CHAP. cxiii.

An Act for amending the Cefn, Acrefair, and Rhosymedre Water Act, 1866. [13th July 1871.]

A.D. 1871.

WHEREAS an Act was passed in the twenty-ninth and thirtieth years of the present reign, intituled "An Act for better "supplying with water Cefn and places adjacent in the county of "Denbigh:" 29 & 30 Vict. c. cxlix.

And whereas the works authorised by the said Act have been constructed, and water is supplied by the Company thereby incorporated (herein-after called "the Company") within the limits of such Act:

And whereas the waters which the Company are thereby authorised to take and use are more than sufficient for the supply of the districts comprised within the limits of the same Act, and the Company are willing to supply water to the adjacent districts or townships of Trevor Issa and Trevor Ucha, in the said county, and to the Wrexham Waterworks Company, incorporated by "The Wrexham Waterworks Act, 1864:"

And whereas the supply of water to the said districts of Trevor Issa and Trevor Ucha, and to the Wrexham Waterworks Company, would be of public and local advantage, but the objects of this Act cannot be effected 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:

1. This Act may be cited for all purposes as "The Cefn, Acrefair, and Rhosymedre Water (Amendment) Act, 1871," and may be read with "The Cefn, Acrefair, and Rhosymedre Water Act, 1866," as one Act. Short title.

2. "The Companies Clauses Consolidation Act, 1845," "The Companies Clauses Act, 1863," "The Companies Clauses Act, Provisions of Acts herein

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named incorporated.

1869," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869" (except the clauses thereof with respect to the purchase and taking of lands otherwise than by agreement), and "The Waterworks Clauses Acts, 1847 and 1863," are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act, and the several powers and provisions of those Acts shall extend to the objects and purposes 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.

Trevor Issa and Trevor Ucha included in Act.

4. The fourth section of "The Cefn, Acrefair, and Rhosymedre Water Act, 1866," shall be taken and read as if the districts or townships of Trevor Issa and Trevor Ucha, both in the parish of Llangollen and county of Denbigh, had been included therein, together with Cefn, Acrcfair, and Rhosymedre.

Company may raise additional capital.

5. The Company may from time to time raise, in addition to the sums of money which they are already authorised to raise, any further sums not exceeding in the whole thirty thousand pounds, by the creation of new shares or stock in their undertaking, which shares or stock shall form part of the general capital of the Company.

Shares not to vest until one fifth paid up.

6. 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 shall have been paid in respect thereof.

As to the votes of proprietors of such shares or stock.

7. The proprietors of any shares or stock to be issued under the authority of this Act shall be entitled to such number of votes in respect thereof as the nominal amount represented by such shares or stock would have entitled them to if the same had been original shares or stock of the Company.

Power to borrow on mortgage.

8. Subject as aforesaid, the Company may from time to time borrow on mortgage any additional sum not exceeding in the whole seven thousand five hundred pounds, but no part thereof shall be borrowed until the whole of the said additional capital sum of thirty thousand pounds is subscribed for, issued, and accepted, and one half thereof is paid up, and 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 the capital has been 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 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 assignees, and that such subscribers or their assignees 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 certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

9. Provided always, that all mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the time of the passing thereof, shall, during the continuance of such mortgages, have priority over any mortgages to be granted by virtue of this Act.

Arrears may be enforced by appointment of a receiver.

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

Application of moneys.

11. All moneys raised under this Act, whether by shares or borrowing, shall be applied to the purposes of this Act only.

Lands for extraordinary purposes.

12. The Company may from time to time, by agreement, purchase for the purposes of this Act any quantity of land or any easements (not being a right of water in, over, or affecting any land) which they may think requisite, provided that such land shall not exceed five acres in addition to the land which they are by "The Cefn, Acrefair, and Rhosymedre Water Act, 1866," authorised to take by compulsion or purchase.

Company may supply Wrexham Water Company.

13. The Company may from time to time supply the Wrexham Waterworks Company with water in bulk for any purposes authorised by "The Wrexham Waterworks Act, 1864," upon such terms and conditions as may from time to time be agreed upon by the said Companies, but not so as to prejudice the supply within the limits of the Act of 1866 as extended by this Act.

Supply to Wrexham to

14. The Company shall not commence to supply the Wrexham Waterworks Company with water under the powers of this Act

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be conditional.

unless and until a sufficient storage of water shall have been created to ensure a continuance of the present agreed supply to the New British Iron Company, in addition to the supply required by the Wrexham Waterworks Company.

The Gronwen Brook to be connected with Trefynant Brook.

15. Provided always, that it shall not be lawful for the Company to commence to supply water under the powers of this Act to Trevor Issa and Trevor Uchor unless and until the Company shall have first efficiently connected the stream of the Gronwen Brook with the main pipe conveying the waters of the Trefynant Brook, at or near the pipe head in the tank near Sygan-y-Pwll.

Any difference between the Company and the New British Iron Company to be settled by arbitration.

16. Any difference between the Company and the New British Iron Company under the provisions of this Act shall, from time to time as it arises, be settled by an arbitrator to be nominated by the President for the time being of the Institution of Civil Engineers, and such arbitrator shall proceed to adjust such difference in the manner provided for by "The Railway Companies Arbitration Act, 1859."

Expenses of Act.

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

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1871.