CHAPTER xlv.

An Act to confer further powers on the Chepstow Water Company and for other purposes. A.D. 1917.

[2nd August 1917.]

WHEREAS by the Act 6 Vict. c. xi. entitled "An Act "for better supplying with water the town and parish "of Chepstow and the parish of Saint Arvans adjoining thereto "all in the county of Monmouth" (hereinafter referred to as "the Act of 1843") the Chepstow Water Company (hereinafter referred to as "the Company") were incorporated and authorised to continue complete execute and maintain works for supplying the inhabitants of the town or parish of Chepstow (now the urban district of Chepstow) and the adjoining parish of St. Arvans (now situate in the rural district of Chepstow) with water from the springs called the Moat Spring the Middle Lodge Piece Springs and the Ox Lease Spring:

And whereas important works on the River Wye in the urban district of Chepstow are now in process of erection and a large and rapid increase of the inhabitants of the town and neighbourhood of Chepstow is expected:

And whereas the works and sources of supply which by the Act of 1843 the Company were authorised to maintain and take are barely sufficient for the needs of the present inhabitants of the Company's limits of supply and it is expedient and urgent that the Company be authorised to construct additional works:

And whereas by the Act of 1843 the capital of the Company was fixed at two thousand eight hundred and fifty-six pounds which represented the sums previously expended on the construction of works and was divided into four hundred and eight shares of seven pounds each and the Company were

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authorised to borrow on mortgage or bond a further sum of nine hundred and forty-eight pounds:

And whereas in the years 1845 and 1849 the shareholders of the Company contributed further sums amounting to four pounds on each share and the share capital of the Company was thereby increased to four thousand four hundred and eighty-eight pounds and the shares therein to eleven pounds each fully paid up:

And whereas the Company have borrowed on mortgage in exercise of the powers conferred upon them by the Act of 1843 sums amounting to nine hundred and forty pounds and have also borrowed further sums amounting to eight hundred pounds and upwards:

And whereas the Company have expended on purposes to which capital is properly applicable the whole of the sums received by them on their share capital and by borrowing as aforesaid:

And whereas it is expedient that the limits of supply of the Company be extended and that the Company be empowered to raise additional capital by the issue of shares and stock and by borrowing and that provision be made with reference to their existing capital and borrowing powers as in this Act contained:

And whereas it is expedient that the Company be made subject to certain provisions of the general enactments which are applicable to water companies in substitution for the sections of the Act of 1843 which deal with the same matters:

And whereas it is expedient that further powers be conferred upon the Company and further provision be made with reference to their undertaking as in this Act contained:

And whereas plans and sections showing the lines and levels of the works authorised by this Act such plans showing also the lands which may be taken compulsorily under the powers of this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Monmouth and are hereinafter respectively referred to as the deposited plans sections and book of reference:

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

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May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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:—

Short and collective titles.

1.—(1) This Act may be cited as the Chepstow Water Act 1917.

(2) The Act of 1843 may be cited as the Chepstow Water Act 1843.

(3) the Act of 1843 and this Act may be cited together as the Chepstow Water Acts 1843 and 1917.

Incorporation of Acts with this Act and Act of 1843.

2.—(1) The following Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with this Act (namely):—

The Companies Clauses Consolidation Act 1845 except the provisions thereof with respect to the conversion of borrowed money into capital:

The Companies Clauses Act 1863 as amended by subsequent Acts except Part IV.:

The Lands Clauses Acts:

The Waterworks Clauses Acts 1847 and 1863.

(2) The following portions of Acts so far as the same are applicable for the purposes of the Act of 1843 and are not inconsistent with the provisions of this Act shall from and after the passing of this Act be deemed to be incorporated with the Act of 1843 and for the purpose of such incorporation shall be construed as though the Act of 1843 had been passed and the Company had been incorporated after the passing of the Acts hereinafter mentioned The portions of Acts above referred to are—

The provisions of the Companies Clauses Consolidation Act 1845 with respect to—

The distribution of the capital of the company into shares;

The transfer or transmission of shares;

The borrowing of money by the company on mortgage or bond;

The consolidation of the shares into stock;

The general meetings of the company and the exercise of the right of voting by the shareholders;

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The appointment and rotation of directors;

The powers of the directors and the powers of the company to be exercised only in general meeting;

The proceedings and liabilities of the directors;

The appointment and duties of auditors;

The accountability of the officers of the company;

The keeping of accounts and the right of inspection thereof by the shareholders;

The making of dividends;

The making of byelaws;

The giving of notices;

and sections 28 140 and 141 of that Act:

The provisions of the Waterworks Clauses Act 1847 except sections 6 to 11 (inclusive) 90 91 and 92.

(3) Section 44 of the Waterworks Clauses Act 1847 shall in its application to the Company be read and have effect as if the words "with the consent in writing of the owner or reputed "owner of any such house or of the agent of such owner" were omitted therefrom and as if the words "in case the "occupier shall make default in payment of such rent and "the owner shall have required a supply of water to such "house" were inserted in that section in lieu of the words "in his default."

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction:

The expression "the new waterworks" means the several works described in the section of this Act of which the marginal note is "Power to make new waterworks";

The expression "the existing limits" means the urban district of Chepstow and the parish of St. Arvans in the rural district of Chepstow;

The expression "the new limits" means the parishes mentioned in the section of this Act of which the marginal note is "Extension of limits of supply";

The expression "the limits of supply" includes the existing limits and the new limits;

The expression "the undertaking" means the undertaking authorised by the Act of 1843 and this Act; A.D. 1917.

The expression "the map" means the Ordnance map scale $\frac{1}{2500}$ (2nd edition 1901 and 1902);

The expression "the Pwll-Meyric Company" means the Pwll-Meyric Water Company Limited.

Waterworks.

Power to make new waterworks.

4. Subject to the provisions of this Act the Company may make and maintain in the rural district of Chepstow in the county of Monmouth and in the situations and according to the lines and levels shown on the deposited plans and sections the new waterworks hereinafter described (that is to say):—

(1)—(*a*) A collecting chamber (No. 1) to be situate at a point 110 yards or thereabouts north-north-eastwards of the south-westernmost corner of the property numbered on the map 107 in the parish of Kilgwrrwg;

(*b*) A conduit or line of pipes (No. 1) commencing in the collecting chamber (No. 1) by this Act authorised and terminating in the parish of Newchurch East in the collecting reservoir by this Act authorised:

(2)—(*a*) A collecting chamber (No. 2) to be situate at a point 385 yards or thereabouts eastwards of the north-eastern corner of the property numbered on the map 816 in the parish of Newchurch East;

(*b*) A conduit or line of pipes (No. 2) commencing in the collecting chamber (No. 2) by this Act authorised and terminating in the collecting reservoir by this Act authorised:

(3)—(*a*) A collecting chamber (No. 3) to be situate on or near the south-eastern boundary of the property numbered on the map 872 in the parish of Newchurch East;

(*b*) A conduit or line of pipes (No. 3) commencing in the collecting chamber (No. 3) by this Act authorised and terminating by a junction with the conduit or line of pipes (No. 1) by this Act authorised:

(4) A collecting reservoir (with pumping plant) to be situate in or on the property numbered 891 and the eastern-

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most portion of the property numbered on the map 888 in the parish of Newchurch East:

(5) A rising main commencing in the parish of Newchurch East in the collecting reservoir by this Act authorised passing through the parish of Itton and terminating in the parish of Newchurch East in the collecting tank by this Act authorised:

(6) A collecting tank to be situate in the property numbered on the map 938 in the parish of Newchurch East:

(7) A conduit or line of pipes (No. 4) commencing at the Moat Spring in Chepstow Park Wood and terminating in the reservoir known as the Park Reservoir and being the Upper Reservoir authorised by the Act of 1843:

(8)—(*a*) A collecting chamber (No. 4) to be situate at or near a point 140 yards northwards of the north-east corner of the Park Reservoir;

(*b*) A conduit or line of pipes (No. 5) commencing in the collecting chamber (No. 4) by this Act authorised and terminating in the Park Reservoir:

(9) A conduit or line of pipes (No. 6) commencing in the Park Reservoir and terminating in the collecting tank by this Act authorised:

(10)—(*a*) A collecting chamber (No. 5) to be situate at or near a point 150 yards northwards of the northern corner of the property numbered on the map 936 in the parish of Newchurch East;

(*b*) A conduit or line of pipes (No. 7) commencing in the collecting chamber (No. 5) by this Act authorised and terminating in the collecting tank by this Act authorised:

(11) A conduit or line of pipes (No. 8) commencing in the collecting tank by this Act authorised and passing through the parish of Itton into and terminating in the storage reservoir by this Act authorised:

(12) A storage reservoir to be situate in the parish of St. Arvans Grange in or on the enclosures numbered in that parish 21 and 22 and the southern portion of the enclosure numbered in that parish 7 on the map:

(13) A well and pumping station to be situate near the boundary between the properties numbered on the map 7 and 11 in the parish of St. Arvans Grange:

(14) A service reservoir to be situate in the north-eastern corner of the property numbered on the map 222 in the parish of St. Arvans:

(15) A water tower to be situate in the parish of St. Arvans adjacent to the service reservoir by this Act authorised:

And the Company may continue and maintain and from time to time enlarge extend deepen or repair and use as part of the well and pumping station by this Act authorised the existing boreholes in the parish of St. Arvans Grange situate within the limits of deviation for the pumping station as shown on the deposited plans.

Additional works.

5. In addition to the new waterworks the Company may upon any of the lands included within the respective limits of deviation for the new waterworks shown upon the deposited plans make and maintain all such collecting chambers cuts channels catchwaters tunnels adits headings drifts pipes conduits aqueducts culverts drains sluices byewashes shafts wells bores water towers overflows waste-water channels gauges filters tanks banks walls fences bridges embankments piers roads approaches engines pumps machinery telegraphs telephones and appliances as may be necessary or convenient in connexion with or subsidiary to the new waterworks or any of them or necessary or expedient for the purpose of augmenting or improving the supply of water Provided that the Company shall not construct any wells or bores for taking or intercepting water except within the limits of deviation for the well and pumping station by this Act authorised as shown on the deposited plans.

Limits of deviation.

6. In the construction of the new waterworks the Company may deviate to any extent within the limits of deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of the road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of the reservoirs water tower and collecting tank by this Act authorised ten feet upwards and downwards and in the case of other works three feet upwards and to any extent downwards.

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Period for completion of new waterworks.

7. If the new waterworks are not completed as regards the works numbered 6 to 15 inclusive within the period of five years and as regards the works numbered 1 to 5 inclusive within the period of ten years from the termination of the present war then on the expiration of those respective periods the powers by this Act granted to the Company for executing such respective works or in relation thereto respectively 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 Company may at any time after the expiration of the said respective periods lay down additional lines of pipes as part of the conduits and rising main by this Act authorised and alter enlarge and renew the new waterworks or any of them as they may think expedient to provide for the requirements of their water supply.

Power to take waters.

8. Subject to the provisions of this Act the Company may for the purposes of the undertaking—

(*a*) Collect take divert convey impound pump use and appropriate all such waters of the Glyn Brook and all such springs and tributaries thereof and other springs and waters as will or may be taken or intercepted by the new waterworks or any works in connexion therewith respectively by this Act authorised or which may be found in on or under any of the lands included within the limits of deviation for the new waterworks as shown on the deposited plans; and

(*b*) Pump collect divert take and use all or any of the underground waters which will or may be taken or intercepted by the pumping station by this Act authorised or any of the wells boreholes or other works constructed or maintained in connexion therewith under the powers of this Act.

Limiting powers of Company to abstract water.

9. The Company shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament.

Power to acquire lands.

10. The Company may enter upon take and use such of the lands in the rural district of Chepstow shown on the deposited plans and described in the deposited book of reference in connexion with the new waterworks as they may require for the purpose of the new waterworks and for the purpose of protecting from

pollution fouling or contamination the waters which they are by this Act or the Act of 1843 authorised to appropriate and use.

Period for compulsory purchase of lands.

11. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act Provided always that the Board of Trade may at any time on being satisfied that the Company have been prevented by any circumstance arising out of the present war from purchasing the said lands or as the case may be some part or parts thereof within the said period of three years make an order extending such period and this section shall thereupon have effect as if the period as so extended was substituted for the period specified in this section.

Company may acquire easements only in certain cases.

12.—(1) The Company may in lieu of acquiring any lands for the purposes of the new waterworks or any works in connexion therewith by this Act authorised where the same are intended to be constructed or placed underground acquire such easements only in such lands as they may require for such purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts.

(2) As regards any lands in respect of which the Company have acquired easements only under the provisions of this section the Company shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not passed.

(3) Provided always that nothing in this section contained shall authorise the Company to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Company to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision.

Persons under disability may

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the

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grant easements &c.

provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to purchase additional lands by agreement.

14. In addition to any other lands and any easements rights or privileges over or in respect of lands which the Company are by the Act of 1843 and this Act authorised to acquire the Company may subject to the provisions of this Act purchase take on lease or otherwise acquire by agreement and hold for the purposes of the undertaking (including the purpose of protecting their waterworks and water supplies against pollution fouling or contamination) any lands or any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) over or in respect of lands which the Company may deem necessary for those purposes Provided that the quantity of lands held by the Company in pursuance of this section shall not at any time exceed twenty acres and the Company shall not create or permit the creation or continuance of any nuisance on any lands purchased or taken on lease under this section nor erect any buildings thereon except offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with the undertaking.

Power to hold lands for protection of waterworks.

15.—(1) The Company may hold any lands acquired by them under the powers of this Act or the Act of 1843 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 Act of 1843 or the Lands Clauses Acts respectively but the Company 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 the undertaking.

(2) The Company may in and upon the lands referred to in subsection (1) of this section construct and lay down drains sewers

watercourses and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Company are empowered to take from being polluted and the Company may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

Power to agree as to drainage of lands.

16. The Company may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of the reservoirs collecting chambers conduits and other works by the Act of 1843 and this Act authorised with reference to the execution by the Company 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 and conveying and preserving the purity of the waters by the Act of 1843 and this Act authorised to be diverted collected and appropriated by the Company flowing to upon or from such lands directly or derivatively into such works.

As to exercise of powers of section 12 of Waterworks Clauses Act 1847.

17. The Company may on all or any of the lands for the time being held by them in connexion with the undertaking execute for the purposes of or in connexion with the undertaking any of the works mentioned in section 12 of the Waterworks Clauses Act 1847 (other than wells and works for taking and intercepting water) Provided that the Company shall not under the powers of this section create or permit the creation or continuance of any nuisance on any such lands nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or in connexion with the undertaking.

Application of Waterworks Clauses Act 1847 to pipes telephones &c.

18. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Company may and which they are hereby authorised to lay down or erect for the purposes of their undertaking.

Discharge of water into streams.

19.—(1) For the purpose of executing constructing laying down enlarging extending repairing cleansing emptying or

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examining any reservoir chamber conduit line of pipes well or other work of the Company the Company may cause the water in any such work to be discharged into any available stream or watercourse Provided that no water shall be discharged in such a manner as to interfere with any fish or spawn or spawning beds.

(2) In the exercise of the power conferred by this section the Company shall do as little damage as may be and shall make full compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

Dwelling-houses for employees offices &c.

20. The Company may purchase or take on lease and may hold houses cottages and other buildings for persons in their employ and offices and other buildings for the purposes of the undertaking and may erect fit up maintain and let any such buildings upon any lands for the time being belonging or leased to the Company.

Company may sell lease &c. lands.

21.—(1) The Company may sell lease exchange or otherwise dispose of to such persons and in such manner as the Company think fit any lands and property acquired under the provisions of this Act and for the time being belonging to them which they may not require for the purposes of the undertaking (subject nevertheless to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands so far as such provisions are in each case applicable) and they may make any such sale lease exchange or disposal subject to such reservations conditions and restrictions as they think fit.

(2) Section 126 (Authority to Company to sell lands and purchase others) of the Act of 1843 shall be read and have effect as if the words "lease exchange or otherwise dispose of" were inserted therein after the word "sell" and the words "take on lease or otherwise acquire" were inserted therein after the word "purchase."

LIMITS OF SUPPLY.

Extension of limits of supply.

22.—(1) From and after the passing of this Act the limits within which the Company may supply water and exercise the powers conferred upon them by the Act of 1843 and this Act

shall extend to and include (in addition to the existing limits) the parishes of St. Arvans Grange St. Kingsmark Mounton Mathern and St. Pierre Newchurch East Howick Itton and Kilgwrrwg in the rural district of Chepstow in the county of Monmouth and within the said parishes the Company shall have and may exercise all and the like powers privileges and authorities for and in relation to the supply of water and be subject to all and the like duties and obligations in respect thereof as they have and are subject to within the existing limits.

(2) The Company may maintain and use any aqueducts pipes and other works constructed or laid down by them before the passing of this Act within the new limits as though the same had been constructed or laid down under the powers of this Act and the provisions of the Waterworks Clauses Act 1847 shall apply to the said aqueducts pipes and works in all respects as though the same had been constructed or laid down under the authority of this Act.

Purchase of undertaking of Pwll-Meyric Company.

23. The Company shall purchase and the Pwll-Meyric Company shall sell the lands waters easements rights reservoirs pipes and other works and property of the Pwll-Meyric Company upon the terms and conditions set out in the schedule to this Act and on the completion of such purchase the Company may maintain hold and use for the purpose and as part of the undertaking the works and property so purchased and the provisions of this Act and the Acts incorporated herewith shall apply to the said works and property accordingly.

If Company fail to supply local authority &c. may do so.

24.—(1) If at the expiration of seven years from the passing of this Act the Company are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of this Act in any part of any parish included within the new limits the rural district council of Chepstow may provide a supply in that part of the parish in accordance with the provisions of the Public Health Act 1875 and any company or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in that part of the parish as if this Act had not passed.

(2) If any differences should arise between the Company and any such council company or person as aforesaid as to whether the Company are furnishing or prepared on demand to furnish a sufficient supply of water in any part of any such parish such differences shall be settled by an arbitrator to be appointed

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on the application of either party by the Local Government Board.

RATES AND CHARGES.

Rates for supply of water for domestic purposes.

25.—(1) The Company shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Act or the Act of 1843 as amended by this Act to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates per annum not exceeding the rates hereinafter specified (that is to say):—

Where the rateable value of the house or part of the house supplied does not exceed five pounds the rate of eight shillings and eightpence per annum:

Where such rateable value exceeds five pounds and does not exceed fifteen pounds the rate of ten per centum per annum on the rateable value:

Where such rateable value exceeds fifteen pounds but does not exceed twenty-five pounds the rate of nine per centum per annum on the rateable value:

Where such rateable value exceeds twenty-five pounds but does not exceed fifty pounds the rate of eight per centum per annum on the rateable value:

Where such rateable value exceeds fifty pounds the rate of seven per centum per annum on the rateable value:

Provided that nothing in this section shall entitle the Company in any case to demand for a supply of water for domestic purposes in respect of any house or part of a house included in any division of the above scale a greater sum than they would be entitled to demand if the house or part thereof were of just sufficient rateable value to bring it within the next division of the said scale relating to premises of a higher rateable value whereon a lower rate per centum is chargeable.

(2) The rateable value of any house or part of a house as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor Provided that where the water rate is chargeable on the rateable value of a part only of any hereditament entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the

whole tenement ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction.

(3) In addition to the foregoing charges the Company may charge in respect of every watercloset beyond the first (for which no additional charge shall be made) on any premises supplied with water a sum not exceeding five shillings per annum and for every bath capable of containing when filled for use not more than fifty gallons a sum not exceeding in the case of premises of which the rateable value shall not exceed thirty pounds six shillings and in other cases ten shillings per annum and for every bath capable of containing when filled for use more than fifty gallons such sum as the Company may think fit.

(4) When water supplied for domestic purposes is used for washing carriages or motor cars or for other purposes in premises where carriages or motor cars are kept the Company may if a hose pipe or other similar apparatus is used charge any additional sum not exceeding one pound per annum.

(5) The additional sums chargeable under the provisions of subsections (3) and (4) of this section shall be paid quarterly in advance and be recoverable in all respects with and as the water rates.

(6) The provisions of this section shall come into operation on the first usual quarter day after the passing of this Act.

Rates payable by owners of small houses.

26. 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 Company 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 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.

Supply by measure.

27. The Company may supply water for other than domestic purposes on such terms and conditions as the Company 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

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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.

Price for supply by measure.

28. The price to be charged for a supply of water by measure shall not exceed one shilling and sixpence per one thousand gallons.

Supply to houses partly used for trade &c.

29. The Company shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required.

Supply for farming purposes.

30. Where water supplied by the Company to a farmhouse is used for farming purposes the Company may require that the supply for farming purposes shall be taken by meter but nothing in this section shall authorise the Company to refuse a supply of water for domestic purposes at the rates authorised by this Act.

Supply of Water.

Limit of pressure and size of mains.

31. Subject as hereinafter provided the water supplied by the Company need not at any time be delivered at a greater pressure than will make the water reach the level of three hundred and fifty feet above ordnance datum or than that which can be afforded by gravitation from the reservoir from which the supply is taken whichever may be the greater Provided that from and after the completion of the water tower by this Act authorised the pressure at which water shall be delivered by the Company within such parts of the limits of supply as are situate within a radius of five hundred yards from the said water tower and at a level of three hundred feet and upwards above ordnance datum shall at all times be not less than the pressure to be obtained by gravitation from a top water level in the water tower of not less than three hundred and seventy-five feet above ordnance datum and that all mains laid by the Company in the said parts shall be of a not less diameter than four inches.

Company not bound to supply several houses by one pipe.

32. The Company 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.

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Notice of discontinuance.

33. A notice to the Company 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 Company or be given by the consumer personally at the office of the Company.

Notice to Company of connecting or disconnecting meters.

34. Before any person connects or disconnects any meter by means of which any of the 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 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 Company and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

As to communication pipes.

35.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Company may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street in the limits of supply execute such works on behalf of such owner or occupier and any expenses incurred by the Company shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

Power to lay pipes in private streets.

36. The Company may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation in the Act of 1843 and this Act.

Detection of waste.

37. Subject to the provisions of the Waterworks Clauses Act 1847 the Company may for the purpose of preventing and detecting waste affix and maintain meters and other apparatus

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on the service pipes and mains of the Company and stop-cocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose temporarily break up and interfere with public and private streets roads lanes footways courts passages tramways sewers pipes wires and apparatus:

Provided that the Company shall not break up or interfere with any wires or apparatus of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Byelaws for preventing waste &c. of water.

38.—(1) The Company 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 connexion disconnexion 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.

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

(3) All such byelaws shall be subject to the provisions contained in sections 182 183 184 and 186 of the Public Health Act 1875 and all penalties imposed for the breach of any such byelaws shall be recoverable in manner provided by that Act for the recovery of penalties and those sections shall for the purposes of this section be construed as if the Company were a local authority within the meaning of those sections and the secretary were the clerk of the local authority.

(4) A copy of all such byelaws in force for the time being shall be kept at the office of the Company All persons may at all reasonable times inspect such copy without payment and the Company shall cause to be delivered a printed copy of all byelaws for the time being in force to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

(5) In case of failure of any person to observe such byelaws as are for the time being in force the Company 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 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 Company in the same manner as the water rates in respect of the premises are recoverable.

Power to supply fittings.

39.—(1) The Company 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 and other fittings as are required or permitted by their regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges of the Company in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously marked or made thereon sufficiently indicating the Company as the actual owners thereof.

Injuring meters &c.

40. 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 Company 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 Company shall (without prejudice to any other right or remedy for the protection of the Company) be liable to a fine not exceeding five pounds and the Company may in addition thereto recover the amount of any damage by them sustained:

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

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Company 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 Company the Company 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 insuring 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 Company 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 Company when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be primâ 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.

Contracts for supplying water in bulk outside limits.

41. The Company may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the limits of supply 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 area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply Provided also that nothing in this section shall authorise the Company to lay any mains or other pipes or to interfere with any street beyond the limits of supply.

PROTECTIVE CLAUSES.

For protection of Postmaster-General.

42. No telephone or telegraph posts wires conductors or other apparatus erected laid down made or maintained under the authority of this Act shall be used for transmitting telegrams which are within the exclusive privilege conferred on the Postmaster-General by the Telegraph Act 1869.

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For protection of Itton Estate.

43. Notwithstanding anything in this Act or shown on the deposited plans the Company shall not enter upon take or use any lands or any easements rights or interests in any lands belonging to Colonel William Edward Carné Curre his heirs executors administrators and assigns except by agreement or except such rights and interests as may be acquired by the Company under the indenture of lease made the tenth day of May nineteen hundred and seventeen between the said Colonel Curre of the one part and the Company of the other part.

For protection of Glyn Valley Wesleyan Chapel.

44. Notwithstanding anything in this Act or shown on the deposited plans the Company shall not enter upon take or use any part of the chapel and field forming the property numbered 177 on the deposited plans.

For protection of Standard Shipbuilding and Engineering Company Limited and Chepstow Property Company Limited.

45. Notwithstanding anything in this Act or in the Acts incorporated herewith contained the following provisions shall (except so far as shall be otherwise agreed in writing) apply for the protection of the Standard Shipbuilding and Engineering Company Limited (hereinafter called "the standard company") the Chepstow Property Company Limited (hereinafter called "the property company") and each of such companies :—

(1) The Company at their own expense shall provide and maintain in such positions as shall be found to be convenient a meter or meters for the purpose of measuring the quantity of water supplied by them from time to time within the limits of supply and shall keep a record thereof showing the quantity supplied day by day and shall also when the Company have to supplement their sources of supply by pumping take and keep a record showing day by day the respective quantities of water reaching the St. Arvans Grange Reservoir by gravitation and pumped at the pumping station by this Act authorised and also showing the hours of pumping at such station which said meter or meters and records shall be at all reasonable times open to the inspection of any person duly authorised in writing for such purpose by the standard company :

(2) When and so soon as it appears that the consumption of water within the limits of supply in any consecutive seven days is equal to or exceeds eighty per centum

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of the quantity of water shown by the said records to have reached St. Arvans Grange Reservoir by gravitation in the same seven days and the quantity of water which by the said records it shall be shown could have been raised in seven days at the said pumping station by continuous pumping day and night thereat the Company shall forthwith proceed to and shall with all diligence execute and complete the scheme for the utilisation of the springs in the Glyn Valley by this Act authorised or such other works as will provide for a sufficient and reasonable increase in the water available for supply by the Company within the limits of supply:

(3) If and when the consumption of water within the limits of supply in any consecutive seven days shall be equal to or shall exceed eighty per centum of the quantity of water which can be conveyed in the like period by the seven-inch main from the St. Arvans Grange Reservoir to the water tower by this Act authorised (the capacity of the main for this purpose being calculated under the head of the top water line of the said water tower as shown on the deposited plans) the Company shall forthwith proceed to and shall duplicate or enlarge such seven-inch main:

(4) The Company before commencing the construction of the said water tower shall submit to the property company detailed plans sections and elevations thereof for their approval and if such company do not signify their approval or disapproval of such plans sections and elevations or any amendments or alterations required by them within six weeks after such submission to them they shall be deemed to have approved thereof and if the property company within the period aforesaid disapprove of the plans sections and elevations or require any alteration or amendment thereof which in the opinion of the Company are not reasonably required for the purpose of preserving the amenities of the lands of the property company as the site of a garden city the plans sections and elevations shall be submitted to and settled by a single arbitrator and the provisions of the Arbitration Act 1889 shall apply to the submission but in any

event the said water tower shall be constructed of concrete unless the Company otherwise determine The said water tower shall be erected and maintained in accordance with the plans as agreed or settled under the provisions of this section:

(5) The Company forthwith after the erection or construction of the said water tower or of the service reservoir by this Act authorised shall at their own expense and to the reasonable approval of the property company plant with trees and a substantial quick hedge the whole of the boundaries of the lands of the Company in which such works have been constructed and at all times thereafter such trees and hedge shall at the like expense and to the like approval be maintained and kept in good order by the Company:

(6) The Company shall at the request and cost of the property company remove or divert any of the mains conduits or pipes of the Company which may be situate on or in any lands of the property company to such other position or positions in the said lands as the property company may desire and appoint and the property company shall give to the Company all reasonable facilities and grant to the Company free of charge all necessary and proper easements for and with respect to the mains conduits and pipes so diverted as aforesaid and for enabling the Company to lay down in and under any roads upon any of the lands of the property company all such mains conduits and pipes as the Company may reasonably require to lay down therein for the purpose of supplying water within the limits of supply and from time to time to maintain repair and inspect all such mains conduits and pipes as aforesaid.

Financial Provisions.

Confirmation of existing share capital.

46. The shares in the capital of the Company existing at the passing of this Act shall be deemed to be fully paid up ordinary shares of eleven pounds each and the Act of 1843 shall be read and have effect as if the following section were

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inserted therein in lieu of section 3 of that Act (that is to say) :—

"The capital of the Company shall be four thousand four hundred and eighty-eight pounds divided into four hundred and eight shares of eleven pounds each."

Certain sums applied to capital purposes out of revenue to be written off.

47. The respective sums amounting together to the sum of two thousand six hundred and twelve pounds which the Company prior to the year one thousand eight hundred and eighty transferred to capital account out of divisible profits and expended on purposes to which capital was properly applicable shall not be transferred back to revenue account but shall be forthwith written off the capital account and the capital expenditure of the Company.

Power to Company to raise additional capital.

48. In addition to the shares to be created and issued to the Pwll-Meyric Company under and in accordance with the provisions of the schedule to this Act the Company may from time to time raise additional capital not exceeding in the whole twenty-four thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by one or more of those modes respectively Provided that the Company shall not under the powers of this section (*a*) issue any share of less nominal value than one pound (*b*) create and issue any greater nominal amount of capital than shall be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of twenty-four thousand pounds and (*c*) raise by the issue of preference shares or stock a greater amount of capital than fourteen thousand pounds.

New shares or stock to be sold by auction or tender.

49.—(1) All shares or stock created under the powers of the immediately preceding section of this Act shall be issued in accordance with the provisions of this section.

(2) All shares or stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided as follows:—

(A) Notice of the intended sale shall be given in writing to the respective clerks to the Chepstow Urban District Council and the Chepstow Rural District Council and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case

may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

(B) A reserve price shall be fixed and notice thereof shall be sent by the Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:

(C) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds:

(D) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:

(E) It shall be one of the conditions of sale that not less than two-fifths of the sum payable by the purchaser shall be paid to the Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary and preference shares or stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of water supplied by the Company in such proportions as the Company may think fit or to one or more of these classes of persons only Provided in the case of an offer to holders of shares or stock that if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any shares or stock which have been offered for sale in accordance with subsection (2) or with subsections (2) and (3) and are not sold may at the discretion of the directors be again offered for sale by public auction or by tender in accordance with the provisions of this section or may be otherwise disposed

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of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Company shall send a report thereof to the Board of Trade stating the total amount of the respective shares or stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the respective shares or stock.

New shares or stock to be subject to same incidents as other shares or stock.

50. Except as by this Act otherwise provided any new shares or stock created by the Company under this Act and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description.

Limit of dividend.

51. After the passing of this Act the Company shall not in any one year make out of their profits any larger dividend on the existing share capital of the Company and the ordinary share capital to be issued to the Pwll-Meyric Company and the additional share capital to be issued under the powers of this Act than at the rate of eight per centum per annum in the case of ordinary capital and seven per centum per annum in the case of preference capital on so much of such respective capital as shall be actually paid up or deemed to be paid up unless in the case of ordinary capital a larger dividend be at any time necessary to make up the deficiency of any previous dividend which shall have fallen short of the rate of eight per centum per annum.

Limitation as to making up back dividends.

52. Notwithstanding anything in this Act or in the Acts incorporated herewith contained no deficiency which may have occurred or may occur in any dividend which shall have been declared or shall be declared in respect of any period prior to the first day of January nineteen hundred and seventeen shall be made up out of any profits made by the Company in any subsequent year.

Dividends on different classes of shares or stock to be paid rateably.

53. In case in any year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of the maximum dividend to which each class of ordinary shares or ordinary stock in the capital of the Company is entitled a proportionate diminution shall be made in the rate of dividend then to be paid in respect of each class.

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Power to borrow.

54.—(1) The Company may at any time borrow on mortgage of the undertaking in respect of the shares issued and the moneys expended on capital purposes prior to the passing of this Act any sum or sums not exceeding in the whole (inclusive of the sum authorised to be borrowed by the Act of 1843) the sum of one thousand five hundred pounds.

(2) The Company may at any time after the completion of the purchase of the works and property of the Pwll-Meyric Company borrow on mortgage of the undertaking any further sum or sums not exceeding in the whole the sum of three hundred pounds.

(3) The Company may also borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one third part of the amount actually paid up on the additional capital which at the time of borrowing has been issued under the powers of this Act But no sum shall be borrowed in respect of any capital so issued until the Company have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock or of the amount called up on the shares at the time issued together with the premium (if any) realised on the sale thereof have been fully paid up.

Appointment of receiver.

55. The mortgagees of the undertaking 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 authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five hundred pounds in the whole.

Debenture stock.

56. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time after the passing of this Act created and issued or granted by the Company under this Act or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages Notice of the effect of this enactment shall be endorsed on all mortgages granted after the passing of this Act and on all certificates of debenture stock.

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Priority of mortgages and debenture stock over other debts.

57. All money raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and all the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes of their undertaking and works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

Priority of principal moneys secured by existing mortgages.

58. The principal moneys secured by all mortgages granted by the Company in pursuance of the powers of the Act of 1843 and subsisting at the passing of this Act shall during the continuance of such mortgages have priority over the principal moneys secured by any mortgages granted after the passing of this Act.

Issue of redeemable preference capital and debenture stock.

59.—(1) If the Company desire to raise by the issue of preference shares or stock any capital which they are by this Act authorised to raise or to issue any debenture stock under the powers of this Act they may create and issue such preference shares or stock or debenture stock so as to be redeemable on such terms and conditions as may be specified in a resolution of the Company passed by a special meeting convened for the purpose.

(2) If it is so provided in the resolution the Company may—

(A) Call in and pay off the shares or stock or any part thereof at any time before the fixed date of redemption; and

(B) Redeem the shares or stock or any part thereof either by paying off the shares or stock or by issuing to any shareholder or stockholder subject to his consent other shares or stock in substitution therefor and may for the purpose of providing money for paying off the shares or stock or of providing

substituted shares or stock create and issue new shares or stock (either redeemable or irredeemable) or re-issue shares or stock originally created and issued under this section Provided that the creation and issue of any preference capital under this section does not make the total nominal amount of preference and ordinary capital issued under this Act exceed the amount of such capital which the Company are by this Act authorised to issue and provided also that the creation and issue of debenture stock under this section is not in excess of the amount of debenture stock which the Company are for the time being authorised to create and issue under the powers of this Act.

(3) The Company may set aside out of revenue after providing for the payment of interest on any mortgages or debenture stock or preference capital of the Company and for other fixed charges and obligations such sums as they may consider proper for the purpose of forming a fund for the redemption at maturity of any redeemable preference capital or debenture stock which under the conditions of the creation and issue of that capital or stock is to be redeemed wholly or partly in cash and the Company may invest any sums so set apart and the income therefrom in any securities in which trustees are for the time being by law authorised to invest trust funds or in any other securities (not being securities of the Company except as hereinafter provided) in which they may be authorised to invest those sums by a resolution passed at a general meeting of the Company.

Any sums so set apart shall be applied for the redemption at maturity of any redeemable preference capital or debenture stock for the redemption of which they have been set apart but may if the directors think fit be also at any time applied in the purchase of any such capital or stock at a price not exceeding the redemption price and any capital or stock so purchased shall be cancelled.

Receipt in case of persons not sui juris.

60. If any money is payable to any shareholder stockholder mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee or receiver of his estate shall be a sufficient discharge to the Company.

Consent of Treasury to raising of money.

61. The Company shall not under the powers of this Act raise or borrow any money (except for the payment of the

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costs charges and expenses referred to in the section of this Act whereof the marginal note is "Costs of Act") during the present war and within twelve months thereafter unless the consent of the Treasury has been previously obtained.

Application of money.

62. All moneys raised under this Act including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of shares or stock under the provisions of this Act shall not be considered as part of the capital of the Company entitled to dividend.

ADMINISTRATIVE PROVISIONS.

General meetings.

63. The ordinary general meetings of the Company shall in every year be held in the month of March or at such other time or times as shall be appointed for that purpose by an order of a general meeting.

Notice of meeting to be sent by post.

64. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 notice of all meetings of the Company shall be given by letter sent by ordinary prepaid letter post to the shareholders directed according to the registered address or other known address of each shareholder and not by advertisement Any such notice shall be deemed to have been served on the day after that on which the letter containing the same was put in the post and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office as a prepaid letter.

Directors.

65.—(1) The number of directors shall be six but the Company may vary the number provided that the number shall not at any time be more than six or less than three.

(2) The directors holding office at the passing of this Act (in this section referred to as "the existing directors") shall if duly qualified continue in office subject to the provisions of this section and shall as soon as practicable after the passing of this Act fill up the vacancies on the body of the directors by electing three duly qualified shareholders to be directors of the Company (in this section referred to as "the new directors").

(3) At the first ordinary meeting to be held in the year nineteen hundred and eighteen one of the existing directors and one of the new directors to be determined by ballot

amongst themselves unless they shall otherwise agree shall go out of office.

At the first ordinary meeting to be held in the year nineteen hundred and nineteen another of the existing directors and another of the new directors to be determined in like manner shall go out of office.

At the first ordinary meeting to be held in the year nineteen hundred and twenty the remaining one of the existing directors and the remaining one of the new directors shall go out of office.

And in each instance the places of the retiring directors shall be supplied by an equal number of qualified shareholders in accordance with the provisions of the Companies Clauses Consolidation Act 1845 incorporated with this Act and at the first ordinary meeting in every year subsequent to nineteen hundred and twenty the provisions of the said Act with respect to the appointment and rotation of directors incorporated herewith shall apply to the directors in all respects.

Qualification of directors.

66. The qualification of a director shall be the possession in his own right of shares or stock in the Company on which the sum of one hundred pounds has been paid up.

Quorum and voting of directors.

67.—(1) The quorum of a meeting of directors shall be determined from time to time by the directors and unless so determined shall be two so long as there are not more than four directors and three if and so long as there are more than four directors.

(2) The chairman of the directors shall not have a casting vote in addition to his vote as one of the directors and if on any question at a meeting of the directors there is an equal division of votes the question shall be deemed to be decided in the negative.

Notice of candidature for office of director.

68. Except in the case of a director retiring by rotation and offering himself or being proposed for re-election no person shall be capable of being elected at a general meeting a director of the Company unless notice in writing that such person intends to offer himself or will be proposed for the office of director shall have been given to the secretary or left at the office of the Company ten days at least before the day of election.

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Auditors.

69.—(1) The prescribed number of auditors shall be one unless the number be increased to two by an order of a general meeting and such auditor or auditors shall be a member or members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors or an accountant or accountants approved by the Board of Trade.

(2) It shall not be necessary for any auditor to hold any shares or stock in the Company.

Interim dividends.

70. If and so long as the ordinary meetings of the Company shall be held once only in each year it shall be lawful for the directors to declare and pay in any year an interim half-yearly dividend out of the profits of the Company without the sanction or direction of a general meeting but no such half-yearly dividend on any class of shares or stock shall exceed one half of the amount of the prescribed rate applicable to that class.

Closing of transfer books previous to declaring dividend or paying interest.

71.—(1) The directors may close the register of transfers for a period not exceeding fourteen days previous to the declaration of any dividend and they may close the register of transfers of debenture stock for a period not exceeding fourteen days previous to each date at which the interest thereon shall be payable and in the case of either such register they may fix a day for closing the same of which seven days' notice shall be given either by circular to each proprietor or by advertisement in a newspaper published or circulated in the limits of supply.

(2) Any transfer of stock or debenture stock made during the time when the register of transfers or the register of transfers of debenture stock as the case may be is so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend or the payment of any such interest as the case may be.

Determination of remuneration of secretary &c.

72. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 they may determine the remuneration of the secretary and auditors.

Power to grant pensions &c.

73.—(1) The directors may grant such gratuities pensions or allowances or make such other payments as they may think fit to any employees of the Company.

(2) In the event of any such employee being killed in action or dying of wounds injuries or disease received or contracted whilst serving with any of His Majesty's forces in war

the directors may where adequate provision is not otherwise made grant such gratuities pensions or allowances or make such other payment as they may think fit to the widow or family or any dependent of such employee.

(3) The directors may enter into and carry into effect agreements with any insurance company or other association or company for securing to such employees and to any such widow family or dependent as aforesaid such gratuities pension allowance or payment as are by this section authorised to be granted or made and may for all or any of the purposes of this section apply the funds and revenues of the Company.

Power to directors to make donations subscriptions &c.

74. The directors may subscribe or make donations to any fund raised in any case of national emergency or to infirmaries hospitals and convalescent homes and other institutions and objects or to any exhibitions or to the benevolent and sick funds of the employees of the Company and may subject to the provisions of this Act for any of those purposes apply the funds and revenues of the Company Provided that the total sum so applied shall not in any year exceed fifty guineas.

Scale of voting.

75. As from the passing of this Act every holder of ordinary shares or stock and of preference shares or stock of the Company shall at general meetings of the Company have one vote for every complete one pound nominal amount of such shares or stock held by him.

Appointment of proxies.

76. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the attorney of any shareholder of the Company duly authorised in writing may appoint a proxy to vote for and on behalf of the shareholder and for that purpose may execute on behalf of the shareholder the necessary form of proxy Provided that the instrument appointing the attorney shall be transmitted to the secretary at the same time as the instrument appointing the proxy.

Joint holders.

77. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any shares in the capital of the Company any one of those persons may vote at any meeting (at which holders of shares of the same class are entitled to vote) either personally or by proxy in respect of the shares as if he were solely entitled thereto but if more than one of the joint holders be present at any meeting personally or by

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proxy that one of the said persons so present whose name stands first on the register in respect of the shares shall alone be entitled to vote in respect thereof.

MISCELLANEOUS.

Authentication and service of notices by Company.

78. Any notice to be served by the Company on a person supplied with water shall be sufficiently authenticated by the signature of the secretary or other officer of the Company for the time being authorised in writing by the directors being affixed thereto in writing or in print or by a stamp or if it be a notice to pay any charge in respect of a supply of water by the name either of the secretary or of such other officer as aforesaid being affixed thereto as aforesaid and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises.

Contents of summons &c.

79. Where the payment of more than one sum by any person is due under this Act or any other Act relating to the Company any summons or warrant issued for the purposes of such Acts or any of them in respect of that person may contain in the body thereof all the sums payable by him.

Recovery of penalties &c.

80. Save as otherwise by the Act of 1843 or this Act expressly provided all offences against the Act of 1843 or this Act and all penalties forfeitures costs and expenses imposed or recoverable under the Act of 1843 or this Act may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

81. Proceedings for the recovery of any demand made under the authority of this Act or the Act of 1843 or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter

provided that the demand does not exceed the amount recoverable in that court in a personal action. A.D. 1917.

Repeal.

82. Sections 4 to 35 (inclusive) 37 39 to 104 (inclusive) 132 to 149 (inclusive) 151 to 167 (inclusive) and 169 to 173 (inclusive) of the Act of 1843 are hereby repealed provided that the repeal of sections 145 and 146 shall not take effect until the first usual quarter-day after the passing of this Act.

Costs of Act.

83. 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 and may in whole or in part be charged against revenue.

A.D. 1917.

SCHEDULE referred to in the foregoing Act.

TERMS AND CONDITIONS AS TO PURCHASE OF THE PWLL-MEYRIC COMPANY.

1. The Pwll-Meyric Company shall sell and transfer to the Company and the Company shall buy the reservoirs pipes lands waters easements rights and other works and property of the Pwll-Meyric Company freed from all mortgages debts and liabilities affecting the same but subject to the terms entered into with the adjacent proprietors.

2. The consideration for such sale shall be a sum to be agreed or failing agreement to be determined by an independent valuer as a fair valuation of the said works and property as existing on the first day of July nineteen hundred and seventeen and in default of agreement the independent valuer shall be appointed by the President of the Surveyors' Institute.

3. The sum agreed or determined as aforesaid shall be discharged by the creation and issue to the Pwll-Meyric Company of fully-paid ordinary shares or stock of the Company taken at par value.

4. The shares so issued to the Pwll-Meyric Company shall rank for dividend as from the said first day of July and all rates and other revenues accrued due to the Pwll-Meyric Company subsequent to the twenty-fourth day of June nineteen hundred and seventeen shall belong to the Company.

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