CHAP. li.

An Act to extend the time for constructing the Works of the Bromsgrove and Droitwich Waterworks Company, to reduce the capital of that Company, and to enable them to abandon a portion of their authorised undertaking. A.D. 1871.

[16th June 1871.]

WHEREAS by "The Bromsgrove and Droitwich Waterworks Act, 1866," a Company, in that Act called "The Bromsgrove and Droitwich Waterworks Company," (and herein-after referred to as the Company) were incorporated, with a capital of thirty thousand pounds, and empowered to construct waterworks as in that Act mentioned, and the limits for the supply of water by the Company, as fixed in that Act, comprised the town of Bromsgrove, the town and borough of Droitwich, and the parishes, townships, and extra-parochial places of Bromsgrove, Stoke Prior, Grafton Manor, Upton Warren, Wychbold, Dodderhill, Droitwich, St. Peter's in Liberties, St. Nicholas, St. Andrew's, St. Mary Witton, and Hadzor, all in the county of Worcester: 29 & 30 Vict. c. xix.

And whereas the Company have hitherto been unable to carry out their undertaking, and it is expedient that the time limited by the former Act for the completion of the waterworks be extended:

And whereas it is further expedient that the Company be authorised to reduce the amount of their authorised capital, and to abandon the construction of so much of their waterworks as is in this Act mentioned, and that such further provisions respecting the same as are herein-after specified:

But the purposes 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,)

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Short title.

1. This Act may be cited for all purposes as "The Bromsgrove Waterworks Act, 1871."

Interpretation of terms.

2. In this Act the expression "the former Act" shall mean "The Bromsgrove and Droitwich Waterworks Act, 1866;" and

The expression "the deposited plans" shall mean the plans and sections deposited as in the former Act mentioned.

Company may abandon specified portions of their undertaking.

3. The Company may and shall abandon the construction of so much of their waterworks and undertaking authorised by the former Act as is herein-after described, and on and after the passing of this Act the Company shall (except only as is by this Act otherwise expressly provided) be absolutely freed from all obligation with respect to the making and maintaining of that portion of their said waterworks and undertaking.

Works to be abandoned.

4. The waterworks to be abandoned by the Company under the authority of this Act are as follows:

The aqueduct and works in the parishes of Stoke Prior and Bromsgrove, extending from Pikes Pool in the parish of Bromsgrove to the turnpike road or main street of Bromsgrove, between the numbers 12 and 25 in the parish of Bromsgrove on the deposited plans;

Also the aqueduct and works extending from the toll-gate near the number 31 on the deposited plans in the parish of Bromsgrove, through the parishes of Bromsgrove, Upton Warren, Dodderhill, Wychbold, Droitwich, St. Peter's in Liberties, St. Andrew's, and St. Nicholas, to the termination of the last-mentioned viaduct and works as shown on the deposited plans, all the said several parishes being in the county of Worcester.

Portion of former Act repealed.

5. So much of the former Act as relates to the waterworks of the Company by this Act authorised to be abandoned is hereby repealed.

Compensation to be made in respect of waterworks abandoned.

6. Where before the passing of this Act any contract may have been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portion of the waterworks authorised to be abandoned by this Act, full compensation shall be made by the Company to the owners and occupiers or either persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice, and the amount and application of the compensation shall be determined in manner provided by the "Lands Clauses Consolidation Act, 1845," for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Extension of time for completing

7. The period for the completion of the works authorised by the former Act and not under this Act proposed to be abandoned is

hereby extended for a period of three years from the expiration of the period limited by the former Act, and the 23rd section of the former Act shall be construed as if that extended period had been the period referred to in such 23rd section. remaining works.

8. The share capital of the Company authorised by the former Act is hereby reduced to the sum of sixteen thousand pounds, and all the provisions of the former Act with reference to the original capital of thirty thousand pounds shall be read and construed with reference to such reduced capital of sixteen thousand pounds only. Reduction of capital.

9. Whereas the Company was by section nine of the former Act authorised to borrow a sum of seven thousand five hundred pounds for the purposes and in the manner in the said section mentioned, but no portion of the said sum has actually been borrowed: And whereas the Company have not hitherto purchased any land or constructed any of the works by the former Act authorised, and it is expedient that the borrowing powers of the Company be reduced to an amount proportionate to the reduced capital of the Company, by this Act fixed at sixteen thousand pounds: Therefore after the passing of this Act the said section of the former Act shall be read and have effect as if instead of the sum of seven thousand five hundred pounds therein mentioned the sum of four thousand pounds had been inserted, and it shall not be lawful for the Company to borrow for the purposes of the former Act or of this Act any greater sum in the whole than the said sum of four thousand pounds. Borrowing power.

10. Except as is by this Act expressly provided, nothing in this Act shall take away, lessen, alter, or prejudice any of the estates, rights, interests, powers, or privileges of the Company. Saving of rights.

11. The Company shall not, out of any money by any Act relating to the Company authorised to be raised by calls in respect of shares or by borrowing, pay to any shareholder interest or dividend on the amount of calls made in respect of the shares held by him: Provided always, that the Company may pay to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as shall be in conformity with the provisions in the "Companies Clauses Consolidation Act, 1845," in that behalf mentioned. No interest or dividend to be paid out of capital.

12. Nothing in this Act contained shall exempt the undertaking of the Company from the provisions of any general Act relating to waterworks, or the better or more impartial audit of the accounts of public companies, now in force or which may hereafter pass during the present or any future session of Parliament. Company not exempt from provisions of present and future general Acts.

13. The Company shall not, out of any money authorised to be raised by the Company, pay or deposit any sum of money which, by Deposit for future Bills not to be

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paid out of Company's capital.

any standing order of either House of Parliament from time to time in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to execute any other work or undertaking.

Expenses of Act.

14. All the costs, charges, and expenses of applying for, obtaining, and passing this Act, or preparatory or incidental thereto, shall be paid by the Company.

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