ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

Cap. xxxiii.

An Act to amend "The *Leicester* Waterworks Act, 1847," to make certain Alterations in the Works, and to extend the Period for completing such Works; and also to authorize an Arrangement with the Local Board of Health for the Borough of *Leicester*. [5th *June* 1851.]

WHEREAS an Act was passed in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled "The *Leicester* Waterworks Act, 1847:" And whereas by such Act a Company was incorporated by the Name of "The *Leicester* Waterworks Company," and the Capital thereby authorized to be raised is Eighty thousand Pounds; and by the same Act the Mayor, Aldermen, and Burgesses of the Borough of *Leicester*, by the Town Council, are authorized to appoint One Fourth of the Directors, and are also authorized to purchase the Reservoirs and other Works of the Company, or to take a Lease of the same: And whereas an Act was passed in the Eleventh and Twelfth Years of the Reign of Her said present Majesty, intituled *An Act for promoting the Public Health;* and another Act was passed in the Twelfth and Thirteenth Years of the

10 & 11 Vict. c. 282.

11 & 12 Vict. c. 63.

12 & 13 Vict. c. 94.

Reign of Her said Majesty, intituled *An Act for confirming certain Provisional Orders of the General Board of Health, and for other Matters relative to the Public Health and the Improvement of Towns and populous Places:* And whereas the Mayor, Aldermen, and Burgesses of the Borough of *Leicester*, by the Council of the Borough, are by the last-mentioned Act constituted the Local Board of Health within and for the whole District of such Borough: And whereas the said Company have not hitherto made any Progress in the Execution of the Works or Powers of the first-recited Act; but it has now become expedient, in order to improve the sanitary Condition of the said Borough, that such Works should be forthwith completed, with certain Alterations therein, and that Powers should be given to the Local Board of Health for the said Borough to facilitate the Completion of such Waterworks, and that such Portion of the said Works as may become unnecessary in consequence of such Alterations should be relinquished: And whereas, for the Completion of such Waterworks, it may become necessary for the said Local Board to borrow certain Sums of Money as herein-after mentioned on the Credit of Rates authorized to be made under the Public Health Act, 1848: And whereas it is enacted in the said Act that no Sum shall be so borrowed without the previous Consent of the General Board of Health: And whereas the said General Board having had submitted to them the Plans and Estimates of such Waterworks, and being of opinion, on Examination of such Plans and Estimates, that the said Waterworks are likely to be of permanent Benefit to the present and future Ratepayers within the District of *Leicester* as constituted according to the Provisions of the Public Health Act, equivalent to any Charge that may be imposed by this Act in respect of the same, have given their Consent to the borrowing by the said Local Board of the Sum herein-after mentioned on the Security of the General District Rates under the said Public Health Act, 1848, should it become necessary to borrow such Sums: And whereas the Period for the compulsory Purchase of Lands and Houses has expired, and it is expedient that such Powers should be renewed, except in respect of the Lands and Works intended to be relinquished, and also that the Period limited for the Completion of the Works should be enlarged, and that the Powers and Provisions of the said "*Leicester* Waterworks Act, 1847," should in other respects be amended and enlarged, and adapted to the Purposes and Objects of this Act, and that Powers should be conferred upon the said Company and Local Board respectively for carrying into effect the Purposes and Objects aforesaid; but the same 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, That the said "*Leicester* Waterworks Act, 1847," and the Acts incorporated therewith, (except so much and such Provisions thereof respectively as are herein repealed, altered, or otherwise provided for,) shall be incorporated with and form Part of this Act.

Certain Provisions of first-recited Act extended to this Act.

II. That in citing this Act in other Acts of Parliament, in legal Instruments, and in other Documents, it shall be sufficient to use the Expression "The *Leicester* Waterworks Amendment Act, 1851," and that the Company herein-after mentioned shall mean and refer to "The *Leicester* Waterworks Company."

Short Title.

III. That the Powers granted for the compulsory Purchase of Lands for the Purpose of making the Works authorized by the first-recited Act shall be and the same are hereby revived, and shall continue in force until the Twenty-second Day of *June* One thousand eight hundred and fifty-three (except in respect of the Lands which would have been required for the Works herein-after authorized to be relinquished), and after such Day the Powers by the same recited Act and this Act granted for the compulsory Purchase of Lands for the Purpose of making the said Works shall cease to be exercised.

Extending the Time for purchasing Land.

IV. That the Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who, under the Provisions of the said first-recited Act or this Act, shall award or assess the Compensation to be made by the Company to the Owners or Occupiers of or other Persons interested in any of the Lands which shall be taken or used for the Purposes of the Works by the same Acts authorized, or which may be injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons by reason of the Extension of Time hereby authorized.

Parties aggrieved by Extension of Time may have Compensation for additional Damage.

V. That the Extension of the Period for the Purchase of Lands hereby authorized shall not in anywise prejudice or affect any Contract entered into or Notice given by the said Company before the passing of this Act, for purchasing, taking, or using any Lands which under "The *Leicester* Waterworks Act, 1847," such Company is entitled to purchase, take, or use for the Purposes of the Waterworks by the same Act authorized, but every such Contract and Notice respectively shall be construed and take effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if such Extension of the said Period had not been authorized by this Act,

Existing Contracts and Notices to take Land not to be affected.

VI. That

Extending the Time for Completion of Works.

VI. That the Period or Time limited by the said first-recited Act for the Completion of the Works thereby authorized shall be extended for a Period of Four Years from the passing of this Act.

Power to make Works according to deposited Plans.

VII. And whereas Plans and Sections describing the Line, Levels, and Situation of the Alterations intended to be made in the Works authorized by the first-recited Act, and of the intended Reservoirs, Aqueducts, and Works to be constructed in lieu of some Portions of the authorized Works, and the Lands through which the same are intended to pass, with Books of Reference to such Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively, have been deposited at the Office of the Clerk of the Peace for the County of *Leicester*: Be it enacted, That, subject to the Provisions of this Act, and to such of the Provisions of the first-recited Act, and of the Acts incorporated with the same, as are not hereby altered or repealed, it shall be lawful for the said Company to make and maintain the said Works in the Line, on the Levels, and upon the Lands delineated on the said Plans and described in the said Book of Reference, and to enter upon, take, and use such of the Lands mentioned in the said Plans and Book of Reference as may be necessary for that Purpose, or to agree for a Lease of such Lands, and to take therefrom such Water as the Company may require for the Purposes of the first-recited Act and this Act.

Relinquishment of Works.

VIII. That the Powers by the *Leicester* Waterworks Act, 1847, given to the Company to construct the Line of Aqueduct from the Point of Divergence of the intended new Line in the Parish of *Ratby* up to the Place where the proposed new Line of Aqueduct will join the Line of Aqueduct authorized by the same Act at or near the *Fosse Road* in the Parish of *Saint Mary* in the Borough of *Leicester*, and also to construct the Aqueduct from or near the Haymarket in the Parishes of *Saint Martin* and *Saint Margaret*, or One of them, in the Borough of *Leicester*, to the Reservoir on or near the Race-course in the said Parish of *Saint Mary*, described on the Plans and Sections referred to in the said Act, and also to construct the last-mentioned Reservoir, shall cease and determine.

Compensation to be made where Contracts have been entered into or Notice given.

IX. That in every Case in which before the passing of this Act any Notice hath been given or Contract entered into by or on behalf of the Company for purchasing any Lands which the Company were by "The *Leicester* Waterworks Act, 1847," empowered to purchase, for the Purpose of constructing the Portion of the Water-works so authorized to be abandoned as aforesaid, and from which Contract such Company would be relieved under the Provisions herein-before contained, or where any Contract hath been entered into

into for or concerning the constructing or maintaining the Part of the Works so authorized to be abandoned, or any other Contract relating thereto, which by reason of such Abandonment cannot be performed, the Company shall make to the Owners and Occupiers of and other Parties interested in such Lands, or Parties to such Contracts as aforesaid, Compensation, to be determined by Arbitration in manner provided by "The Lands Clauses Consolidation Act, 1845," for all Injury or Damage, if any, sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Notice, or by reason of such Contract not being performed: Provided always, that the Company shall not be liable to make any Compensation in respect of the Noncompletion of any Contract of the Company in any of the Cases aforesaid, unless the Claim for such Compensation shall have been made within Six Months after Notice of this Provision shall have been given to the Party entitled to such Compensation.

Company to be still liable for Damage occasioned by their Entry on Lands for taking Levels, &c., pursuant to 8 & 9 Vict. c. 18.

X. That the Authority by this Act given for abandoning the making of the Part of the Waterworks as aforesaid shall not prejudice or affect the Right of the Owner or Occupier of any Lands to receive from the Company Compensation for any Damage that may have been occasioned by the Entry of the Company upon such Lands for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Works, pursuant to the Provisions for that Purpose in "The Lands Clauses Consolidation Act, 1845."

Powers of first-recited Act for Protection of Landowners and Millowners, &c. to extend to Works authorized by this Act.

XI. That the Powers and Provisions contained in the first-recited Act relating to the Construction of Works by the Company, and for the Protection or Benefit of any Landowners, Millowners, Companies, or other Parties, shall extend to the Works by this Act authorized to be made, and to the Portion of the Works described on the deposited Plans referred to in the said first-mentioned Act, and not by this Act authorized to be relinquished, in the same Manner as if the Works by this Act authorized had been originally included in the last-mentioned Plans, and had been originally authorized to be made by the first-recited Act.

Protection of the Midland Railway.

XII. That so much of any of the Works authorized by this or the said firstly-recited Act as shall be under or across any Part of the Line of the *Midland* Railway, or any Line of Railway belonging to the *Midland* Railway Company, shall from Time to Time be made, constructed, maintained, and repaired in such Manner as shall be approved of by the Engineer for the Time being of the said Railway Company, and in all respects to his Satisfaction, and so as not to alter, vary, use, or interfere with any such Line of Railway as aforesaid,

said, or any of the Works thereof, or to obstruct, interfere with, or impede the Conveyance of Passengers and Goods along the said Railway, and the said *Leicester* Waterworks Company making full Compensation for the Damage which may accrue to the said Railway Company from the doing of such Acts as aforesaid, such Compensation to be ascertained and settled in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to Questions of disputed Compensation.

Penalty in case of Default.

XIII. That if the Company shall at any Time hereafter, contrary to the Provisions of this Act, alter, vary, use, or interfere with any of the said Lines of Railway or any of the Works thereof, or shall, in the Construction, Maintenance, or Repair of any Works by this or the said firstly-recited Act authorized, do or cause to be done any Act, Matter, or Thing whereby the Conveyance of Passengers or Goods along the said Railway shall be obstructed, interfered with, or impeded, contrary to the Provisions of this Act, then and in every such Case they shall forfeit and pay; as and by way of Penalty, and in addition to any Damages which the *Midland* Railway Company may be entitled to recover from them, either under the said "Lands Clauses Consolidation Act, 1845," or otherwise, the Sum of Twenty Pounds, and also a further Penalty of Ten Pounds for each and every Day after the First Day during which any such Alteration, Variance, User, or Interference or Obstruction, Interference or Impediment as aforesaid, shall continue; and such Penalties shall be recoverable in like Manner as other Penalties of the like Nature and Amount are by this Act recoverable, or by Action, with full Costs of Suit, in any Court of competent Jurisdiction.

Saving Rights of the Midland Railway Company.

XIV. That this Act, or anything herein contained, shall not, except as herein is provided, take away, lessen, alter, or prejudice any of the Rights, Privileges, or Authorities now vested in or used or exercised by the *Midland* Railway Company.

Certain Provisions of 10 & 11 Vict. c. 17. as to breaking up Streets applied to this Act.

XV. That the Provisions of "The Waterworks Clauses Act, 1847," with respect to the breaking up of Streets for the Purpose of laying Pipes, shall apply to any Turnpike Road or public Carriage Road, and to every Street or Thoroughfare, being Part of any Turnpike Road or public Carriage Road, within or without the Limits of this Act, which shall be opened or broken up by the Company; and in the Case of a Turnpike Road the Trustees of such Road shall be deemed to be the Persons designated by the said Provisions as the Persons having the Control and Management thereof; and in the Case of a public Carriage Road, not being a Part of any Turnpike Road, the Surveyor of the Highways of the Parish or Place in which such public Carriage Road may be situated shall be deemed to be the

the Person designated by the said Provisions as the Person having the Control and Management thereof.

Period within which Lands are to be purchased.

XVI. That the Powers of the Company for the compulsory Purchase of Lands required for the Purposes of the Works by this Act authorized to be made shall not be exercised after the Twenty-second Day of *June* One thousand eight hundred and fifty-three.

Period within which Works are to be completed.

XVII. That the Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act or the said incorporated Acts, or any of them, granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Works as shall then be completed, and such Works as shall be necessary to extend or increase the Supply of Water.

Local Board to guarantee Dividend and Interest out of Rates.

XVIII. And whereas a plentiful Supply of Water is necessary for cleansing and flushing the Sewers and Drains vested in the Local Board of Health for the said Borough of *Leicester*, and intended to be forthwith constructed by them, and also for promoting the Health and sanitary Improvement of the said Borough, and the said Local Board are desirous that the Construction of the said Waterworks should be immediately proceeded with, subject to the Alterations hereby authorized therein; and in order to insure the immediate Construction and Completion of the said Works the said Local Board of Health have proposed to guarantee to the said Company for a limited Period a certain annual Dividend (by way of Interest) upon the Capital of the said Company, and they are desirous of being enabled to purchase, take, and hold Shares in the Capital of the Company to the Extent herein-after mentioned, and to be enabled to participate in the Profits thereof, and as well the said Local Board as also the said Company are desirous that the Power contained in the first-recited Act, enabling the Mayor, Aldermen, and Burgesses of the Borough of *Leicester* to purchase from the said Company their Reservoirs, Works, Rates, and other Property, should not be exercised for a limited Period: Be it therefore enacted, That in case the said Company shall without any unnecessary Delay proceed in the Execution of the Works hereby and by the first-recited Act authorized, it shall be lawful for the said Local Board of Health of and for the said Borough of *Leicester*, and they are hereby directed and required, during each of the Three First Years after the main and other distributory Pipes (exclusive of Lead Branches) to the Extent of Twenty Miles at the least within the said Borough of *Leicester* shall have been laid down and filled with Water for the Supply of the Inhabitants of the said Borough, and shall have been

been certified by the said Surveyor of the said Local Board to have been so laid down and filled (and in case of any Dispute between the said Company and the said Local Board or their Surveyor as to such Certificate, or any Neglect or Refusal on the Part of such Surveyor to give such Certificate, then upon the Certificate of a Superintending Inspector of the said General Board of Health, the Expenses in relation to such Certificate to be borne as directed by the said General Board), in case the clear and net Profits of the Company shall not amount to a sufficient Sum to pay to the Shareholders a Dividend after the Rate of Five Pounds *per Centum per Annum* upon the paid-up Capital of the said Company, and Interest after a Rate not exceeding Five Pounds *per Centum per Annum* on any Money which shall be borrowed by the said Company for the Purposes of this Act or the first-recited Act, to raise and pay to the said Company, from and out of the General District Rates of the said Borough made under or by virtue of "The Public Health Act, 1848," or this Act, such a Sum or Sums of Money as, with the Amount of such Profits, will be sufficient to pay and make up a full Dividend after the Rate of Five Pounds *per Centum per Annum* upon the paid-up Capital of the said Company, and Interest after a Rate not exceeding Five Pounds *per Centum per Annum* upon the Money which shall have been borrowed as aforesaid; and in like Manner, during the next or succeeding Twenty-seven Years from and after the End or Expiration of the said preceding Period of Three Years, the said Local Board shall and they are hereby directed and required, in each of those Years wherein the net Profits of the said Company shall not be sufficient to pay to the Shareholders a Dividend after the Rate of Four Pounds *per Centum per Annum* upon the paid-up Capital of the said Company, and Interest after a Rate not exceeding Four Pounds *per Centum per Annum* on any Money which shall have been borrowed by the said Company for the Purposes of this Act or the first-recited Act, to raise and pay to the said Company, from and out of the said General District Rates of the said Borough herein-before mentioned, such a Sum or Sums of Money as, with the Amount of such Profits, will be sufficient to pay and make up a Dividend after the Rate of Four Pounds *per Centum per Annum* upon the paid-up Capital of the Company, and Interest after a Rate not exceeding Four Pounds *per Centum per Annum* upon the Money which shall have been borrowed by the said Company for the Purposes of this Act or the first-recited Act; and the said General District Rates of and for the said Borough are hereby charged with and made liable to the Payment of such Sums of Money or Deficiency as aforesaid; and the said Local Board of Health of the same Borough are hereby accordingly empowered and required to make and collect such Rates whenever Occasion may require, and to apply the same, or a competent Part thereof, in making such Payments to the said Company

as

as herein-before mentioned and provided for: Provided always, that the said Local Board of Health shall not be liable to pay and make up such guaranteed Dividend or Interest as aforesaid on any larger Amount of Capital, whether paid up or borrowed, than the Sum of Eighty thousand Pounds; and for the Purpose of ascertaining the Amount or Deficiency to be paid or made up to the said Company by the said Local Board of Health after the several Rates aforesaid, the Interest of any Capital which may be required for the Purposes of this Act or the first-recited Act, over and above the said Sum of Eighty thousand Pounds, shall not be charged upon or deducted from the Receipts or Revenue of the said Company.

Limitation of Liability of Local Board.

XIX. That in case the clear Profits of the said Company shall in any One or more of the Three First Years after the laying down of the Main Pipes, and supplying the same with Water, as aforesaid, amount to more than sufficient to pay a Dividend of Five Pounds *per Centum per Annum* to the Shareholders on the paid-up Capital of the Company, and all Interest on Money which shall have been borrowed under the Powers of this Act or the first-recited Act, or in any Year afterwards shall amount to more than sufficient to pay a Dividend of Four Pounds Ten Shillings *per Centum per Annum* to the Shareholders on the said paid-up Capital, and all Interest as last aforesaid on Money which shall have been borrowed as aforesaid, then and in every Year during which any such Surplus or Excess of Profits shall arise or happen as aforesaid the Local Board of Health for the Time being for the said Borough of *Leicester* shall be and they are hereby declared to be entitled to, and may have, receive, take, and demand, of and from the said Company, One full Moiety or equal Half Part of all such surplus Profits of the Company, over and above or exceeding the said Dividend of Five Pounds *per Centum*, or Four Pounds Ten Shillings *per Centum per Annum*, (as the Case may happen to be,) and such Interest as aforesaid; and the said Company shall and they are hereby directed and required to account for and pay over the said Moiety or equal Half Part of such surplus Profits as aforesaid to the said Local Board accordingly; and the same Moiety or Half Part of surplus Profits shall from Time to Time and at all Times for ever thereafter be received by the said Local Board, and applied as Part of the General District Rates for the said Borough, for the Purposes mentioned and provided for in and by "The Public Health Act, 1848," and "The Public Health Supplemental Act, 1849."

The Local Board to participate in surplus Profits.

XX. That a Copy of the Balance Sheet required to be made by the said Company under "The Companies Clauses Consolidation Act, 1845," shall be delivered to the said Local Board of Health for the Borough of *Leicester*, or their Clerk, within Fourteen Days after the

Copies of the Balance Sheet of the Company to be delivered to the Local Board.

the same shall have been made up, as thereby required; and the Books, Accounts, and Vouchers of the said Company shall at all reasonable Times be open, at the Office of the said Company, to the Inspection, Perusal, and Examination of the said Local Board, or such Member or Members of the said Board or other Person or Persons as shall from Time to Time be specially appointed or authorized by the said Board for that Purpose, for the Space of Two Calendar Months next after the Delivery of a Copy of such Balance Sheet.

Accounts may be made up for a Period less than a Year.

XXI. That it shall be lawful for the said Company, if they shall think fit, to make up the Balance Sheet, showing the Profits and Loss of the said Company for any Period less than a Year, but (except with the Consent of the said Local Board of Health) not for a less Period than Six Months, either for the Purpose of ascertaining what Sum or Sums of Money will, together with the Amount of net Profits during the Period comprised in such Balance Sheet, be sufficient to pay and make up the Dividends and Interest to be paid to the said Company under the Provisions herein-before contained, or for the Purpose of ascertaining the Surplus or Excess of Profits of the said Company, and the Share or Interest of the said Local Board of Health therein, under the Provision herein-before contained; and the said Company and Local Board of Health respectively shall have and be entitled to all and every the same Rights, Powers, and Authorities in respect of any Deficiency or Surplus in such net Profits as they would have had respectively in case such Balance Sheet had been made up for the Period of a Year.

Time of Payment of guaranteed Dividend and Interest by the Local Board.

XXII. That the said Local Board of Health shall from Time to Time pay to the said Company the Sum and Sums of Money which may be necessary to make up the respective Dividends and Interest herein-before mentioned, within Three Calendar Months next after the Delivery of a Copy of the Balance Sheet to the said Local Board of Health as herein-before mentioned, showing the Amount required to make up such Dividends and Interest respectively.

Time of Payment of Share of surplus Profits by the Company.

XXIII. That the said Company shall from Time to Time account for and pay over to the said Local Board the Moiety or equal Half Part of the surplus Profits of the Company over and above the said Dividend of Five Pounds *per Centum* or Four Pounds and Ten Shillings *per Centum* (as the Case may happen to be), and such Interest as aforesaid, within Three Calendar Months next after making up the Balance Sheet showing such surplus Profits.

Reference of Disputes.

XXIV. That in case any Dispute or Difference shall at any Time or Times hereafter arise or happen between the said Company and the said Local Board of Health, or any Person or Persons acting on their

or either of their Behalf, touching or concerning the said Accounts, or the Amount of the Profits or Loss of the Company, or otherwise relating to the Construction of this Act or of the said recited Acts, or any Clause, Matter, or Thing therein respectively contained, or arising thereout, every such Dispute or Difference shall forthwith be submitted and referred to Arbitration in the Form and Manner mentioned and provided for in "The Companies Clauses Consolidation Act, 1845," in that Behalf, with such Variation as the Circumstances of the Case may require.

Local Board may take Shares in the Leicester Waterworks Company.

XXV. That it shall be lawful for the said Local Board, from Time to Time and at any Time hereafter, with the Approbation of the Directors for the Time being of the said Company, to take, purchase, or subscribe for any Share or Shares for the Time being in the Capital of and in the said Undertaking which the Holder thereof is willing to sell or the said Company have Power to grant or allot; and that when the said Local Board shall have taken, purchased, or subscribed for any such Share or Shares, they may give Notice thereof to the said Company, or to any Clerk or Secretary for the Time being of the said Company; and on furnishing to the said Company, or any such Clerk or Secretary, Evidence to their or his Satisfaction of such Share or Shares having been so taken, purchased, or subscribed for on the Request or with the Approbation of the Directors for the Time being of the said Company as aforesaid, an Entry thereof shall be made in the Books of the said Company, and the said Local Board shall thenceforth be the Proprietors of such Share or Shares, and interested in the Capital of the said Company and the Profits thereof accordingly, and be subject to the same Liabilities and have all such Rights and Privileges as any other Shareholder of the said Company, except as to any Power of selling such Shares: Provided always, that during Three Years after the passing of this Act the said Local Board shall not give as the Consideration for any such Share a greater Sum than the Amount which shall have been paid or shall be payable in respect thereof to the said Company: Provided also, that the said Local Board are hereby authorized and required, on being requested so to do by the Directors for the Time being of the said Company, at any Time within Six Months next after the passing of this Act, to take and subscribe for so many of the Shares of and in the said Company as the Directors may require, not exceeding, with any Shares previously purchased, taken, or subscribed for by the said Local Board, One Fourth Part of the Shares of and in the Capital of the said Undertaking.

Local Board to subscribe for and take the Shares not taken and subscribed for, if required by the Company.

Power of Corporation to purchase Works of

XXVI. That the Power contained in the *Leicester* Waterworks Act, 1847, enabling the Mayor, Aldermen, and Burgesses of the said

Company not to be exercised for a certain Period.

said Borough of *Leicester* to purchase the Reservoirs, Aqueducts, Works, Pipes, Lands, Tenements, Hereditaments, Rights, Interests, Rates, and Remunerations of or belonging to the said Company, as therein mentioned, shall not be exercised until after the Expiration of Twelve Years from the passing of this Act.

Power for Local Board to borrow Money.

XXVII. That it shall be lawful for the said Local Board from Time to Time to borrow at Interest, on Mortgage of any Lands, Tenements, or Property of the said Mayor, Aldermen, and Burgesses, or on Mortgage of the General District Rates authorized to be made by this Act, or by "The Public Health Act, 1848," such Sum or Sums of Money as may be necessary for the Purpose of taking, purchasing, or subscribing for any Share or Shares in the Capital of the said Undertaking, or for the Payment of any Calls or Money which may become due or payable in respect thereof: Provided always, that the Money borrowed under the Authority of this Act shall not at any Time exceed in the whole the Sum of Twenty thousand Pounds, and that all the Clauses and Provisions of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, shall, so far as the same are not varied by the Provisions of this Act, be incorporated with this Act, and such Clauses shall be construed as if the Expression "the Local Board of Health for the Borough of *Leicester*" had been inserted therein, instead of the Word "Commissioners," or, where any Act is required or authorized to be done by or to a certain Number of Commissioners, as if the Words "Local Board" had been inserted therein instead of the Word "Commissioners."

Local Board may borrow for the Purpose of repaying Money.

XXVIII. That the said Local Board may borrow at Interest on such Mortgage as aforesaid, at such Rate of Interest as may be agreed upon, from any Person or Persons willing to lend the same, any Sum or Sums of Money which may be necessary for the Purpose of repaying any Principal Monies borrowed under the Authority of this Act, at the Expiration of the Period or Time for which the same may have been lent and fixed in the Mortgage Deed.

Sums borrowed under this Act not to exceed Sum authorized to be borrowed by the Public Health Act.

XXIX. That such Sums of Money borrowed on Mortgage by the Local Board, under the Authority of this Act, or of the Public Health Act, 1848, or of any other Act relating to the Local Board, shall not exceed in the whole the assessable Value for One Year of the Premises assessable under "The Public Health Act, 1848," towards the General District Rates therein mentioned in and for the Borough of *Leicester*.

Local Board not to sell, &c. without

XXX. That nothing in this Act contained shall enable the Local Board to sell, alienate, encumber, or demise, for the Purposes of this Act,

Act, without the Approbation of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Two of them, any Lands, Tenements, or Hereditaments which they could not have sold, alienated, encumbered, or demised without such Approbation before the passing of this Act, anything in this Act to the contrary notwithstanding. **Consent of the Treasury.**

XXXI. That for the Purpose of providing a Sinking Fund for paying off the Principal Monies borrowed as aforesaid the said Local Board shall every Year from and after the Expiration of Five Years next after the passing of this Act, or sooner if they shall think fit, pay off and discharge such Sum as they shall think proper, not being less than Three *per Centum* of the Money so borrowed, or otherwise appropriate and set apart such Sum as a Sinking Fund for that Purpose in manner prescribed by "The Commissioners Clauses Act, 1847." **Sinking Fund.**

XXXII. That it shall be lawful for the said Local Board, and they are hereby required, in estimating the Amount required to be raised by means of General District Rates for the Purposes of the said Borough, under the Provisions of "The Public Health Act, 1848," and in making such Rates, to include the Money required for the Purposes of this Act in One and the same Rate or Assessment as the Money authorized to be levied by "The Public Health Act, 1848," by means of a Rate or Rates called General District Rates, therein mentioned, and to collect the same as Part thereof, in like Manner as if the same were expressly charged by the said Act upon such Rate or Rates. **Power to make Rate.**

XXXIII. That the Payment of any Principal Money borrowed by the said Local Board under the Authority of this Act, and the Interest thereof, and all Sum and Sums of Money which shall become payable by the said Local Board for or in respect of any Share or Shares in the Capital of the said Company which shall be taken, purchased, or subscribed for as aforesaid, or any Calls or Deposits in respect thereof, and all Sum and Sums of Money which shall become payable by the said Local Board for or in respect of the Dividend on the Capital of the said Company, or for or in respect of the Interest of the Money to be borrowed by the said Company, herein-before guaranteed by the said Local Board, and all Expenses incurred by the said Local Board in carrying this Act into execution, shall be charged upon the General District Rates made by the said Local Board, under the Powers of "The Public Health Act, 1848," or of this Act, in like Manner as if the same were Expenses charged upon and payable out of the Money levied by means of such Rates under the said Public Health **Money borrowed and Guarantee charged on General District Rate.**

Health Act, and may be lawfully advanced and paid out of such Money.

Expenses of Act.

XXXIV. That the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and preparatory and incident thereto, shall be paid by the Company.

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