CHAP. li.

An Act for better supplying with Gas and Water the town of Bridgend and neighbourhood in the county of Glamorgan, and for other purposes. [24th June 1869.] A.D. 1869.

WHEREAS the town of Bridgend and the neighbourhood in the parishes of Newcastle and Coity in the county of Glamorgan contain a large and increasing population, and are inadequately supplied with gas and water, and it is expedient that provision be made for the better supply thereof, and that the persons in this Act named in this behalf, with others, be incorporated into a company for that purpose, and be empowered to make and maintain the gasworks and waterworks by this Act authorized:

And whereas plans and sections of the proposed waterworks, showing the situation and levels thereof, and the plans also showing the land required as a site for gasworks, with a book of reference to the plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands through and upon which the said waterworks are intended to be made, and of the site for gasworks, have been deposited at the office of the clerk of the peace for the county of Glamorgan, and are in this Act referred to as the deposited plans, sections, and book of reference:

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

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

1. This Act may be cited for all purposes as "Bridgend (Glamorganshire) Gas and Water Act, 1869." Short title.

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8 & 9 Vict. cc. 16. & 18., 10 & 11 Vict. c. 17., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 93. & 118. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," parts I. and III. of "The Companies Clauses Act, 1863," (respectively relating to cancellation and surrender of shares and debenture stock,) "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Gasworks Clauses Act, 1847," and "The Waterworks Clauses Acts, 1847 and 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "court of competent jurisdiction," or any other like expression, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute; and the expression "superior courts" shall include county courts in all cases where the amount of the debt or demand is within the jurisdiction for the time being of county courts.

Limits of Act for supply of gas and water.

4. The limits of this Act for the supply of gas and water shall be and include the town of Bridgend and so much of the parishes of Newcastle and Coity in the county of Glamorgan as lies within three miles measured in a straight line on a horizontal plane from Bridgend town hall (excepting, as regards the supply of gas, the hamlet of Newcastle Higher).

Incorporation of company.

5. Thomas George Smith, Philip Price, Thomas Treharn, Thomas Joseph Cragoe, Charles Sheppard, Edward Colnett Spickett, William Collier, and William Davies, and all other persons and corporations who have already subscribed or who shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, are hereby united and incorporated into a company, for the purpose of maintaining and providing gasworks and waterworks, and supplying gas and water within the limits of this Act, and for other the purposes by this Act and the incorporated Acts authorized, by and under the name of "The Bridgend (Glamorganshire) Gas and Water Company," and by that name shall be a body corporate, with perpetual succession, and shall have a common seal, and shall and may sue and be sued, and shall have power to purchase and hold lands for the purposes of the undertaking, subject to the restrictions and provisions herein and in the incorporated Acts contained.

Capital.

6. The capital of the company shall be eleven thousand pounds in eleven hundred shares of ten pounds each.

Shares not to issue until one fifth paid up.

7. The company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share has been paid in respect thereof.

Calls.

8. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipts of guardians, &c.

9. Where any money is payable to a shareholder being an infant or a lunatic the receipt of his guardian or of the committee of his estate (as the case may be) shall be a sufficient discharge to the company for the same.

Representation of the company in bankruptcy, &c.

10. In proceedings under any bankruptcy or deed of composition or arrangement the secretary of the company, or any person appointed in this behalf by writing under his hand, may represent the company, and shall be competent to act for the company, and his acts and omissions shall bind the company in all respects as if the claim or demand of the company in such proceedings were the claim or demand of such secretary or person, and not of the company.

Power to borrow on mortgage.

11. The company may from time to time borrow on mortgage any sums not exceeding in the whole two thousand seven hundred and fifty pounds, but no part thereof shall be borrowed until the company have proved to the justice who is to certify, under the fortieth section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of such capital has been subscribed for, issued, and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears may be enforced by appointment of a receiver.

12. The mortgagees of the company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; and in order to authorize the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by

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whom the application for a receiver is made shall not be less than one tenth of the company's whole mortgage debt for the time being.

Debenture stock.

13. The company may create and issue debenture stock bearing interest at a rate not exceeding five per cent. per annum.

Application of money.

14. All money raised under this Act, whether by shares, by debenture stock, or by borrowing, shall be applied for the purposes of this Act only.

First ordinary meeting.

15. The first ordinary meeting of the company shall be held within six months after the passing of this Act.

Number of directors.

16. The number of directors shall be eight, but the company may from time to time reduce the number to any number not less than five.

Qualification of directors.

17. The qualification of a director shall be the possession in his own right of not less than ten shares.

Quorum.

18. The quorum of a meeting of directors shall be three.

First directors.

19. Thomas George Smith, Philip Price, Thomas Treharn, Thomas Joseph Cragoe, Charles Sheppard, Edward Colnett Spickett, William Collier, and William Davies shall be the first directors of the company and shall continue in office until the first ordinary meeting held after the passing of the Act; at that meeting the shareholders present, in person or by proxy, may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present, in person or by proxy, shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Power to erect and maintain gasworks.

20. On the land described in the schedule to this Act, or any parts or part thereof, the company may erect, construct, maintain, and from time to time alter, remove, or enlarge retorts, gasholders, receivers, meters, apparatus, and works for the manufacture and

storing of gas and of coke, and of other residual products obtained in the manufacture of gas and matters producible therefrom, and all proper roads, approaches, and conveniences for the purposes of such works, and may enter upon, take, and use that land, or so much thereof as they require for those purposes.

No gasworks to be erected except on lands in schedule.

21. The company shall not, without the further authority of Parliament, erect works for the manufacture or storage of gas, except on the lands described in the schedule to this Act.

Powers to manufacture gas.

22. In and at the gasworks so to be constructed and maintained by the company as aforesaid, they may, subject to the provisions of this Act and of the Acts incorporated wholly or in part with this Act, manufacture and store gas and coke and other residual products obtained in the manufacture of gas and matters producible therefrom; provided that nothing in this Act shall exempt the company from being proceeded against for any nuisance caused by them.

Power to supply gas.

23. Subject to the provisions of this Act and of the Acts incorporated therewith, the company may supply and sell gas for public and private consumption within the limits of this Act, and light or contract for the lighting of streets and public buildings within those limits, and sell and dispose of, at the works and elsewhere, coke and other residual products obtained in the manufacture of gas and matters producible therefrom.

Power to supply gas fittings.

24. The company may manufacture, purchase, supply, hire, sell, let, lay down, place, and maintain gas fittings, meter, pipes, pillars, lamp-posts, lamps, burners, and other articles and things connected with gasworks or with the supply of gas for public or private consumption, in such manner as the company think proper, and generally may carry on such operations and business as are for the time being usually carried on by gas companies.

Power to hold licences under letters patent.

25. The company may take, hold, and use any licence or authority (not being exclusive) under any letters patent for the use of any invention relative to the manufacture or distribution of gas, or the utilization of residual products obtained in the manufacture of gas.

Quality of company's gas.

26. All the gas supplied by the company shall be of such quality as to produce from an argand burner having fifteen holes and a seven-inch chimney, and consuming five cubic feet of gas per hour, a light equal in intensity to the light produced by fourteen sperm candles of six in the pound burning one hundred and twenty grains per hour.

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Company to erect a meter to test quality of gas.

27. The company shall, within twelve months from the passing of this Act, cause to be erected in some part of their works an experimental meter, fit for testing and so situate and arranged as to test all the gas provided by the company, furnished with an argand fifteen-hole burner and a seven-inch chimney, or other approved burner and chimney capable of consuming five cubic feet of gas per hour, with other necessary apparatus, so situated and arranged as to test the illuminating power of all the gas supplied to the consumers, and shall at all times keep and maintain the experimental meter and apparatus in good repair and working order, and if and when necessary renew the same.

As to testing the quality of gas.

28. It shall be lawful for two justices, on the application of any consumers of the gas of the company, not being less than five in number, by order in writing, to appoint some competent person to proceed to the works of the company, and the person so appointed may at any reasonable hour in the daytime, on producing the said order, enter on the premises of the company, and in the presence of the superintendent or other officer of the company make experiment of the illuminating power of the gas by means of the experimental meter and other apparatus before mentioned, and the company and their officers shall afford all reasonable facilities and assistance for the making of such experiments; and if it shall be proved to the satisfaction of any two justices, not being shareholders of the company, after hearing the parties, that the illuminating power of the gas supplied by the company did not, when so tested as aforesaid, equal the illuminating power by this Act prescribed, or that the company or their officers refused to afford such reasonable facilities as aforesaid, or hindered or prevented the making of such experiment, in any such case the company shall forfeit such sum not exceeding twenty pounds as the justices shall determine, under the circumstances of the case.

Costs of experiment to be paid according to events.

29. The costs of and attending such experiment, including the remuneration to be paid to the person making the same, and the costs of the proceedings before the justices, shall be ascertained by such justices, and in the event of any penalty being imposed on the company shall be paid, together with such penalty, by the company, but in the event of no penalty being imposed such costs shall be in the discretion of the justices, and be paid or levied as they shall award.

Price of gas.

30. The company may charge for gas consumed by meter any price not exceeding the rate of five shillings per thousand cubic feet, and so in proportion for any greater or less quantity.

Power to lay pipes against buildings.

31. The company, with the consent of the owner or occupier of any building, may lay any pipe or other apparatus into, through, or against such building, for the purpose of lighting it, and may, with the like consent, provide and set up on or against any such building any apparatus necessary for securing to such building a proper supply of gas, and for measuring and ascertaining the extent of such supply, and may from time to time, with the like consent, repair, replace, alter, or discontinue and remove any such pipes or apparatus.

Consumers may be required to consume by meter.

32. Every consumer of gas supplied by the company shall, on being required by them, consume such gas by meter to be supplied either by the company or (if so agreed) by the consumer, and in that case to be approved by the company.

Power to make waterworks.

33. Subject to the provisions of this Act, the company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the reservoirs, conduits, or lines of pipe and other works for the supply of water shown on the deposited plans and sections, together with all proper approaches, embankments, filter-beds, pumping stations, engines, works, and conveniences connected therewith respectively, and may collect and divert into the said waterworks, and thence distribute and supply, the waters of the rivers or streams called respectively the Ogmore River and the Fynon Schwyll or Ogmore Spring, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for any of those purposes, except land described in the schedule to this Act which the company may take for gasworks.

Limits of deviation.

34. Except as in this Act otherwise provided, the company, in constructing the waterworks by this Act authorized, may deviate laterally from the lines thereof, as shown on the deposited plans, to the extent of the limits of lateral deviation marked or described in writing thereon, and may deviate vertically from the levels shown on the deposited sections, in the case of reservoirs to any extent not exceeding three feet upwards or three feet downwards, and in the case of other works to any extent not exceeding five feet upwards or five feet downwards.

For protection of the Great Western Railway Company.

35. For the protection of the Great Western Railway Company (in this Act called the Great Western Company) the several provisions following shall have full effect:

(*a.*) The conduit or line of pipes No. 3, shown on the deposited plans and sections and authorized by this Act, shall, where it crosses the Great Western Railway be made and maintained

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in the roadway of the bridge shown on the deposited plans and sections, but in making or maintaining the said conduit or line of pipes, the company shall not cut into or injuriously interfere with any of the brickwork or works of the bridge (except that they may cut into and interfere with the roadway thereof for the purpose aforesaid):

(*b.*) The company shall from time to time submit to the Great Western Company's principal engineer a proper and sufficient description, plans, sections, and specifications of the works to be made and maintained by them on the said bridge, for his consideration and approval, and if in any case he does not within twenty-eight days after the delivery thereof to him approve the same, with such modifications, if any, thereof, as he reasonably requires, and sign the same in testimony of his approval thereof, and on application therefor deliver the same so signed to the engineer of the company, or if the company object to any modification thereof required by him, then they may submit the same to a referee, to be appointed, on the application of the two companies or either of them, by the Board of Trade, for his consideration and approval (his approval in like manner to be testified by his signature); and the company shall not begin the execution of any of the works on the said bridge unless and until the same, with the sections and specifications thereof, are so approved; and the expenses of the engineer appointed by the Board of Trade shall be borne by such one of the companies, or by both of them, and in that case in such proportions as he shall direct:

(*c.*) The works of the company on the said bridge shall be made and maintained, by and at the expense of the company, in accordance with plans, sections, and specifications so approved:

(*d.*) The company shall not, without the consent of the Great Western Company, testified by writing signed by their secretary, purchase and take any part of their land or property, but, if and when any part of the company's works is to be executed in or upon any land or property of the Great Western Company, the company may acquire and the Great Western Company may and shall sell and grant accordingly, an easement or right of making and maintaining the work in that land or property.

In case of injury of Great Western Railway.

36. If by reason of any of the works of the company or the failure of any such works the railway of the Great Western Company or any of its works shall be injured or damaged, such injury or

damage shall be forthwith made good by the company at their own expense, or in the event of their failing to do so then the Great Western Company may make good the same, and recover the expense thereof, with full costs, against the company, in any court of competent jurisdiction; and if any interruption shall be occasioned to the traffic over that railway by reason of any of the works or proceedings or failure of the works of the company, the company shall, on demand, pay to the Great Western Company all costs and expenses to which they may be put, as well as full compensation for the loss and inconvenience sustained by them by reason of any such interruption, such costs and expenses and compensation to be recovered with full costs as aforesaid.

Saving rights of Great Western Railway Company.

37. Except only as is by this Act expressly provided, this Act or anything herein contained shall not take away, lessen, or prejudicially affect any of the estates, rights, interests, powers, and privileges of the Great Western Company.

Powers for compulsory purchases limited.

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

Period for completion of works.

39. If the waterworks authorized by this Act, and shown on the deposited plans, are not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the company for executing the same or in relation thereto shall cease to be exercised, except as to so much thereof as is then completed; but nothing herein shall restrict the company from extending, enlarging, altering, or removing any of their engines, machinery, mains, or pipes from time to time, as occasion requires, for supplying water within the limits in that behalf of this Act.

Power to to take additional lands by agreement.

40. The company may from time to time, for the purposes of this Act, purchase by agreement any lands, in addition to the lands which they are authorized to take by compulsion, and may hold the same: Provided that they shall not at any one time hold more than five acres of land so purchased by agreement.

Power to take easements, &c. by agreement.

41. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands, may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," grant to the company any easement, right, or privilege, in, over, or affecting any lands, not being an easement, right, or privilege of water, and the provisions of the last-mentioned Acts with respect to lands and rent-

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charges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Company may buy existing works.

42. The company may, by agreement, but not otherwise, purchase and take, and may use, for the purposes of this Act, any mains and pipes for the supply of gas or water, and any waterworks and gasworks existing within the limits of this Act.

Company to purchase Mr. Cox's works, after notice.

43. Whereas the town of Bridgend and its neighbourhood are now supplied with gas from works erected for that purpose by Mr. Samuel Cox of Bridgend aforesaid, gentleman, held or reputed to be held by himself and others (herein called the vendors) under a lease from the late Earl of Dunraven for a term of fifty-nine years from the twenty-fourth day of June one thousand eight hundred and forty-one: Therefore, if the said vendors, within three months after the passing of this Act, by notice in writing under their hands, require the company to purchase the vendors interest in the said gasworks, land, plant, mains, pipes, and other property forming part thereof under such lease, together with the goodwill and business attached thereto, then and in such case the company shall and they are hereby required to purchase, and the said vendors are required to sell to the company, their interest in the said gasworks, land, plant, mains, pipes, and other property forming part thereof, under such lease as aforesaid, with such goodwill and business as aforesaid, at or for such sum and upon such terms and conditions as shall be agreed upon between the said parties, or in case no agreement as to the amount of such purchase money and as to such terms and conditions can be come to within one month after the delivery of such notice, then at or for such sum of money and upon such terms and conditions as shall be ascertained and determined by arbitration in the manner provided by "The Lands Clauses Consolidation Act, 1845," for settling by arbitration questions of disputed compensation; but in the event of the arbitrators not agreeing, an umpire shall be appointed by the Board of Trade, upon the application of either party; and in the event of such notice as aforesaid being given the company shall not supply gas from any works to be erected under the powers of this Act until they have completed such purchase: Provided that no claim shall be made against the company in respect of compulsory purchase, and the arbitrator shall not take into account any additions to or improvements in the works made since the first day of March one thousand eight hundred and sixty-nine, or any prospective increase in the value of the concern, but shall take into account the condition of the works on the said first day of March one thousand eight hundred and sixty-nine.

Company may maintain and renew purchased works.

44. The company may from time to time repair, renew, or reconstruct upon the present site thereof any existing works purchased under the authority of this Act.

Reservation of water-rights, &c. on sale.

45. On the sale by the company of any lands they may reserve to themselves all or any part of the water or water-rights or other easements belonging thereto, and may make the sale subject to such reservations accordingly, and may also make any such sale subject to such other reservations, special conditions, restrictions, and provisions with respect to use of water, exercise of noxious trades, or discharge or deposit of manure, sewage, or other impure matter, as they think fit.

Constant pressure, &c.

46. Water supplied under this Act need not be constantly laid on under pressure, or be continuously supplied, or be supplied in any case at a level above that at which water can be supplied by gravitation from the reservoirs and pumping stations by this Act authorized.

Rate at which water is to be supplied for domestic purposes.

47. The company shall, at the request of the owner or occupier of any house or part of a house in any street in which any pipe of the company shall be laid, or on the application of any person who under the provisions of this Act is entitled to demand a supply of water for domestic purposes, furnish to such owner or occupier a sufficient supply of water for domestic use, at rates not exceeding the following; (that is to say,)

If the rackrent or (if not let at a rackrent) the annual value of the house or part of a house does not exceed six pounds per annum, the rate of eight shillings and eightpence per annum, and so in proportion for any longer or shorter period:

If such rackrent or (as the case may be) annual value exceeds six but does not exceed ten pounds per annum, the rate of ten shillings per annum, and so in proportion for any longer or shorter period:

If such rackrent or (as the case may be) annual value exceeds ten but does not exceed twenty pounds per annum, the rate per annum of one shilling and one penny halfpenny in the pound upon such rackrent or annual value, as the case may be, and so in proportion for any longer or shorter period:

If such rackrent or (as the case may be) annual value exceeds twenty pounds per annum, the rate per annum of one shilling in the pound upon such rackrent or annual value, as the case may be, and so in proportion for any longer or shorter period.

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Rates for waterclosets and baths.

48. In addition to the rates for the supply of water for domestic purposes, the company may demand and receive for every water-closet more than one in any house any yearly sum not exceeding six shillings, and for every private fixed bath in any house any yearly sum not exceeding twelve shillings.

For preventing fouling water.

49. Provided always, that the company shall not be compelled to supply with water any watercloset or any private fixed bath, or the apparatus or pipes connected therewith respectively, unless the same be so constructed and used as to prevent the waste or undue consumption of the water of the company, and the return of foul air or noisome and impure matter into the mains or pipes belonging to or connected with the mains or pipes of the company, nor any such bath which shall be capable of containing when filled for use more than fifty gallons of water.

Regulations for preventing waste of water.

50. For preventing waste, misuse, undue consumption, or contamination of the water of the company, the following provisions shall have effect; namely,

(1.) The company may from time to time make such reasonable regulations as they think necessary for the objects aforesaid, to be observed by persons supplied with water:

(2.) By any such regulations the company may direct the use and prescribe the size, nature, strength, and materials, and the mode of arrangement, alteration, and repair of the pipes, valves, cocks, cisterns, baths, soil-pans, waterclosets, and other apparatus or receptacles, or any of them, to be used by such persons respectively for conveying, delivering, and receiving water, and may interdict any arrangement, and the use of any pipe, valve, cock, cistern, bath, soil-pan, watercloset, or other apparatus or receptacle in their judgment likely to occasion waste, misuse, undue consumption, or contamination of water:

(3.) The company shall not be bound, under any agreement or otherwise, to supply or continue to supply water to any person unless such regulations as are for the time being in force are duly observed by him:

(4.) In case of the failure of any such person to observe such regulations as are for the time being in force, the company may, if they think fit, after twelve hours notice in writing, and by or under the direction of their duly authorized officer, repair, replace, or alter any pipe, valve, cock, cistern, bath, soil-pan, watercloset, or other apparatus or receptacle belonging to or used by any person supplied by them; and the expense of every such repair, replacement,

or alteration shall be repaid to the company by the person on whose credit the water is supplied, and may be recovered by them as damages for the recovery of which no special provision is made:

(5.) If any dispute arises between the company and any person as to whether any such regulations are reasonable or not, or whether such regulations have been complied with by such person, such dispute shall be referred, on the application of either party, to the determination of two justices, whose decision thereon shall be final and binding on both parties.

Power to company to agree for supplies of water for other than domestic purposes.

51. Subject to the provisions of this Act, the company may from time to time enter into and carry into effect such agreements with any railway companies and other companies, corporations, bodies, and persons, with respect to the supply of water for other than domestic purposes, and all matters incidental and accessory thereto, as the company think fit, and every such agreement may be for such period and on such terms, pecuniary or otherwise, and conditions as the company think fit.

Power to agree with local boards.

52. The company may from time to time enter into and carry into effect agreements with any local board for the supply within the limits of this Act of water, either in bulk or otherwise, for any purposes for which local boards may lawfully provide or contract for a supply, or require water to be supplied or taken.

Penalty for using water for other than domestic purposes without agreement.

53. Every person using for other than domestic purposes any water supplied by the company, and not having previously agreed with the company for a supply for the other purposes, and every person having agreed with the company for a supply of water for any other than domestic purposes, and using for any purposes other than the purposes so agreed on the water so supplied by the company, shall respectively for every such offence forfeit and pay to the company any sum not less than twenty shillings and not exceeding five pounds.

Entry on premises to cut off supply in certain cases.

54. In all cases in which the company are by "The Waterworks Clauses Act, 1847," or "The Waterworks Clauses Act, 1863," or by this Act authorized to cut off the pipe or to turn off water from any premises, the company, their agents and workmen, (after giving notice to the owner or occupier as herein-after provided,) may enter into any such premises between the hours of nine in the forenoon and four in the afternoon, for the purpose of cutting off any pipe by which the water of the company shall be supplied to such premises.

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Mode of giving notice.

55. The notice to be given previously to such entry shall be in writing, and shall be served in manner following; (that is to say,)

If the premises intended to be entered be occupied, then by leaving the notice thereat, or by delivering the same to the occupier thereof twenty-four hours at least previously to such entry:

If such premises be unoccupied, and the owner thereof and his usual place of abode be in England, and be known to the company, then by delivering the notice to such owner, or by leaving the same at his usual place of abode twenty-four hours, or by sending the same by post in a registered letter addressed to him at his usual place of abode forty-eight hours at least previously to such entry:

If such premises be unoccupied, and the owner thereof or his usual place of abode be not in England, or be not known to the company after due inquiry, then by affixing the notice on some conspicuous part of such premises three days at least previously to such entry:

And for the purposes of this section any person receiving the rents of any such premises, either on his own account or as agent for any other person, shall be deemed the owner of such premises.

Service pipes.

56. All fittings connected with any service pipe to communicate with the mains and pipes of the company which shall be provided by any person shall be placed and removed under the superintendence of the company and at the expense of such person.

Provision as to letting meters.

57. The company may let for hire any meter for ascertaining the quantity of gas or water consumed or supplied, and any fittings thereto, for such remuneration in money and on such terms with respect to repair of such meter and fittings, and for securing the safety and return to the company of such meter, as may be agreed upon between the hirer and the company, and such remuneration shall be recoverable in the same manner as the gas rents or (as the case may be) water rents due to the company, and such meters and fittings shall not be subject to distress for rent of the premises where the same are used, or to be taken in execution under any process of a court of law or equity, or any proceedings in bankruptcy against the persons having possession thereof.

Power to remove meters and fittings.

58. The company, after forty-eight hours notice in writing under the hand of the secretary or some other officer of the company to the occupier, or if there is no occupier then to the owner or lessee of any building or lands in which any pipe, meter, or fitting belonging to the company is laid or fixed, and through or in which

the supply of gas or water is from any cause other than the default of the company discontinued, may enter such building or lands between the hours of nine in the morning and four in the afternoon, or at any other time with the authority in writing of a justice, for the purpose of removing and may remove every such pipe, meter, and fitting, repairing all damages caused by such entry or removal, and every such notice shall be served by being delivered to the person for whom it is intended, or left at his usual or last known place of abode or business in England, or if such person or his usual place of abode or business in England is not known to the company after proper inquiry, then by being affixed on some conspicuous part of such building or lands.

Notice to company of putting up meters, &c.

59. Before any person connects or disconnects any meter through which any of the gas or water of the company is intended to be or has been registered, he shall give not less than twenty-four hours notice in writing to the company of his intention to do so; and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Repair of meters.

60. Every consumer of gas or water of the company shall at all times, at his own expense, keep all meters belonging to him, whereby any gas or water of the company is registered, in proper order for correctly registering such gas or water, in default whereof the company may cease to supply gas or water through such meters; and the company shall at all reasonable times have access to and be at liberty to take off, remove, test, inspect, and replace any meter belonging to a consumer, such taking off, removal, testing, and inspecting and replacing] to be done at the expense of the company if the meter be found in proper order, but otherwise at the expense of the consumer.

Register of meter to be primâ facie evidence.

61. The register of the meter when in perfect working order shall be primâ facie evidence of the quantity of gas or (as the case may be) water consumed by any customer of the company in respect of which any gas or water rent is charged and sought to be recovered by the company.

Fraudulently injuring meters, &c.

62. If any person wilfully, fraudulently, or by culpable negligence, injures or suffers to be injured any pipe, meter, or fitting belonging to the company, or fraudulently alters the index to any meter, or fraudulently prevents any such index from duly registering the quantity of gas or water supplied, he shall (without prejudice to any other right or remedy for the protection of the company or the punishment of the offender) for every such offence be liable to a penalty not exceeding five pounds, and the company may, in addition thereto, recover the amount of any damages sus-

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tained by them, and the company may also discontinue the supply of gas or (as the case may be) water to the person so offending until the injury is remedied and the amount of the damages is paid, notwithstanding any contract previously existing; and the existence of artificial means for causing such alteration or prevention when such meter is under the custody or control of the consumer shall be primâ facie evidence that the same has been fraudulently caused by the consumer using such meter.

Company's officers to enter buildings.

63. The company's agent or other officer duly appointed for the purpose by the company may, between the hours of nine of the clock in the forenoon and four of the clock in the afternoon, enter any building or place supplied with gas or water by the company, in order to inspect the meters, pipes, fittings, and apparatus for regulating the supply of gas or water, and to see whether the meters, pipes, fittings, cisterns, or other apparatus provided be in good repair; and if such agent or other officer at any such time be refused admittance into such premises for the purposes aforesaid, or be prevented from making such examination, the occupier of such premises shall for every such offence forfeit to the company a sum not exceeding five pounds.

For preventing frauds and waste of gas and water.

64. If and whenever any person supplied with gas or water under this Act wilfully does or causes or suffers to be done anything in contravention of any of the provisions of this Act, or wilfully fails to do anything which under this Act ought to be done for the prevention of waste, misuse, or undue consumption of gas or water, the company may cut off or stop any pipe by or through which gas or water is supplied to him, and may cease to supply him with gas or water as long as the cause of injury remains or is not remedied, and also may recover in any court of competent jurisdiction from every person so offending the amount of all damage sustained by reason thereof, and the remedies of the company under this enactment shall be in addition to their other remedies in this behalf.

Power for company to supply materials, &c.

65. The company may, if requested by any person supplied or about to be supplied by them with water, furnish to him and from time to time repair or alter any such pipes, valves, cocks, cisterns, baths, 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.

Incoming tenant not liable for arrears.

66. The company shall not be entitled to require from the incoming tenant of any property the payment of arrears of gas rent, water rent, or meter rent left unpaid by any former tenant, unless

the incoming tenant has undertaken with such former tenant to pay or exonerate him from the payment of such arrears.

Where several houses are supplied by one pipe each to pay.

67. Where several houses or parts of houses in the occupation of several persons shall be supplied by one common pipe, the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the company's mains by a separate and distinct pipe: Provided that the company shall not be bound to supply more than one house by means of the same pipe, but they may, if they think fit, require that a separate pipe be laid into each house supplied by them with water.

Recovery of sums due.

68. If any person fails to pay any gas rent, water rent, meter rent, rate, damages, costs, expenses, or other sum due to or recoverable by the company under this Act or any Acts incorporated wholly or in part with this Act, they may recover the same by proceedings in any court of competent jurisdiction, or if the amount thereof is not bonâ fide disputed the same may be levied by distress (the person in default being first duly summoned), and any justice may issue his warrant accordingly, and the remedies of the company under this section shall be in addition to their other remedies for recovery of any such rent, rate, damages, costs, expenses, or other sum.

Notice of discontinuance.

69. A notice to the company from a consumer for the discontinuance of a supply of gas or water shall not be of any effect unless it be in writing, and be left at the principal office for the time being of the company.

Liability to gas rent not to disqualify justice, &c.

70. A justice or a judge of any court shall not (except as in this Act expressly provided) be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any gas rent, water rent, meter rent, rate, or charge under this Act, or of his being a shareholder of the company.

Contents of summons, &c.

71. Any summons or warrant issued for any of the purposes of this Act may contain in the body thereof or in a schedule thereto several names and several sums.

Costs of distress.

72. Any justice who issues a warrant of distress for any of the purposes of this Act may order that the costs of the proceedings for recovery of the money to be levied be paid by the person liable to pay such money, and in that case such costs shall be ascertained by the justice, and shall be included in the warrant of distress.

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Penalties not cumulative.

73. Penalties imposed on the company for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts.

Saving rights of the Crown in the foreshore.

74. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the company 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, 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 the said Act or Acts contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exercisable by the Queen's Majesty, Her heirs or successors.

Expenses of Act.

75. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the company.

SCHEDULE referred to in the foregoing Act.

So much of the piece of land called "The Green," situate in the parish of Coity and county of Glamorgan, bounded on the westward by the River Ogmore, on the eastward by a road leading from a street called Heol y Cawl or Union Street to the workhouse of the Bridgend and Cowbridge Union, on the southward by Union Street aforesaid, and on the northward by the River Ogmore and the pumping station of the South Wales Railway company, as is on the deposited plans shown as the site of the gasworks.

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