CHAPTER vi.

An Act for granting further powers to the Maidstone Waterworks Company. A.D. 1882. [28th April 1882.]

WHEREAS the Maidstone Waterworks Company (in this Act called the Company) are supplying water to the town of Maidstone and adjacent places in the county of Kent under the powers of the Maidstone Waterworks Act 1860 the Maidstone Waterworks Act 1863 the Maidstone Water Order 1873 the Maidstone Water Order 1874 and the Maidstone Water Order 1879 which Acts and Orders are in this Act referred to collectively as the former Acts: 23 & 24 Vict. c. xcvi. 26 & 27 Vict. c. xliv.

And whereas among the waters springs and streams from which the Company derive a portion of their water supply are the springs and streams herein-after mentioned which flow into a small reservoir formerly the mill dam of Tutsham Mills but now belonging or reputed to belong to the Company and from whence they take the said waters of the said springs and streams:

And whereas the said waters are liable to pollution in their course to the said mill dam and it is expedient that the Company in order to ensure the purity of the said waters be authorised to take the same at their source and for that purpose to construct and maintain the works by this Act authorised:

And whereas plans and sections describing the lines situation and levels of the intended works and the lands which may be compulsorily taken or used for the purposes thereof and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands have been deposited with the clerk of the peace for the county of Kent and are in this Act respectively referred to as the deposited plans sections and book of reference:

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

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the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. This Act may be cited as Maidstone Waterworks Act 1882.

Incorporation of general Acts.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
10 & 11 Vict. c. 17.
26 & 27 Vict. c. 93.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 and the Waterworks Clauses Acts 1847 and 1863 so far as those Acts respectively are applicable for the purposes of and not varied by or inconsistent with this Act are incorporated with and form part of this Act.

Construction of Acts.

3. This Act and the former Acts, so far as the same are respectively in force shall be read together as one Act and shall have effect as if the works authorised by this Act had been comprised among the works authorised by the former Acts and the works by this Act authorised shall for all purposes be deemed part of the undertaking of the Company.

Power to make waterworks and take lands &c.

4. Subject to the provisions of this Act the Company may make and maintain in the lines or situations and according to the levels shown on the deposited plans and sections the several works in the county of Kent shown on the deposited plans among which are comprised the following principal works namely :

(1) An aqueduct conduit or line of pipes commencing at the spring known as the Ewell Spring which rises in Quarry Wood and terminating by a junction with the existing pipes of the Company in the mill pond of Tutsham Mills ;

(2) An aqueduct conduit or line of pipes commencing at the spring which rises near the junction of the Ewell Stream with an ornamental pond in the grounds of or reputed to belong to Richard Whitehead and terminating by a junction with aqueduct No. 1 ;

(3) An aqueduct conduit or line of pipes commencing at a spring which rises about 176 yards south-west of the said junction of the Ewell Stream with the said ornamental pond on land belonging or reputed to belong to the said Richard Whitehead and terminating by a junction with the aqueduct conduit or line of pipes No. 1 ;

(4) An aqueduct conduit or line of pipes commencing at the spring known as Tutsham Spring and situate in land belonging or reputed to belong to Roger Leigh and terminating by a junction with the existing pipes of the Company in or on the north-west side of the mill pond of Tutsham Mill ;

together with all proper approaches communication roads cuts buildings engines machinery apparatus pipes works and conveniences ancillary or subsidiary thereto or connected therewith and con-

venient for collecting diverting taking appropriating and using the waters of the said springs and streams or for providing at any point or points along the line of the said aqueducts or any or either of them of drinking places for the use of man and beast and may for the purposes and subject to the provisions of this Act enter upon take and use such of the lands described in the deposited plans and book of reference as they may require or as have already been conveyed or agreed to be conveyed to the Company and may divert collect take use and appropriate for the purposes of the works by this Act authorised and of their waterworks undertaking the before-mentioned springs and streams and all other waters which may be found in or upon the lands of the Company or which may be intercepted by the said works.

Penalty for injury waste &c.

5. Every person who shall wilfully injure any appliance of the Company (including in that expression any pump pipe tap receptacle or apparatus for the storage or use of water) placed or provided in or on any land road or building for the gratuitous supply by the Company of water and every person who shall knowingly do or suffer any act or thing whereby the water of or in any such apparatus shall be wasted or contaminated shall be liable for every such offence to a penalty not exceeding five pounds and if the offence be a continuing one to a further penalty not exceeding forty shillings for every day such offence shall continue.

Limits of deviation.

6. In the construction of the works authorised by this Act the Company may deviate laterally to any extent not exceeding (except by consent of the person through whose lands such deviation is to be made) the limits of the lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such roads shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and ten feet downwards.

Period for compulsory purchase of lands.

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

Period for completion of works.

8. If the works authorised by this Act are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for executing the same or in relation thereto shall cease to be exercised except as to so much thereof as is then completed but nothing in this section shall restrict the Company from extending enlarging altering or removing any of their tanks buildings engines machinery

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apparatus wells drifts mains or pipes at any time and from time to time or improving their supply of water as occasion may require.

Power to take additional lands by agreement.

9. The Company may from time to time for the purposes of their undertaking purchase by agreement in addition to lands which they are authorised to take by compulsion any lands not exceeding in the whole one acre but such lands shall not be used for building purposes unconnected with the Company's waterworks undertaking.

Power to take easements &c. by agreement.

10. 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 Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Application of existing funds &c.

11. The Company may apply to the purposes of this Act their existing funds and any moneys they are authorised to raise.

Costs of Act.

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

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