CHAPTER xxxi.

An Act for better supplying the borough of Maidenhead and other places in Berkshire with Water. [28th May 1875.] A.D. 1875.

WHEREAS the supply of water to the borough of Maidenhead and the parishes of Cookham and Bray is inadequate for the wants of the inhabitants, and it is expedient to improve the supply, and for that purpose to make and maintain the works herein-after described:

And whereas certain persons have formed themselves into a company, which has been registered under "The Companies Acts, 1862 and 1867," in the name of "The Maidenhead Water Company, Limited," (which Company is herein-after referred to as the limited Company,) for affording such improved supply, and it is expedient that the limited Company should be incorporated, and that the Company so incorporated should have the necessary powers conferred upon them for such purpose:

And whereas plans and sections showing the lines and levels of the waterworks authorised by this Act, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerk of the peace for the county of Berks, and are herein-after referred to as the deposited plans, sections, and books of reference:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Maidenhead Waterworks Act, 1875." Short title.

A.D. 1875.

Provisions of certain general Acts incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Waterworks Clauses Acts, 1847 and 1863," and the provisions of "The Railways Clauses Consolidation Act, 1845," with respect to the temporary occupation of lands near the railway during the construction thereof, and to the crossing of roads or other interference therewith, are (except where expressly varied by this Act) incorporated with and form part of this Act, and for the purposes of this Act the word "railway" in the said provisions shall be deemed to include the works hereby authorised, and the expression "centre of the railway" shall for the same purposes be deemed to mean any part of the works hereby authorised.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the Company" or "the undertakers" means the Company incorporated by this Act; the expressions "the works," "the waterworks," and "the undertaking" mean respectively the waterworks and undertaking by this Act authorised; the word "street" in "The Waterworks Clauses Act, 1847," shall extend to and include railways and other works of a like nature; and the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act, or any Act wholly or partially incorporated herewith, 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.

Limits of Act.

4. The limits of this Act for the supply of water shall be the borough of Maidenhead, and parishes of Cookham and Bray, in the county of Berks.

Company incorporated.

5. The limited Company is hereby dissolved, and the several persons and corporations who immediately before the passing of this Act were proprietors of shares in such Company, and all other persons and corporations who shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purpose of making and maintaining the waterworks, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of the "Maidenhead Waterworks Company," and by that

name shall be a 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 purposes of this Act.

Present property vested in Company incorporated by this Act.

6. All lands, erections, buildings, rights and easements, money, securities, deeds, contracts, agreements, papers, books, plans, choses in action, effects, claims and demands, rights and remedies whatsoever, which immediately before the passing of this Act were vested in the limited Company, or any person on their behalf, or of or to which the limited Company, or any persons on their behalf, were seised, possessed, or entitled, either at law or in equity, or otherwise howsoever, and which immediately before the passing of this Act were the property of or belonging to the limited Company, or any person on their behalf, shall be and the same are hereby vested in the Company, to the same extent and for the same estate and interest as the same respectively were at the time of the passing of this Act vested in the limited Company, or any person on their behalf, and may be held, used, and enjoyed accordingly.

Articles of association to be void.

7. Subject to the provisions of this Act, the memorandum of association and the articles of association of the limited Company shall, as to any future or prospective operation thereof, from and after the passing of this Act be wholly void and of none effect, save as herein-after mentioned.

Saving previous rights and liabilities.

8. Notwithstanding the dissolution of the limited Company and the avoidance of the said memorandum of association and articles of association respectively, and except as is by this Act expressly provided, everything before the passing of this Act done or suffered by or with reference to the limited Company shall be as valid as if that Company had not been dissolved; and such dissolution and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which, if such Company had not been dissolved and this Act had not been passed, would be incident to and consequent on any and everything done or suffered, and with respect to all such rights, liabilities, claims, and demands the Company shall to all intents and purposes represent the limited Company: Provided always, that the generality of this enactment shall not be limited or confined by any of the provisions of this Act.

Contracts prior to Act to be binding.

9. All deeds, bonds, contracts, and agreements, securities, orders, resolutions, and proceedings, and other acts and things done, made, instituted, executed, or entered into before the passing of this Act, by, with, or with reference to the limited Company, and now in force, shall be as binding and of as full force and effect in all

A.D. 1875.

respects against, in favour of, or with reference to the Company, and may be enforced as fully and effectually, as if instead of the limited Company the Company had been a party or privy thereto.

Actions, &c. not to abate.

10. Nothing in this Act contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity which shall be pending by or against the limited Company, but any such action, suit, or other proceeding may be maintained, prosecuted, or continued by, in favour of, or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by, in favour of, or against the limited Company.

Debts due by limited Company to be paid to and by Company.

11. All persons who immediately before the passing of this Act owed any sum of money to the limited Company, or to any person on their behalf, shall pay the same, with all interest (if any) due or to accrue due for the same, to the Company, and all debts and moneys which immediately before the passing of this Act were due or owing by or recoverable from the limited Company, or for the payment of which the limited Company are or but for this Act would be liable, shall be paid, with all interest (if any) due or to accrue due thereon, by or be recoverable from the Company.

Officers to continue.

12. Every clerk or other officer and servant of the limited Company in office at the passing of this Act shall hold and enjoy his office and employment, with the salary thereunto annexed, and be deemed an officer or servant of the Company, until he be removed from such office and employment, and shall have the like power and authority for the purposes of this Act, and be subject to the like power of removal, rules, regulations, pains and penalties, in all respects whatsoever, as if he had been appointed under this Act.

Trustees of the original Company to be indemnified.

13. Every trustee or other person in whom or in whose name any lands, erections, buildings, or property belonging to the limited Company were vested immediately before the passing of this Act, and who has entered into any bond, covenant, contract, or engagement in respect of, or with reference to, such lands, erections, buildings, or property, or any other contract on behalf of the limited Company, shall be indemnified and saved harmless out of the funds or property of the Company from all liability and against all loss, costs, charges, and expenses which he may sustain, incur, or be put unto by reason or in consequence of his having entered into any such bond, covenant, contract, or engagement.

Power to make works.

14. Subject to the provisions of this Act, the Company may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the works herein-after described,

together with all proper approaches, fences, excavations, embankments, water towers, tanks, sluices, culverts, mains, engines, pipes, tunnels, channels, adits, levels, dams, weirs, overfalls, valves, wells, pumps, drains, filters, and other conveniences, and other works and appliances connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose, and they may take, collect, and dam up, and impound, appropriate, and use all or any of the streams, springs, and waters in and under the lands to be taken for the purposes of this Act and defined on the said deposited plans. The works herein-before referred to and authorised by this Act will be situated in the borough of Maidenhead, and parishes of Cookham and Bray, and county of Berks, and include,—

1. A well or tank, and shaft or boring and pumping station, with pumping engines, engine and boiler houses, and other works, buildings, and conveniences, to be situated in the south-east corner of a field (portion of the property numbered 150 on the award of the Cookham Common Field Inclosure Commissioners) immediately to the westward of the Wycombe branch of the Great Western Railway, and abutting upon the north side of a new road, and near the level crossing over the said branch railway, at a point about seven chains, measured in a northerly direction, from the twenty-four and a half mile-post on the said railway:
2. A service reservoir and water tower and tank, to be situated in the south-west corner of the plot of ground numbered 46 on the plan of the Castle Hill Estate (which plot of ground forms a portion of the said field numbered 150 in the said inclosure award), and about one hundred and twenty yards, measured in a north-easterly direction, from the north-east corner of the residence of Joseph Henry Clarke:
3. A line of pipes or pumping main in the parish of Cookham, commencing at the well and pumping station first before described, passing thence in a westerly direction along the first-mentioned new road, and terminating at the service reservoir and water tower secondly before described:
4. A conduit, aqueduct, or line of pipes commencing in the parish of Cookham, at the service reservoir and water tower secondly before described, and terminating in the parishes of Cookham and Bray, or one of them, at a point in High Street opposite the Town Hall, in the borough of Maidenhead.

Limits of lateral and

15. In constructing the works the Company may deviate laterally to any extent within the limits of lateral deviation shown

A.D. 1875.

vertical deviation.

on the deposited plans, and the Company may deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards or seven feet downwards.

For protection of Great Western Railway Company.

16. For the protection of the Great Western Railway Company (in this Act called the Great Western Company) the several provisions following shall have full effect:

(a.) The conduit, aqueduct, or line of pipes shown on the deposited plans and sections, and authorised by this Act, shall, where it crosses the Great Western Company's railway in the parish of Cookham, be made and maintained in the roadway of the bridge shown on the deposited plans and sections, but in making or maintaining the said conduit, aqueduct, or line of pipes, the Company shall not cut into or injuriously interfere with any of the works of the said bridge, except that they may cut into and interfere with the roadway on the said bridge for the purposes aforesaid:

(b.) The well or tank and shaft or boring and pumping station, shown on the deposited plans and sections, and authorised by this Act, and the pumping engines, engine and boiler houses, and other works, buildings, and conveniences connected therewith, or any of them, shall not, without the consent of the Great Western Company, in writing under the hand of their secretary, be constructed within a distance of at least twenty-five feet from the boundary of that company's property nearest the said well, tank, or shaft, and other works and conveniences:

(c.) These works respectively shall be made and maintained of such dimensions, in such lines, and at such levels, and in such manner as not in any degree to obstruct or prejudice any part of the Great Western Company's railway, works, or conveniences:

(d.) In order thereto the Company from time to time shall submit to the Great Western Company's principal engineer a proper and sufficient description plan, sections, and specification of such part of each of those works respectively as are to be made within thirty-five feet of the Great Western Company's railways, works, or lands, for his consideration and reasonable approval thereof, and if in any case he does not within one month after the delivery thereof to him approve the same, with such modifications, if any, thereof as he reasonably requires, and sign the same in testimony of his approval thereof, and deliver the same, so signed, to the engineer of the Company, or if the Com-

pany object to the modification thereof required by him, then they may submit the same to a competent and impartial civil engineer to be appointed on the application of the two companies, or either of them, by the Board of Trade, for his consideration and reasonable approval thereof, such approval to be in like manner testified by his signature, and the Company shall not begin the execution of any of the works so shown on the respective plan unless and until the same, with the sections and specification thereof, are so approved:

(e.) Those works respectively, so far as they directly or indirectly affect any part of the Great Western Company's railways, works, and conveniences, shall be made and maintained by and at the expense of the Company in accordance with the plans, sections, and specifications so approved, and under the superintendence and to the satisfaction of the Great Western Company's principal engineer, who from time to time may, at the expense of the Company, appoint and employ such inspectors and watchmen to superintend the execution of the works, and to secure the safety of the Great Western Company's railway, and the non-interruption of the traffic thereon, as he thinks proper:

(f.) The Company shall not, without the consent of the Great Western Company testified by writing signed by their secretary, acquire any part of their land or property, but if and when any part of the Company's works is to be executed in or upon any land of the Great Western Company, the Company may acquire an easement or right of making and maintaining the work in that land in such a manner as not to prejudice any part of the Great Western Company's railways, works, and conveniences.

Capital.

17. The capital of the Company shall be twenty thousand pounds, in two thousand shares of ten pounds each.

Shares not to be issued until one fifth part paid.

18. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

Calls.

19. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

A.D. 1875.

Receipts in case of persons not sui juris.

20. If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow.

21. The Company may from time to time borrow on mortgage any sum not exceeding in the whole five thousand pounds, but no part thereof shall be borrowed until the whole capital of twenty thousand pounds 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 has been paid up, and that not less than one fifth of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the 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.

As to conversion of borrowed money into capital.

22. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage, or any part thereof, by the creation of shares or stock instead of borrowing, or to convert into capital the amount borrowed under the provisions of this Act, unless in either case all dividends upon the shares or stock, whether ordinary or preferential, are limited to a rate not exceeding five pounds per centum per annum.

Arrears may be enforced by appointment of a receiver.

23. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five hundred pounds in the whole.

Debenture stock.

24. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863;" but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Priority of mortgages and debenture stock.

25. All moneys raised on mortgage or debenture stock by the Company under this Act shall have priority against the Company, and the property from time to time of the Company, over all other claims on account of debts incurred or engagements entered into by the Company after the passing of this Act, but this priority shall not affect any claim against the Company or their property in respect of any rentcharge to be granted by them in pursuance of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Act Amendment Act, 1860," or for land taken, used, or occupied by the Company for the purposes of their undertaking, or injuriously affected by the construction thereof, or by the exercise of any powers conferred on the Company.

Application of moneys.

26. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

First ordinary meeting.

27. The first ordinary meeting of the Company shall be held within nine months after the passing of this Act, and the quorum for general meetings, whether ordinary or extraordinary, shall be seven shareholders, holding together not less than two thousand pounds in the capital of the Company.

Number of directors.

28. The number of directors shall be not more than five, but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification of directors.

29. The qualification of a director shall be the possession in his own right of not less than twenty shares.

Quorum.

30. The quorum of a meeting of directors shall be three, and when the number is reduced to three the quorum shall be two.

Directors not to be disqualified by being commissioners under Local Acts.

31. No person shall be disqualified as a director by being a commissioner or a trustee under any Act of Parliament, or member of any municipal corporation or local board for any public purposes within the limits of this Act, or mortgagee of rates, or justice of the peace for the division within which the works may be situate, and no shareholder of the Company shall be disqualified as such commissioner, trustee, or member by reason of any contract between the Company, the commissioners, trustees, corporation, or local board: Provided always, that no commissioner, trustee, or member who is a director or shareholder shall act or vote at any meeting of such commissioners, trustees, corporation, or board, or at any committee appointed by such commissioners, trustees, corporation, or board, on any question or with reference to any matter in which such director or shareholder has direct or indirect interest as a shareholder.

A.D. 1875.

First directors, and election of directors.

32. Frederic Lewis David, George Henry Torrance, Henry Poulton, Thomas John White, and one other person to be nominated by them or the majority of them, and consenting to such nomination, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act (or nominated as aforesaid), or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act, or nominated as aforesaid, being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead, in manner provided by the same Act.

Powers for compulsory purchases limited.

33. 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 of this Act.

Period for completion of works.

34. The works shall be completed within four years from the passing of this Act, and on the expiration of that period the powers by this Act granted to the Company for making the works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed: Provided always, that, subject to the restrictions and provisions of this Act, the Company may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, mains, pipes, reservoirs, and other works in such way and manner as they may consider requisite or advisable for supplying water within the limits of this Act.

Lands for extraordinary purposes.

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

Power to take easements, &c. by agreement.

36. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands, may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses

Consolidation Acts Amendment Act, 1860," and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands; and the provisions of the said Act with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively.

Restrictions may be imposed upon the sale of superfluous property.

37. Upon any sale by the Company, under the provisions of "The Lands Clauses Consolidation Act, 1845," of any lands or hereditaments purchased by them under the powers of this Act, the Company may reserve to themselves all or any part of the water or water rights and other easements thereunto belonging, and may sell such lands and hereditaments, subject to such reservations, and also subject to such special conditions, restrictions, and provisions with reference to the use of water, and for preventing the exercise of noxious trades or business upon the premises, and for preventing or regulating the discharge and deposit of manure, sewage, and other impure matter and liquids, as they may think fit.

Certain provisions of 10 Vict. cap. 17. to extend to turnpike roads, &c.

38. The clauses and provisions of "The Waterworks Clauses Act, 1847," with respect to the breaking up of streets for the purpose of laying pipes, shall extend and apply to the opening and breaking up by the Company of any turnpike roads, public highways or footways, or any public bridges within the limits of this Act, and also to the laying down and placing of pipes, conduits, and other works in, under, and along the said roads, highways, footways, and bridges respectively.

Water not necessarily under pressure.

39. Notwithstanding anything in "The Waterworks Clauses Act, 1847," contained or implied to the contrary, it shall not be incumbent on the Company to supply water under any degree of pressure greater than that afforded from their reservoir, nor need the water be constantly laid on under pressure.

Rates at which water is to be supplied for domestic purposes.

40. The Company shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house in any street in which any service pipe of the Company shall be laid, or of any person who under the provisions of this Act shall be entitled to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier or other person a sufficient supply of water for domestic use at any rate, according to the annual rackrent or value of such dwelling-house, not exceeding the yearly rate herein-after specified; (that is to say,)

Where the annual rackrent or value of the premises so supplied with water shall not exceed five pounds, the sum of eight shillings and eightpence:

A.D. 1875.

Where such rackrent or value shall exceed five pounds and not exceed ten pounds, the sum of sixteen shillings:

Where such rackrent or value shall exceed ten pounds and not exceed fifteen pounds, the sum of twenty-four shillings:

Where such rackrent or value shall exceed fifteen pounds and not exceed twenty pounds, the sum of thirty-two shillings:

Where such rackrent or value shall exceed twenty pounds and not exceed twenty-five pounds, the sum of thirty-nine shillings:

Where such rackrent or value shall exceed twenty-five pounds and not exceed thirty pounds, the sum of forty-six shillings:

Where such rackrent or value shall exceed thirty pounds and not exceed thirty-five pounds, the sum of fifty-three shillings:

Where such rackrent or value shall exceed thirty-five pounds and not exceed forty pounds, the sum of sixty shillings:

Where such rackrent or value shall exceed forty pounds and not exceed forty-five pounds, the sum of sixty-six shillings:

Where such rackrent or value shall exceed forty-five pounds and not exceed fifty pounds, the sum of seventy-two shillings:

Where such rackrent or value shall exceed fifty pounds and not exceed fifty-five pounds, the sum of seventy-eight shillings:

Where such rackrent or value shall exceed fifty-five pounds and not exceed sixty pounds, the sum of eighty-four shillings:

Where such rackrent or value shall exceed sixty pounds and not exceed sixty-five pounds, the sum of eighty-nine shillings:

Where such rackrent or value shall exceed sixty-five pounds and not exceed seventy pounds, the sum of ninety-four shillings:

Where such rackrent or value shall exceed seventy pounds and not exceed seventy-five pounds, the sum of ninety-nine shillings:

Where such rackrent or value shall exceed seventy-five pounds and not exceed eighty pounds, the sum of one hundred and four shillings:

Where such rackrent or value shall exceed eighty pounds and not exceed eighty-five pounds, the sum of one hundred and eight shillings:

Where such rackrent or value shall exceed eighty-five pounds and not exceed ninety pounds, the sum of one hundred and twelve shillings:

Where such rackrent or value shall exceed ninety pounds and not exceed ninety-five pounds, the sum of one hundred and sixteen shillings:

Where such rackrent or value shall exceed ninety-five pounds and not exceed one hundred pounds, the sum of one hundred and twenty shillings;

Where such rackrent or value shall exceed one hundred pounds, at a rate per centum per annum not exceeding five pounds ten shillings.

Rates for waterclosets and baths.

41. If there be more than one watercloset in any such house, then, in addition to the rates before specified, the Company may demand in respect of each such house for every watercloset beyond the first an additional sum not exceeding five shillings per annum, and for every bath an additional sum not exceeding ten shillings and sixpence per annum, and such additional sums may be received with and as part of or recovered by the same means as the rate for the supplying of water for domestic purposes: Provided always, that for baths containing as usually filled for use a greater quantity of water than fifty gallons the Company may charge an increased rate in proportion to the size of such baths.

For preventing fouling of water.

42. The Company shall not be compelled to supply any person with water for waterclosets or baths unless the apparatus or pipes provided or to be provided by such person shall be of such material and so constructed and used as to prevent the waste or undue consumption of the water of the Company, and the return of foul air or noisome and impure matter into the mains or pipes belonging to or connected with the mains or pipes of the Company, nor shall they be compelled to supply water for any bath so constructed as to contain, when filled for use, more than fifty gallons of water.

Water supplied by agreement.

43. The Company may from time to time supply any person, body, local board, or corporation with water for other than domestic purposes for such remuneration and upon such terms and conditions as shall be agreed upon between the Company and the corporation, body, local board, or person desirous of having the supply.

Company may sell by measure.

44. The Company may, if they think fit, enter into agreements for the supply of water by measure to any consumer for other than domestic purposes on such terms as may be mutually agreed.

Penalty for injury to and fraudulent use of meters.

45. Every person who shall wilfully, fraudulently, or by culpable negligence injure, or suffer to be injured, any meter, pipes, or fittings belonging to the Company, or who shall fraudulently alter the index to any meter, or shall knowingly and wilfully prevent any meter from duly and properly registering the quantity of water supplied, shall for every such offence forfeit to the Company a sum not exceeding five pounds, and the Company may, in addition thereto, recover the amount of any damage by them sustained.

Meters not to be altered or repaired except under

46. No meter, whether supplied by the Company or the consumer, shall be altered or repaired except under the direction or with the consent of the Company, or the surveyor or other officer

A.D. 1875.

direction or with consent of Company.

of the Company, and the Company shall be entitled to keep all meters which may be provided by the consumer in repair, at the cost of the consumer, at such moderate rate of remuneration as may be agreed on between the Company and the consumer, or, in case of dispute, as may be fixed by two justices.

Domestic supply not to be prejudiced.

47. No person shall be entitled under this Act to a supply of water for any purposes other than domestic purposes when the supply would interfere with the proper supply under this Act of water for domestic purposes.

Persons using water for water-closets to provide cisterns, &c.

48. Every person supplied with water under the provisions of this Act for the purposes of a watercloset shall, when required by the Company, provide a cistern, or such other apparatus as the Company may deem proper, to receive and retain the water with which he shall be supplied for such purpose, and shall keep such cistern or other apparatus in good repair, so as effectually to prevent the water from running to waste; and in case any such person shall neglect to provide, when required by the Company, such cistern or other apparatus, or to keep the same in good repair, it shall be lawful for the Company, or for any person acting under their authority, to cut off the pipe or turn off the water from the premises of such persons until such cistern or other apparatus shall be provided or repaired, as the case may require.

Where several houses supplied by one pipe, each to pay.

49. The Company shall not be compelled to supply water to the occupier of any part of a dwelling-house, or for any premises occupied with a dwelling-house, unless the water rate is paid for the whole of such dwelling-house and premises.

Penalty for affixing tubes to Company's pipes without their consent.

50. It shall not be lawful for any owner or occupier of any house supplied with water by the Company, without the consent of the Company, to affix or permit or suffer to be affixed to any of the mains or other pipes of the Company, or to any service pipe of such owner or occupier, any gutta-percha or other tubes or pipes for the purposes of washing the windows or fronts of houses or other buildings, or the pavements or roads adjacent thereto, or for any other purposes whatsoever; and any person who shall act contrary to this enactment shall for every such offence forfeit to the Company any sum not exceeding five pounds.

Incoming tenant not liable to pay arrears of water rate.

51. In case any consumer of the Water Company shall leave the premises where such water has been supplied, and leave without paying to the Company the rate due from him, the Company shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant shall have undertaken with the Company or

with the former tenant to pay, or exonerate him from the payment of, such arrears, but the Company shall supply their water to such incoming tenant upon the usual terms and conditions upon being required by him so to do.

Company may require pipes, &c. to be repaired.

52. The Company may, by notice in writing under the hand of their surveyor or other duly authorised officer, require any person who shall have suffered any pipe, cock, cistern, or other apparatus to be out of repair, forthwith to put the same into a proper state of repair; and if such person shall not within three days after the service of such notice so repair such pipe, cock, cistern, or other apparatus as to prevent any waste of water therefrom, the Company may repair the same; and if the expenses of such repair shall not be repaid to the Company on demand, the same may be recovered by the Company as damages.

Rates may be recovered by distress.

53. All water rates or rents due to the Company, and all damages, costs, and expenses by this Act directed to be paid, may, after the defaulter shall have been summoned to appear before a justice, and an order made thereupon for the payment of the amount due, be levied by distress, and any justice on application may issue his warrant accordingly.

Several names in one warrant.

54. Any number of names and sums may be included in any warrant of distress or notice obtained or given by the Company for any of the purposes of this Act, and may be stated either in the body of the warrant or notice, or in a schedule thereto.

Costs of distress.

55. Any justice who issues any such warrant of distress may order that the cost of the proceedings for the recovery of such rate or sum shall be paid by the person liable to pay such rate or sum, and such costs may be ascertained by the justice, and may be included in the warrant of distress for the recovery of such rate or sum.

Liability to rates not to disqualify justices.

56. No justice or judge of any court shall be disqualified from acting in the execution of this Act by reason of his being liable to any rate, rent, or charge under this Act.

Penalties not cumulative.

57. Penalties imposed on the Company by several Acts for one and the same offence shall not be cumulative, and for this purpose this Act and the Acts incorporated with this Act shall be deemed several Acts.

Saving rights of Great Western Railway Company

58. Except only as is by this Act expressly provided, this Act or anything herein contained shall not take away, lessen, or prejudicially affect any of the estates, rights, interests, powers, and privileges of the Great Western Railway Company.

A.D. 1875.

Expenses of Act.

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

LONDON : Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1875.