CHAPTER cxxii.

An Act to enable the Cranbrook District Water Company to extend their limits of supply construct additional waterworks and for other purposes. [25th July 1898.] A.D. 1898.

WHEREAS the Cranbrook District Water Company (in this Act called "the Company") were incorporated by the Cranbrook District Water Act 1895 (in this Act called "the Act of 1895") and were empowered to construct waterworks and to supply water to the parish of Cranbrook and certain other parishes and places in the county of Kent:

And whereas there is no adequate or proper supply of water to the town of Tenterden and other places adjacent to the Company's area of supply and the Company is willing to afford such supply and it is expedient that the limits of supply of the Company should be extended and that the Company be empowered to construct the additional waterworks herein-after described:

And whereas by the South Kent Water Act 1889 (in this Act called "the Act of 1889") the South Kent Water Company (in this Act called "the South Kent Company") were incorporated and were authorised to supply water in divers parishes and places in the county of Kent:

And whereas the South Kent Company have not exercised the powers conferred upon them by the Act of 1889 so far as those powers affect the area of supply defined by this Act:

And whereas it is expedient that the powers conferred upon the South Kent Company by the Act of 1889 so far as they relate to the area of supply defined by this Act should be repealed:

And whereas it is expedient that the Company be authorised to raise additional capital for the purposes of this Act and for the general purposes of their undertaking:

And whereas it is expedient that the powers of the Company be enlarged and the Act of 1895 be extended and amended:

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

And whereas plans and sections showing the lines situation and levels of the waterworks authorised by this Act and also a book of reference to the 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 of or under the powers of this Act were duly deposited with the clerk of the peace for the county of Kent and are herein-after referred to as the deposited plans sections and book of reference:

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):—

Short title.

1. This Act may be cited as the Cranbrook District Water Act 1898.

Incorporation of general Acts.

2. The following Acts and parts of Acts namely:—

The Lands Clauses Acts; and

The Waterworks Clauses Acts 1847 and 1863 (except the words in section 44 of the former Act "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner");

so far as the same are applicable for the purposes of and not inconsistent with the provisions of this Act are incorporated with and form part of this Act:

And the provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

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

The consolidation of shares into stock;

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

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts shall (subject to the provisions of this Act) extend and apply to the Company and the additional capital by this Act authorised to be raised.

Interpretation.

3. Terms to which meanings are assigned in Acts incorporated wholly or in part with this Act or which have therein special meanings have in this Act (unless varied thereby) the same respective meanings.

Extension of limits of supply.

4. Subject to the provisions of this Act the Company may in addition to the parishes and places which they are by the Act of 1895 authorised to supply with water supply water to and within the following parishes and places namely the parishes of Benenden Frittenden Biddenden High Halden the parish and borough of Tenterden the parishes of Rolvenden Sandhurst Newenden Woodchurch Wittersham and Stone-cum-Ebony in the county of Kent and Northiam and Beckley in the county of Sussex.

Power to local authority to supply water in case Company fails to supply.

5. If at any time after the expiration of eighteen months from the commencement 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 the district of any local authority within the limits of supply (other than the borough of Tenterden) the local authority of such district may provide a supply in the whole or any part of their district within the limits of supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Company as if in either case there were no company authorised by this Act to supply water therein:

If any difference shall arise between the Company and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

For protection of Corporation of Tenterden.

6.—(1.) The Company shall forthwith after the passing of this Act construct such of the works authorised by this Act lay down such mains and take such other steps as are necessary for furnishing a sufficient and constant supply of water in accordance with the provisions of this Act within the borough of Tenterden (in this section called "the borough") and shall complete the same within eighteen months after the passing of this Act.

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(2.) If at any time after the expiration of eighteen months from the passing of this Act the Company are not furnishing or prepared on demand to furnish a sufficient and constant supply of water in accordance with the provisions of this Act within the borough the powers of the Company to supply water within the borough shall cease unless the mayor aldermen and burgesses of the borough (in this section referred to as "the corporation") consent to an extension of that time which they are hereby empowered to do for such further period and upon such terms and conditions as they may think fit and the corporation may provide a supply of water within the borough in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in the borough as if in either case there were no company empowered by Act of Parliament or Order confirmed by Parliament to supply water therein Upon the cesser of the powers of the Company under the provisions of this section the borough shall (subject to the provisions of this section herein-after contained) be deemed to be excluded from the limits of the Act of 1895 and of this Act.

(3.) If upon the cesser of the powers of the Company they shall have constructed works or laid mains within the borough under the powers of this Act the corporation may require the Company to sell to them so much of the undertaking of the Company as may be within the borough upon the terms of paying the Company the then value (exclusive of any allowance for past or future profits of the undertaking or any compensation for compulsory sale or any other consideration whatsoever) of such works mains lands buildings materials and plant of the Company suitable to and used by them for the purposes of so much of the undertaking as may be within the borough And when any such sale shall have been made all the rights powers and authorities of the Company in respect of the undertaking sold shall be transferred to and vested in and may be exercised by the corporation in like manner as if such undertaking had been constructed by them and such undertaking shall thenceforth be carried on by the corporation under and in pursuance of the Public Health Acts.

(4.) If any difference shall arise between the Company and the corporation as to the sufficiency of the supply of water by the Company or as to any other question under this section the same shall be determined by an arbitrator to be appointed by the Board of Trade.

(5.) The provisions of this section shall be in addition to and not in derogation of all other provisions operating for the protection or benefit of the corporation.

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Power to construct additional waterworks.

7. Subject to the provisions of this Act the Company in the lines and situation and upon the lands shown on the deposited plans and according to the levels shown on the deposited sections may make and maintain in the county of Kent the waterworks shown on the deposited plans and herein-after described together with all necessary drains pipes sluice-valves air-valves wash-outs junctions apparatus and other works and conveniences in connection with or incidental to such waterworks and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose or for the purposes of this Act:

The principal waterworks herein-before referred to are the following:—

(1.) A well shaft or boring and pumping station with pumping engines engine and boiler houses and other works buildings and conveniences to be situated on upon and near the south-eastern boundary of a field near Goudhurst Station in the parish of Goudhurst:

(2.) A well shaft or boring and pumping station with pumping engines engine and boiler houses and other works buildings and conveniences to be situate in a field near the Swiss Cottage in the parish of Rolvenden:

(3.) A well shaft boring or pumping station with pumping engines engine and boiler houses and other works buildings and conveniences situate in a field near Lightfoot Green in the parish of Hawkhurst:

(4.) A service reservoir to be situate in a field near the union workhouse at Hartley in the parish of Cranbrook:

(5.) A conduit aqueduct or line of pipes commencing at the well shaft or boring and pumping station firstly before described thence passing from through or into the parishes of Goudhurst and Cranbrook and terminating in the service reservoir fourthly before described:

(6.) A conduit aqueduct or line of pipes commencing with a junction with the conduit as described in work No. 5 and terminating by a junction with the authorised line of pipes in the road leading from Gills Green to the reservoir at Hartley:

(7.) A conduit aqueduct or line of pipes commencing in the parish of Rolvenden at the well shaft or boring and pumping station as secondly described before and terminating at Hartley in the parish of Cranbrook with a junction with the authorised conduit at a junction in the roads leading from Hawkhurst to Goudhurst and Cranbrook:

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(8.) A conduit aqueduct or line of pipes commencing in the parish of Hawkhurst at the well shaft or boring and pumping station as thirdly described before and terminating in the said parish by a junction with the authorised conduit in the road leading from Hawkhurst to Cranbrook north of Babies Castle and at the junction of the road leading to Beals Green.

Power to make subsidiary waterworks.

8. The Company in addition to the waterworks by the section of this Act whereof the marginal note is "Power to construct additional waterworks" authorised may subject to the provisions of this Act upon any lands acquired or to be acquired by them make and maintain all such cuts channels adits catchwaters aqueducts culverts tunnels drains sluices filter-beds wells tanks approaches engines pumps machinery and appliances as may be necessary or expedient in connection with the before-mentioned waterworks or for any purposes of their water undertaking.

Power to take waters.

9. Subject to the provisions of this Act the Company may by means of the works authorised by this Act collect impound take use divert and appropriate for the purposes of their water undertaking all such springs streams and waters as will or may be intercepted by the waterworks by this Act authorised or as may be found in or under any of the lands for the time being belonging to the Company or over or in respect of which they have or may acquire easements.

Limits of deviation.

10. In making the waterworks by this Act authorised the Company may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards and ten feet downwards Provided that when any work is to be made on any road the limits of lateral deviation if not otherwise laid down shall be the boundaries of such road Provided also that no pipe or main shall be laid above the surface of the ground unless so shown on the deposited plans and then only to the extent so shown.

Company may acquire easements only in certain lands.

11. The Company in lieu of acquiring any lands for the purpose of the works by this Act authorised may acquire such easements and rights in under or over such lands as they may require for the purpose of constructing placing laying inspecting maintaining cleansing repairing conducting or managing such works and may give notice to treat in respect of such easements and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts inclusive of those with regard to arbitration and the summoning of a jury shall apply to such easements and rights as fully as if the same were lands within the

meaning of such Acts Provided always that except as to land forming part of a street nothing herein 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 proviso Provided also that as regards any lands taken or used by the Company for the purpose of laying the conduits or pipes underground the Company shall not (unless they give notice to treat for and acquire such lands and not merely easements therein) 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 at all times after the completion of the work have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Company.

For protection of main roads and county bridges.

12. Any alteration repair or improvement of any of the bridges or roads repairable by the County Council of Kent or any alteration of or in the position of the same may be made as if this Act had not passed and if any such alteration repair or improvement necessitates any alteration either temporary or permanent in the level or position of any of the works by this Act authorised to be made or placed in over or through any of the bridges or roads aforesaid or necessitates any support either temporary or permanent to any such works the Company shall after fourteen days' notice in writing by the county surveyor on behalf of the said county council forthwith make such alteration or afford such support at their own expense.

For protection of South Eastern and Cranbrook and Paddock Wood Railway Companies.

13. For the protection of the South Eastern Railway Company and the Cranbrook and Paddock Wood Railway Company (herein-after referred to as "the two companies") the following provisions shall apply and have effect (that is to say):—

(A) Before laying down or executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in this Act upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used by the two companies or either of them and before entering upon the said railways lands and property the Company shall give at least one month's notice in writing to the two companies of their desire so to do and shall before such entry on the said railways lands and property for the purposes aforesaid or any of them

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obtain the written consent of the two companies under the hand of their principal engineers for the time being:

(b) In laying down altering improving enlarging extending or renewing or in executing or effecting the repairs of any such works as aforesaid upon across over under or in any way affecting the railways lands and property belonging to or used or occupied by the two companies or either of them or the bridges approaches viaducts stations or other works or any level crossings over the said railways respectively the same shall be done under the superintendence and to the reasonable satisfaction of the respective engineers of the two companies and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by him in writing or in the event of such engineer failing to signify his approval or disapproval or to give other direction within twenty-eight days after the submission of such plans as aforesaid in such manner as shall unless otherwise agreed be determined by an engineer to be appointed by the Board of Trade on the application of either of the two companies or the Company Provided that nothing herein contained shall authorise the Company to occupy or use permanently with their works the surface of any land or property of the two companies:

(c) All such works shall be done by and at the expense of the Company who shall also restore and make good to the reasonable satisfaction of the respective principal engineer for the time being of the two companies the roads over any bridges level crossings and approaches which the two companies or either of them are or is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company:

(d) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon:

(e) If any injury to such railways bridges level crossings approaches viaducts stations works lands or property of the two companies or interruption to the passage or conduct of traffic shall arise from or in any way be owing to any of the works operations and matters aforesaid or to the bursting leakage or failure of any such mains pipes culverts or works in under or near to any bridge or level crossing of the two

companies the Company shall make compensation to the two companies respectively in respect thereof the amount of such compensation to be determined by arbitration in the manner herein-after provided:

(f) The Company shall acquire only such an easement across or under any of the railways works property of the two companies as may be necessary for constructing and maintaining any of their works and shall pay to the two companies respectively for any such easement to be so acquired by them such sum either annual or otherwise as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act with respect to the acquisition of lands otherwise than by agreement and for the purposes of such arbitration the easement so to be taken shall be deemed to be lands:

(g) Any dispute or difference which may arise between the two companies and the Company with reference to the provisions of this section or in any way arising thereout or any works to be carried out in pursuance thereof shall be settled by an engineer to be appointed as arbitrator by the Board of Trade on the application of the Company or the two companies.

Period for compulsory purchase of lands.

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

Period for completion of works.

15. If the waterworks shown on the deposited plans are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for executing such works or otherwise in relation thereto shall cease except as to so much thereof as is then completed but nothing in this section shall restrict the Company from renewing extending enlarging altering reconstructing or removing any of their works or plant at any time as occasion may require.

Power to take additional lands by agreement.

16. The Company may for the purposes of their undertaking acquire by agreement in fee simple in addition to lands which they are already authorised to hold under the powers of the former Acts or to take by compulsion under the powers of this Act any lands not exceeding in the whole five acres or any easement right or privilege therein thereunder or thereover (not being an easement right or privilege of water in which other than the grantors have an interest) but the Company shall not deal with such lands so as to create or permit the creation of a nuisance nor use any such lands for any buildings except buildings required for the undertaking of the Company.

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Power to grant easements &c.

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

Sale of superfluous lands.

18. The Company may subject to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands from time to time sell lease or otherwise dispose of in such manner and to such persons as the Company think fit any lands houses or other property for the time being belonging to the Company which they do not require for the purposes of their undertaking and in any such sale or lease the Company may reserve to themselves all or any water or water rights or other easements belonging to the lands sold or leased and may make the sale or lease for such consideration and subject to such reservations conditions restrictions or provisions and generally upon such terms and conditions as the Company think fit.

Restriction on taking houses of labouring class.

19.—(1.) The Company shall not under the powers of this Act purchase or acquire in any city borough or urban district or in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

(2.) For the purposes of this section the expression "labouring class" means and includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

New waterworks to form part of Company's undertaking.

20. The waterworks by this Act authorised shall for all purposes form and be part of the water undertaking of the Company.

Company may raise additional capital.

21. The Company may apply to the purposes of this Act to which capital is properly applicable any moneys they are authorised to raise and which they do not require for the purposes for which such moneys were authorised to be raised and may (subject to the provisions of Part II. of the Companies Clauses Act 1863) for the purposes of this Act and for the general purposes of their undertaking from time to time raise any additional capital not exceeding in the whole thirty-six thousand pounds by the creation and issue at their option of new ordinary shares or new preference shares or wholly or partly by either of those modes which shares shall for all purposes form part of the general capital of the Company.

As to vesting of new shares.

22. The Company shall not issue any share created under the powers of this Act of less nominal value than one pound nor shall any such share vest in the person accepting the same unless and until a sum being not less than one-fifth of the amount of such share shall have been paid in respect thereof.

Limit of dividend on new capital.

23. The Company shall not in any one year make out of their profits any larger dividend on the additional share capital to be raised under the powers of this Act than at the rate of seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend on the ordinary share capital which shall have fallen short of the said sum of seven pounds per centum per annum.

Dividends on different classes of shares to be paid proportionately.

24. In case in any year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of dividend at the prescribed maximum rate on each class of ordinary shares in the capital of the Company a proportionate reduction shall be made in the dividend of each class.

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

25. Notwithstanding anything in this Act contained the Company shall when any shares or stock created under the powers of this Act or created by the Company in lieu of money authorised to be borrowed under this Act are to be issued and before offering the same to the holder of any other shares or stock in the Company and whether the ordinary shares or ordinary stock of the Company are or is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided that at any such sale no single lot shall comprise

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more than one hundred pounds nominal value of shares or stock and that the reserved price put upon such shares or stock shall not be less than the nominal amount thereof and notice of the amount of such reserved price shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock in the Company.

Purchase money of capital sold to be paid within three months.

26. It shall be one of the conditions of any sale of shares or stock under this Act that the full price thereof including any premium given by any purchaser at such sale shall be paid to the Company within three months after such sale.

Notice to be given as to sale of shares or stock.

27. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the town clerk of the borough of Tenterden and to the clerk of the council of every district wholly or partly within the limits of supply and to the secretary of the committee 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 notice of such intention shall be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the said borough or districts.

Shares or stock not sold by auction or by tender to be offered to shareholders.

28. When any shares or stock created under the powers of this Act have been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same respectively for the purpose of sale by auction or tender to the holders of ordinary shares or ordinary stock of the Company in manner provided by the Companies Clauses Act 1863 Provided always that any shares or stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of shares or stock created under the powers of this Act but at a lower reserved price than the price put upon the same at the preceding offer thereof for sale by auction or tender and the reserve put upon such stock may upon such second auction or tender if the directors of the Company think fit be less than the nominal amount thereof and any stock or shares not then sold shall be again offered to the holders of ordinary shares or ordinary stock at the last-mentioned reserved price and so from time to time until the whole of such shares or stock is sold.

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Application of premium arising on issue of shares or stock.

29. Any sum of money which shall arise from the issue of any such shares or stock by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending or improving the works of the Company or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend Provided that in any case where a power to raise money by borrowing or to create an insurance fund is made proportionate to the paid-up capital the premium received from the sale of shares or stock by auction or tender as herein-before provided shall for such purpose be reckoned as part of the paid-up capital.

Power to borrow in respect of additional capital.

30. The Company may from time to time borrow on mortgage of the undertaking any sums not exceeding in the whole nine thousand pounds in respect of the additional capital of thirty-six thousand pounds by this Act authorised or they may (subject to the conditions herein-after contained) borrow from time to time not exceeding three thousand pounds in respect of each portion of capital not exceeding twelve thousand pounds issued by the Company but no part of any such sums shall be borrowed until the whole capital or respective portion of capital in respect of which it is to be borrowed is 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 such capital or portion of 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 in such capital or portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital or portion of capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

Priority of existing mortgages.

31. All mortgages granted by the Company in pursuance of the powers of any Act before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of the Acts under which

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such mortgages were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Debenture stock.

32. The Company in lieu of raising money on mortgage under this Act may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this 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 or 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 and certificates of debenture stock.

Application of moneys.

33. All moneys raised under this Act whether by shares mortgages or debenture stock shall be applied to the purposes of the undertaking of the Company being in all cases purposes to which capital is properly applicable.

Repeal of portion of South Kent Water Act 1889.

34. So much of the South Kent Water Act 1889 as authorises the South Kent Company to supply water within the limits of this Act is hereby repealed and from and after the passing of this Act all the powers of the South Kent Company with reference to the supply of water within such limits as aforesaid shall absolutely cease and determine and this Act shall have as full validity and effect as though the parishes mentioned in this Act had never been included within the limits within which the South Kent Company were by the Act of 1889 authorised to supply water.

Contracts for supplying water in bulk beyond limits.

35. The Company may from time to time enter into and carry into effect agreements with any county council urban or rural district council or other local or sanitary authority or any company body or person for the supply of water by the Company to any such council local or sanitary authority company body or person respectively in bulk beyond the Company's limits of supply for any purpose and for any such remuneration and on such terms and conditions and for such period as may be agreed upon Provided that the powers of this section shall not be exercised within the limits of any local authority or of any company now or hereafter authorised by Act of Parliament or Provisional Order confirmed by Parliament to supply water without the consent in writing of such authority or company Provided also that the Company shall not supply water under any such agreement if and so long as the

affording such supply would prevent the Company from giving a full and sufficient supply for all purposes within their limits of supply. A.D. 1898.

36. All the costs charges and expenses of incident and preliminary to the preparing and applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Costs of Act.

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