council may enter on take and use all or any of the lands Power to acquire lands.

A.D. 1904. delineated on the deposited plans and described in the deposited book of reference.

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

32. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Council after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county in which such lands are situate for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described. and such certificate shall be deposited with the clerk of the peace for the said county and a duplicate thereof shall also be deposited with the clerk to the council of the urban district or the parish as the case may be in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Council to take the lands and execute the works in accordance with such certificate.

Period for compulsory purchase of lands.

33. The powers of the Council for the compulsory purchase of lands or easements under this Act shall not be exercised after the expiration of three years from the passing of this Act.

Limiting quantity of commonable land to be taken.

34. The quantity of land which may be taken by the Council from the common or commonable land next hereinafter mentioned for the purposes of the reservoir and other works shall not exceed the quantities hereinafter mentioned in connection with such lands respectively :—

Works and Purposes for which Land will be taken.	Name by which Lands are known.	Parish in which Lands are situate.	Quantity to be taken.
For the purposes of Work No. 1 -	Embsay-with-Eastby Common.	Embsay-with-Eastby.	4·97 acres.
For the purposes of Work No. 3 -	Embsay-with-Eastby Common.	Embsay-with-Eastby.	·03 acre.

Council may acquire easements only

35. The Council may in lieu of acquiring any lands for the purpose of the aqueduct by this Act authorised and shall where the