ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. clxix.

An Act for supplying and lighting with Gas and supplying with Water the Town of *Barrow-in-Furness*, and the Townships of *Above Town*, *Ireleth*, *Lindal*, and *Martin*, *Dalton*, *Dalton Proper*, *Yarlside*, *Hawcoat*, and *Saint George's Barrow*, in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*; and for other Purposes. [14th *July* 1864.]

WHEREAS the Town of *Barrow-in-Furness*, and the Townships of *Above Town*, *Ireleth*, *Lindal*, and *Martin*, *Dalton*, *Dalton Proper*, *Yarlside*, *Hawcoat*, and *Saint George's Barrow*, in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*, are not at present adequately supplied with Gas and Water, and the Population thereof has of late Years greatly increased and is still increasing, and it is expedient that a good and sufficient Supply of Gas and Water should be provided for the Town and Places aforesaid: And whereas the Persons herein-after named, with others, are willing at their own Expense to carry such Undertaking into execution on being incorporated into a Company for the Purpose:

The Furness Gas and Water Works Act, 1864.

And whereas the Town of *Barrow* is now supplied with Gas by the *Barrow* Gas and Water Company, Limited (herein-after referred to as the "old Company"): And whereas the old Company are willing to sell and transfer their Undertaking to the Company, and it is expedient that the Company be authorized to purchase and acquire the same, and to raise Money for such Purpose: And whereas the Population of the Town of *Barrow* has largely increased of late Years owing to the Works of the *Furness* Railway Company and the large Mineral and other Traffic established and carried on there by the Company: And whereas there being a great Scarcity of Water at *Barrow*, the *Furness* Railway Company have been from Time to Time compelled to execute the necessary Works for conveying Water to the Town, and the said Town is now supplied from a Reservoir situated at a considerable Distance from *Barrow*, the Water being conveyed to *Barrow* in Pipes carried along the Line of the *Furness* Railway: And whereas the Supply of Water so obtained is likely to prove very insufficient for the increasing Wants of the said Town of *Barrow*, but the Works executed by the *Furness* Railway Company can conveniently be made to form Part of a larger Scheme for supplying the said Town: And whereas under the Circumstances aforesaid it is expedient that the *Furness* Railway Company and the Company should be authorized to enter into such Agreements and make such Arrangements as are herein-after mentioned, and it is also expedient that the *Furness* Railway Company should be authorized to contribute towards the Funds of the Company, and for such Purposes to raise further Monies: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Furness* Gas and Water Works Act, 1864."

Limits of Act.

2. The Limits of this Act shall comprise and include the Town of *Barrow-in-Furness*, and the Townships of *Above Town*, *Ireleth*, *Lindal*, and *Martin*, *Dalton*, *Dalton Proper*, *Yarlside*, *Hawcoat*, and *Saint George's Barrow*, in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*.

8 & 9 Vict. cc. 16. & 18., 10 & 11 Vict. cc. 15. & 17., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 93. & 118.

3. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to Cancellation and Surrender of Shares) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Waterworks Clauses Act, 1847 and 1863," and "The Gasworks

Gasworks Clauses Act, 1847," are incorporated with this Act, except so far as the same respectively are varied or altered by this Act. incorporated.

4. The several Words and Expressions to which by the Acts and Parts respectively incorporated with this Act Meanings are assigned have in this Act the same respective Meanings unless excluded by the Subject or Context: Provided that the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute; and the Words "Share" and "Shareholders" shall include, where requisite, Stock and Stockholders. Same Meanings to Words in incorporated Acts as in this Act.

5. Lord *Frederick Charles Cavendish*, *Frederick John Howard*, *Frederick Iltid Nicholl*, *James Ramsden*, and *William Currey*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns respectively, are united into a Company for the Purpose of maintaining Gasworks, and constructing and maintaining Waterworks, and making and supplying Gas and supplying Water within the Limits of this Act, together with all proper Works and Conveniences connected therewith respectively, according to the Provisions of this Act, and for other the Purposes of this Act, and for such Purposes are incorporated by the Name of "The *Furness* Gas and Water Company," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the several Purposes and within the Restrictions of this Act. Incorporation of Company.

6. The Capital of the Company shall be Forty thousand Pounds. Capital.

7. The Number of Shares into which the Capital shall be divided shall be Four thousand, and the Amount of each Share shall be Ten Pounds: Provided that no Share shall be issued by the Company, or shall vest in the Person accepting the same, until not less than Twenty *per Centum* on the nominal Amount thereof shall have been paid thereon. Shares.

8. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and One Month at the least shall intervene between the making of any Two successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in any One Year. Calls.

9. The

Power to borrow on Mortgage.

9. The Company may from Time to Time borrow on Mortgage or Bond any Sums of Money not exceeding in the whole One Fourth of the Capital of the Company: Provided that no Part thereof shall be borrowed until the whole of the Capital shall have been subscribed for or taken, and One Half thereof shall have been actually paid up, and until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for the whole of the Capital have been issued, and that not less than Twenty *per Centum* has been paid on account of each separate Share before or at the Time of the Issue or Acceptance thereof, and that such Shares are *bonâ fide* held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, of which Proof having been given the Certificate of the Justice under that Section shall be sufficient Evidence.

Application of Money.

10. All Money to be raised under the Provisions of this Act, whether by means of Shares or by the Exercise of the Powers of borrowing, shall be applied to the Purposes by this Act authorized, and to no other Purpose.

Appointment of Receiver.

11. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and One thousand Pounds shall be the Amount necessary to authorize a Requisition for a Receiver.

Meetings of the Company.

12. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act, and there shall be Two Ordinary Meetings of the Company yearly, which shall be held in the Months of *February* and *August*, or at such other stated Periods as shall be appointed for that Purpose by an Order of a General Meeting.

Appointment of Auditor.

13. The Company shall annually at some General Meeting elect an Auditor for the Purpose of auditing the Accounts of the Company, and in case the Office of such Auditor shall, before such Accounts have been audited by him, be vacant by Death or from any other Cause, the Company shall from Time to Time appoint an Auditor to supply such Vacancy, and the Auditor need not hold Shares or Stock in the Company.

Quorum of General Meetings.

14. The Quorum for any General Meeting of the Company shall not be less than Five Shareholders holding in the aggregate not less than One Twentieth of the Capital of the Company.

15. At

Manner of voting at Meetings.

15. At all Meetings of the Company every Holder of Five Shares and under shall be entitled to One Vote, and every Shareholder shall be entitled to an additional Vote for every Five Shares held by him beyond the First Five.

Number and Qualification of Directors.

16. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares at least in the Undertaking.

Power to vary the Number of Directors.

17. The Company may from Time to Time reduce the Number of Directors, but the whole Number of Directors after any such Reduction as aforesaid shall not be less than Three.

First Directors.

18. Lord *Frederick Charles Cavendish*, *Frederick John Howard*, *Frederick Iltid Nicholl*, *James Ramsden*, and *William Currey* shall be the First Directors of the Company.

First Election of Directors.

19. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting held after the passing of this Act, and at such Meeting the Shareholders present, personally or by proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or so many Directors as are required to supply the Place of those not continued in Office, the Directors appointed by this Act being, if qualified, eligible for Re-election.

Subsequent Election of Directors.

20. At the First Ordinary Meeting in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office in conformity with the Provisions of "The Companies Clauses Consolidation Act, 1845," in that Behalf, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having died or resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the said last-mentioned Act.

Quorum of Directors.

21. The Quorum of a Meeting of Directors shall be Three; provided that if the Number of Directors be reduced to Three, the Quorum of a Meeting of Directors shall be Two.

Newspaper for Advertisements.

22. The Newspaper for Advertisements shall be any Newspaper published in the County of *Lancaster*.

Power to Company to purchase Works of old Company and to maintain Gasworks and manufacture Gas, &c.

23. The Company may purchase and the old Company may sell the Gasworks, Properties, Undertakings, and all Rights and Powers whatsoever of the old Company, on such Terms and Conditions as shall be agreed on, and the Company may from Time to Time, upon the Site of such Gasworks, and the Lands adjoining thereto, continue, maintain, lay down, alter, or discontinue Gasworks, Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, Pipes, and other Apparatus, Cuts, Drains, Watercourses, Machinery and other Works and Conveniences, Buildings, and Approaches thereto, and may manufacture Gas, and do all such other Acts as they think proper and convenient for supplying Gas within the Limits of this Act, and may manufacture, sell, and dispose of as they think fit the Coke and all Products, Refuse, or Residuum arising, remaining, or obtained from the Materials used in the Manufacture of the Gas, and may provide and do all things as they deem expedient for such Purposes.

Power to raise Capital for Purchase.

24. The Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders given personally or by proxy at a General Meeting specially convened for that Purpose, may raise, in addition to the Capital herein-before authorized, by the Creation of new Shares or Stock, all such Sums as are requisite for the Purchase of the Works, Rights, and Property of the old Company, and for the Continuance, Maintenance, and Alteration of such Works and the Supply of Gas therefrom, and may apply the Money so raised accordingly, and shall not apply to any other Purpose any Money so raised, and such Shares shall, in respect of any Calls made in respect thereof, be subject to all the Provisions and Regulations to which the Share Capital of the Company is by this Act subject.

On Payment of Purchase Money and Execution of Conveyance, the Property of the Barrow Gas and Water Works Company to vest in the Company.

25. Immediately on Payment of the Purchase Money to Two of the Directors of the old Company, or in such other Manner as shall have been agreed, and on the Execution by the said Company of a Conveyance under their Seal (duly stamped), all the Works, Property, and Effects of the old Company, Limited, shall by virtue of this Act become absolutely vested in the Company for all such or the like Estate or Interest as the old Company were seised or possessed of or entitled to therein at the Date of such Conveyance.

Receipt or Purchase Money.

26. The Receipt in Writing of Two of the Directors for the Time being of the old Company for the Purchase Money agreed to be paid for the Purchase of the Works, Property, and Effects belonging to the said Company, shall be an effectual Discharge to the Company for the Sum which in any such Receipt shall be expressed or acknowledged to be received, and the Company shall not be obliged or concerned to see to the Distribution of such Purchase Money, or

or of any Money which may be paid by them to the Directors of the old Company, or among the Proprietors or Shareholders of the old Company, or be otherwise answerable or accountable for any Loss of or Misappropriation or Nonappropriation thereof, or any Part thereof.

Application of Purchase and other Monies.

27. The Directors for the Time being of the old Company shall stand possessed of the Purchase Money arising from the Sale of their Undertaking, upon trust, after paying or providing for all the Debts, Liabilities, and Engagements of the old Company then outstanding, to divide all such Monies between or among the several Persons who at the Time of the Payment of such Purchase Money or other Money as aforesaid shall be Proprietors of Shares in the Capital of the old Company, and their respective Executors, Administrators, and Assigns, according and in proportion to the Number of Shares held in the old Company by the respective Proprietors thereof.

Proof of Proprietorship in Shares.

28. The several Persons whose Names shall appear in the Books of the old Company as the Proprietors of Shares therein at the Time of such Sale shall, until the contrary be proved to the Satisfaction of the Directors of the old Company, or until such Directors shall have received Notice to the contrary, be considered to be the Persons entitled to participate in the Distribution of the Purchase Money hereby directed to be divided among the Proprietors of Shares in the Capital of the old Company.

Receipt of Executors, &c. to be a Discharge to the Directors.

29. The Receipt of any Executor, Administrator, Committee, or Guardian of any Person entitled to any Share of such Purchase Money shall be a good and effectual Discharge to the Directors of the old Company for so much Money as shall be paid by them or by their Order to such Executors, Administrators, Committee, or Guardian on behalf of such Share, and as shall be expressed in any such Receipt to have been received.

Dissolution of Company on Completion of Sale.

30. Upon the Completion of the Sale and Transfer by the old Company of their Undertaking in manner aforesaid, and when and as soon as the Purchase Money paid in respect of such Sale shall have been appropriated and divided in manner herein-before directed, and the Debts, Liabilities, and Engagements of the old Company shall have been discharged, the old Company shall cease and determine.

Price of Gas.

31. The highest Charge of the Company for Gas supplied by them shall be at the Rate of Six Shillings for One thousand Cubic Feet.

32. All

Quality of Gas.

32. All the Gas supplied by the Company shall be of such Quality as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, and consuming Five Cubic Feet of Gas an Hour, a Light equal in Intensity to the Light produced by Fourteen Sperm Candles of Six to the Pound burning One hundred and twenty Grains an Hour.

Testing of Gas.

33. The Company shall provide in some Part of their Works or of their principal Office, so placed as to afford a Test for all the Gas supplied by the Company, a proper and sufficient Testing Meter furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney, or other approved Burner and Chimney capable of consuming Five Cubic Feet of Gas an Hour, with other Apparatus proper and sufficient for testing the illuminating Power of the Gas.

Power to lay Pipes against Buildings.

34. The Company, with the Consent of the Owner or Occupier of any Building, may lay any Pipe, Branch, or other necessary Apparatus from any Main or Branch Pipe into, through, or against such Building for the Purpose of lighting it, or any Street, Road, Dock, Market Place, or public Building or Place, and may, with the like Consent, provide and set up any Apparatus necessary for securing to such Building, Street, Road, Dock, Market Place, or public Building or Place a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply, and may with the like Consent from Time to Time repair, replace, alter, or discontinue and remove any such Pipe, Branch, or Apparatus.

Meters.

35. The Company may require any Gas supplied by them to be consumed by Meter, and may provide and let Meters accordingly unless the Consumer shall provide the same at his own Expense, in which Case the Meter, and so much of the Pipe extending thereto from the Main as shall not belong to or be under the Control of the Company, shall be in all respects constructed, laid, and affixed, and subsequently maintained and kept in repair, to the reasonable Satisfaction of the Company.

Power for Company to remove Meters and Fittings.

36. The Company, after Twenty-four Hours Notice to the Occupier of any House or Building, or if it be unoccupied then to the Owner and Lessee thereof, may enter the House or Building between the Hours of Nine in the Morning and Four in the Afternoon for the Purpose of removing any Gas Meters, Gas Pipes, or other Gas Fittings belonging to the Company, and theretofore used in connexion with the Supply of Gas by them, but which Supply is from any Cause discontinued, and remove the Meters, Pipes, and Fittings accordingly: Provided that if the Owner or Lessee of any such unoccupied House or Building be unknown to the Company, the Notice may be given

given by affixing it for Three Days to some conspicuous Part of the House or Building.

Penalty for damaging, &c.

37. If any Person shall wilfully, fraudulently, or by culpable Negligence injure or suffer to be injured any such Meter or Gas Apparatus as last aforesaid, or any Fittings thereof, or other Thing connected therewith belonging to the Company, or fraudulently alter the Index to any such Meter or any Part of such Meter, or any Pipe connected therewith, or in any way fraudulently, wilfully, or knowingly prevent such Meter from duly registering the Quantity of Gas supplied, or by any Means fraudulently abstract any of the Company's Gas, every Person so offending shall for every such Offence forfeit to the Company any Sum not exceeding Five Pounds; and the Company may, in addition thereto, recover the Amount of any Damage sustained by them which shall not be satisfied by the Amount of the Penalty recovered, and may also discontinue, until the Act complained of is remedied, but no longer, the Supply of Gas to the Person or Company so offending, and that notwithstanding any Contract previously existing; and the Existence of artificial or irregular Means for causing such Alteration or Abstraction, when such Meter shall be under the Custody or Control of the Consumer, shall be *primâ facie* Evidence that the same has been knowingly, wilfully, and fraudulently caused by the Consumer using such Meter: Provided always, that this Enactment shall not prejudice the Right of the Company to institute any Criminal Proceedings in reference to such Offence in any Case where they shall not proceed summarily under this Act.

Power to make Waterworks according to deposited Plans.

38. And whereas Plans and Sections showing the Line and Levels of the Waterworks proposed to be constructed for the Purposes of this Act, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands and other Property in or through which the same are intended to be made, have been deposited with the Clerk of the Peace for the County of *Lancaster*: Therefore the Company, subject to the Provisions and Restrictions in this and the said incorporated Acts contained, from Time to Time may make and maintain the said Works, together with all proper Engines, Pumps, Machinery, Tanks, Wells, Mains, Conduits, Pipes, and other Works and Conveniences connected therewith, in the Lines and Situations, and according to the Levels, and upon the Lands delineated on such Plans and Sections, and described in such Book of Reference, and may take, divert, collect, and impound into the intended Reservoirs and Works, or some of them, the Waters of a certain Beck called *Powka Beck*, and also the Waters of the Beck or Stream which flows through the Village of *Ireleth* in the Parish of *Dalton-in-Furness*, and may appropriate the same

same for the Purposes of the intended Works and the Supply of Water, and may enter upon, take, and use such of the Lands and Property aforesaid, or any Easement in or over the same, as the Company may deem necessary for the Purposes of this Act: Provided always, that the Company shall not enter upon, take, use, or interfere with any of the Works, Lands, or other Property of the *Furness* Railway Company without the Consent of that Company in Writing under their Common Seal.

Power to purchase Newbarns Reservoir.

39. The Company, with the Consent of Three Fifths of the Shareholders at any General Meeting specially convened for the Purpose, may purchase, by Agreement with the Owners thereof, and maintain a certain Reservoir situate in the Township of *Hawcoat* in the Parish of *Dalton-in-Furness*, known as the *Newbarns* Reservoir.

Companies may agree for Purchase, &c. of Reservoir, Pipes, &c.

40. The *Furness* Railway Company and the Company may agree for the Purchase or for the Use and Occupation by the Company of the Reservoirs, Pipes, and other Works constructed by the *Furness* Railway Company upon such Terms and Conditions, for such Consideration, for such Period, and generally in such Manner, as may be agreed upon between the *Furness* Railway Company and the Company.

Powers for compulsory Purchases limited.

41. 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 Two Years after the passing thereof.

Lands for additional Purposes.

42. The Company may purchase by Agreement and hold any Quantity of Land not exceeding Ten Acres which they may require, in addition to the Lands herein-before authorized to be taken for the Purposes of this Act, and also any Springs of Water, on such Terms and Conditions as shall be mutually agreed upon between the Parties.

Powers to Owners to grant Easements.

43. The Persons empowered by "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," respectively, to sell and convey or release Lands, shall have full Power to grant to the Company, subject to the Provisions of those Acts respectively, in Fee, and in consideration of any yearly or other Rent or otherwise, any Lands, or any Easement, Right, or Privilege in or over or affecting any Lands, by this Act authorized to be taken or held by the Company, and which the Company from Time to Time think requisite for any of the Purposes of their Undertaking.

Application of 23 & 24 Vict. c. 106. to Easements.

44. For the Purposes of this Act the several Provisions of "The Lands Clauses Consolidation Acts Amendment Act, 1860," with respect

respect to Lands and Rentcharges, so far as the same respectively are applicable in that Behalf, extend and apply to Easements and Rentcharges reserved by Grants and Leases of Easements respectively.

Period within which Works are to be completed.

45. The Waterworks shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers of the Company for making the Waterworks, or otherwise in relation thereto, shall cease to be exercised, except as to so much as is then completed: Provided always, that, subject to the Restrictions and Provisions herein contained, the Company may from Time to Time alter, enlarge, and extend their Engines, Machinery, Wells, Mains, and Pipes in such Way and Manner as shall be necessary for supplying Water within the Limits of this Act.

Rates at which Water is to be supplied for domestic Purposes.

46. The Company shall, at the Request of the Owner or Occupier of any private Dwelling House or Part of a private Dwelling House in any Street in which any Pipe of the Company shall be laid, or on the Application of any Person who, under the Provisions of this Act or any Act incorporated herewith, shall be entitled to demand a Supply of Water for domestic Purposes (which Term domestic Purposes shall include a Supply of Water to One Watercloset), furnish to such Owner or Occupier or other Person a sufficient Supply of Water for domestic Uses at Rates not exceeding the yearly Rates herein specified, according to the annual Rackrent or Value of such Dwelling House or Part of a Dwelling House; (that is to say,)

Where the annual Rackrent or Value of the Premises so supplied with Water shall not exceed Twenty Pounds, at a Rate *per Centum per Annum* not exceeding Seven Pounds Ten Shillings:

Where such annual Rackrent or Value shall exceed Twenty Pounds and not exceed Forty Pounds, at a Rate *per Centum per Annum* not exceeding Seven Pounds:

Where such annual Rackrent or Value shall exceed Forty Pounds and not exceed Sixty Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds Ten Shillings:

Where such annual Rackrent or Value shall exceed Sixty Pounds and not exceed Eighty Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds:

Where such annual Rackrent or Value shall exceed Eighty Pounds and not exceed One hundred Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds Ten Shillings:

Where such annual Rackrent or Value shall exceed One hundred Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds:

Provided always, that the Company shall not be obliged to furnish any such Supply for any less Sum than Twopence *per* Week:

For

If there be a Watercloset or private Bath.

For any Watercloset beyond the first, and for any private Bath, in any private Dwelling House or Part of such Dwelling House or appurtenant thereto, there shall be paid, in addition to the Rates computed as above specified, (but subject nevertheless to the Proviso next herein-after contained,) the following Rates; (that is to say,)

For every Watercloset beyond the first, the Sum of Five Shillings *per Annum*:

For every Bath, the Sum of Six Shillings *per Annum*:

Provided also, that the Company shall not be compellable to supply with Water any Watercloset or private Bath, or the Pipes or Apparatus connected therewith, unless the same shall be so constructed and used as to prevent the Waste, Misuse, or undue Consumption of the Water of the Company, and the Flow or Return of foul Air or other noisome or impure Matter into the Mains or Pipes of the Company, or into any Pipes connected or communicating therewith, nor any private Bath which shall be so constructed as to contain when fitted for Use more than Fifty Gallons of Water.

Supply to Tenements in a Row.

47. Where there are several Tenements in a Row, no Tenant or Occupier of any One of the Tenements, nor any Person on his Behalf, shall take or use the Water laid on by the Company to any other such Tenement unless the Tenant or Occupier be in respect of the Tenement so occupied by him rated under this Act for a Supply of Water, and every Person so taking or using Water or allowing the same to be used contrary to the Provisions of this Act shall for every such Offence forfeit and pay to the Company not exceeding Five Pounds.

Regulations to be made for preventing Waste of Water, &c.

48. The Company from Time to Time may make such Regulations as shall be necessary or expedient for the Purpose of preventing the Waste or Misuse of Water, and therein, amongst other things, may prescribe the Size, Nature, and Strength of the Pipes, Cocks, Cisterns, and other Apparatus whatsoever to be used, and may interdict any Arrangements and the Use of any Pipes, Cocks, Cisterns, or other Apparatus which may tend to such Waste or Misuse as aforesaid.

Water not necessarily under Pressure.

49. The Water to be supplied from any Pipe of the Company need not be laid on under a Pressure greater than that to be afforded from the Pipes communicating with the Service Reservoir of the Company.

Water may be supplied by Agreement.

50. The Company may supply any Person with Water for any Purpose in respect of which no special Rates are by this Act granted for such Remuneration, and upon such Terms and Conditions, as shall be agreed upon between the said Company and the Person desiring such Supply.

51. If

Company may remove Pipes from unoccupied Premises on giving Notice to the Owner.

51. If and whenever any House, Building, or Premises which shall have been supplied with Water by the Company shall be unoccupied, the Company, their Agents, Servants, or Workmen, after giving Twenty-four Hours previous Notice to the Owner by serving the Notice on him or leaving the same at his usual Place of Abode (or if the Owner or his usual Place of Abode be not known to the Company, by affixing the same for Three Days on some conspicuous Part of such House, Building, or Premises), may enter into such House, Building, or Premises between the Hours of Nine o'Clock in the Forenoon and Four o'Clock in the Afternoon, and remove and carry away any Pipe, Meter, Fittings, or other Works the Property of the Company.

Recovery of Charges for Supply of Water and Gas.

52. In case any Person who shall have been supplied with Gas or Water by the Company, or who shall be liable to Payment in respect of a Supply of Gas or Water, under or by virtue of the Provisions of this Act, shall neglect or refuse to pay the Amount due in respect of such Supply for the Space of Fourteen Days after Demand thereof by the Company, their Agent or Collector, it shall be lawful for any Justice having Jurisdiction where such Person shall then reside, or where such Gas or Water shall have been supplied, to issue his Summons to such Person requiring him to appear before Two Justices having Jurisdiction as aforesaid at a Time and Place named, then and there to show Cause why the Sum so demanded should not be paid; and if on the Appearance of such Person, or in default of Appearance after Proof of the Service of the Summons either personally or at the last known Place of Abode or of Business of such Person, no sufficient Cause shall be shown to the contrary, it shall be lawful for such Two Justices to issue their Warrant of Distress for the Seizure and Sale of the Goods and Chattels of such Person for the Recovery of the Amount which may be proved before such Justices to be due from such Person, together with such Costs as to such Justices shall seem just and reasonable.

Recovery of Sums by Action.

53. Where any Person fails to pay any Gas Rate, Water Rate, Meter Rent, or other Sum due to the Company, the Company may recover the same, with full Costs of Suit, in any Court of competent Jurisdiction, and the Remedies of the Company under this Enactment shall be in addition to their other Remedies in that Behalf.

Several Names in One Summons.

54. Any Summons or Warrant issued for any of the Purposes may contain in the Body thereof, or in a Schedule thereto, several Names and several Sums.

Costs of Distress.

55. Any Justice who issues any Warrant of Distress for any of the Purposes of this Act may order that the Costs of the Company of and incident to the Recovery of the Money to be levied shall be paid by the

the Person liable to pay the Money, and the Costs shall be ascertained by the Justices, and shall be included in the Warrant of Distress for the Recovery of the Money.

Penalties on the Company not cumulative.

56. Penalties imposed on the Company for one and the same Offence by several Acts of Parliament shall not be cumulative, and for this Purpose each of this Act and the Acts incorporated therewith shall be deemed a separate Act.

Power for the Furness Railway Company or their Nominees to subscribe.

57. The *Furness* Railway Company may, by themselves or their Nominees, subscribe to the Undertaking of the Company, and hold Shares or Stock therein to any Amount not exceeding Ten thousand Pounds.

Amount to be raised by the Furness Railway Company.

58. For the Purposes of this Act the *Furness* Railway Company from Time to Time may raise by the Creation and Issue of new Shares or Stock in their Undertaking, either ordinary or preferential, any additional Capital not exceeding Ten thousand Pounds.

Consent of Shareholders to Contribution or Guarantee.

59. Provided, That no such Contribution shall be given, nor shall any such new Share or Stock be created, by the *Furness* Railway Company without the Sanction or Approval of at least Three Fifths of the Votes of the Shareholders present, in person or by proxy, at an Extraordinary General Meeting of that Company specially convened for the Purpose.

Parts of 8 & 9 Vict. c. 16., and 26 & 27 Vict. c. 118. incorporated.

60. For the Purposes of such Contribution, Part I. (relating to Cancellation and Surrender of Shares) and Part II. (relating to additional Capital) of "The Companies Clauses Act, 1863," and the following Provisions of "The Companies Clauses Consolidation Act, 1845," are incorporated with this Act with reference to the *Furness* Railway Company; (that is to say,)

With respect to the Distribution of the Capital of the Company into Shares;

With respect to the Transfer or Transmission of Shares;

With respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls;

With respect to the Forfeitures of Shares for Nonpayment of Calls;

With respect to the Consolidation of Shares into Stock;

With respect to the borrowing of Money on Mortgage or Bond;

With respect to the Conversion of borrowed Money into Capital;

With respect to the Remedies of Creditors against the Shareholders; and

With respect to the Provision to be made for affording Access to the Special Act by all Parties interested.

61. No

Justices not disqualified by being a Shareholder, &c.

61. No Justice shall be disqualified for acting in the Execution of this Act by reason of his being a Shareholder in the Company, or by being liable to Payment of any Rent or other Charge under this Act.

Expenses of Act.

62. All the Costs, Charges, and Expenses of obtaining and passing this Act, and preparatory or incidental thereto, shall be paid by the Company.

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