CHAPTER lxxxv.

An Act for incorporating the Market Rasen Water Company, and for better supplying with Water the Town of Market Rasen in the County of Lincoln, and the several places adjacent thereto; and for other purposes. [29th June 1875.]

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WHEREAS in the year one thousand eight hundred and seventy-three, certain persons formed themselves into a Water Company, under the name of "The Market Rasen Water Company, Limited," (herein-after referred to as "the limited Company,") for the purpose of supplying the town of Market Rasen in the county of Lincoln, and the neighbouring district, with water, and for carrying on the business usually carried on by water companies, and such Company was duly registered under "The Companies Act, 1862:"

And whereas no part of the share capital of the limited Company has been paid up, and the limited Company have not commenced any waterworks or incurred any debts whatever, or done any act whatever subsequent to their said registration:

And whereas the existing supply of water to the town of Market Rasen and the several parishes and places herein-after mentioned, in the county of Lincoln, is insufficient for the wants of the inhabitants thereof, and it is expedient to increase and improve such supply, and for such purposes to make and maintain the works herein-after mentioned:

And whereas it is expedient that the limited Company should be dissolved and a new Waterworks Company should be formed for the purposes aforesaid:

And whereas plans and sections of the reservoirs, aqueducts, and other works proposed to be made for the purpose of affording such supply of water (herein-after called "the waterworks,") showing the line and levels thereof, with a book of reference to those plans

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containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands through and upon which the waterworks are proposed to be constructed, have been deposited at the office of the clerk of the peace for the parts of Lindsey in the county of Lincoln, and those plans and sections and book of reference respectively are in this Act referred to as "the deposited plans and sections" and "the deposited book of reference" respectively:

And whereas the several persons heretofore constituting the limited Company are willing to be incorporated as a Waterworks Company for the purposes of this Act:

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

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

Short title.

1. This Act may be cited for all purposes as "The Market Rasen Water Act, 1875."

Provisions of certain general Acts incorporated.

2. The several provisions of "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," and "The Waterworks Clauses Acts, 1847 and 1863," are incorporated with this Act.

Same meaning to words, &c. in incorporated Acts and this Act.

3. The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall have in this Act the same respective meanings, unless there be in the subject or context something repugnant to or inconsistent with such construction. The expression "superior court," or "court of competent jurisdiction," or other like expression in this Act or any Act 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 this Act for supply of water.

4. The limits of this Act for the supply of water by the Company shall be as follows; that is to say, the parish of Tealby, the town and parish of Market Rasen, and the parish of Middle Rasen, all in the parts of Lindsey in the county of Lincoln.

Incorporation of Company.

5. From and after the passing of this Act the limited Company shall be dissolved, and the several persons who immediately before the passing of this Act were members of that Company, and all

other persons who have subscribed or who shall hereafter subscribe to or become proprietors in the undertaking of the Company, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a company for the purpose herein-after mentioned, and shall be incorporated by the name of "The Market Rasen Water Company," and by that name shall be a body corporate, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Memorandum of association of the limited Company to be void.

6. Subject to the provisions of this Act, the memorandum of association of the limited Company shall, as to any prospective operation thereof, be wholly void, and the Company and the shareholders shall be exempted from all the provisions, restrictions, and requirements of any Act which applied to the limited Company and the members thereof as such; but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum of association incurred before the passing of this Act, but such liability or obligation in respect of any such breach shall continue, and, save as in this Act otherwise provided, may be enforced by or on behalf of the Company as nearly as may be in like manner as the same might have been enforced by or on behalf of the limited Company if this Act had not been passed.

Capital.

7. The capital of the Company shall be ten thousand pounds, divided into one thousand shares of ten pounds each.

Shares not to issue until one fifth paid up.

8. The Company shall not issue any share created under the authority of this Act, nor shall any 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 shall have been paid in respect thereof.

Calls.

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

Receipt of guardians, &c. to be sufficient discharge.

10. If any money be payable to a 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 for the same.

Representatives of the Company in case of bankruptcy.

11. In all proceedings against the estate of any bankrupt or petitioner under the present or any future Bankruptcy Act, or under any sequestration, the secretary or any person appointed for that purpose by the secretary of the Company may represent the

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Company and act in their behalf in all respects as if the claim or demand of the Company against such estate were the claim or demand of such person and not of the Company.

Power to borrow on mortgage in respect of original capital.

12. The Company may from time to time borrow on mortgage in respect of the said capital of ten thousand pounds any sum or sums not exceeding in the whole two thousand five hundred pounds, but no part thereof shall be borrowed until the whole of the capital of ten 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 issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital 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.

13. 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.

Application of moneys.

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

Priority of mortgages under this Act.

15. All money borrowed or to be borrowed by the Company on mortgage under the provisions of 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 any debts incurred or engagements entered into by them after the passing of this Act: Provided always, that this priority shall not prejudice or affect any claim against the Company or their property in respect of any rentcharge granted by them in pursuance of the provisions of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company by any person in pursuance of this Act, which is

entitled to rank in priority to or pari passu with interest or dividend on the mortgages, nor shall anything herein-before contained affect any claim for land taken, used, or occupied by the Company for the purposes of their works, or injuriously affected by the construction thereof, or by the exercise of any powers conferred on the Company.

Arrears may be enforced by appointment of a receiver.

16. 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; and 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 in the whole than two hundred pounds.

First ordinary meeting.

17. The first ordinary meeting of the Company shall be held within nine months after the passing of this Act, and the future ordinary meetings of the Company shall be held half-yearly in the months of February and August in every year, or in such other months as the Company by the resolution of an extraordinary general meeting shall from time to time determine.

Scale of voting.

18. The quorum to constitute a general meeting, whether ordinary or extraordinary, of the Company shall be five shareholders present personally or by proxy, holding in the aggregate not less than five hundred pounds in the capital of the Company.

Number of shareholders who may convene extraordinary meeting.

19. The number of shareholders on whose requisition an extraordinary meeting of the Company may be required to be convened shall not be less than ten shareholders, holding in the aggregate not less than one thousand pounds in the capital of the Company.

Number of directors.

20. The number of directors shall be five.

Qualification of directors.

21. The qualification of a director shall be the possession in his own right of shares or stock of the nominal amount of not less than one hundred pounds in the capital of the Company.

Power to reduce number of directors.

22. It shall be lawful for the Company from time to time to reduce the number of directors, provided that the reduced number shall not be less than three.

Quorum.

23. The quorum of a meeting of directors shall be three, when the number of directors shall be more than three, but if the number of the directors shall not be more than three, then the quorum shall be two.

First directors.

24. Henry Robert Boucherett, Thomas Drakes, Robert Favill, Edward Enos Jevons, and Joseph Marriott shall be the first directors of the Company, and shall continue in office until the first ordinary

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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 any of them, or may elect a new body of directors, or directors to supply the places of those not continued in office, the directors appointed by this Act 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 of "The Companies Clauses Consolidation Act," 1845; and the several persons elected at any such meeting, being neither removed or disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Power to make waterworks and take lands for works.

25. Subject to the provisions in this Act contained, the Company may make and maintain, in the lines, according to the levels, and upon the lands delineated on the deposited plans and sections, the works as shown on the said deposited plans, together with all proper approaches, fences, excavations, embankments, tanks, sluices, culverts, main pipes, tunnels, channels, adits, levels, dams, weirs, overfalls, valves, wells, drains, filters, and other conveniences, and other works and appliances connected therewith, and described in the deposited books of reference, and for those purposes may enter upon, take, and use such of the lands and waters delineated on the deposited plans within the limits of deviation shown thereon, and described in the deposited books of reference, and 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 deposited plans. The works herein-before referred to and authorised by this Act are,—

A service reservoir, to be situate in a certain field called or known as the Nine Acres, situate in the parish of Tealby aforesaid, belonging or reputed to belong to Vice-Admiral Edwin Clayton Tennyson D'Eyncourt, abutting upon the north side of the highway leading from Tealby to Kirmond-le-Mire:

A conduit, aqueduct, or line of pipes, situate in the parishes of Tealby, Market Rasen, and Middle Rasen aforesaid, commencing in and out of the north-west side of the service reservoir herein-before described, and terminating in the centre of the highway leading from Market Rasen to West Rasen, near where a certain lane called or known as Dungeon Lane runs into and unites with the said highway in the parish of Middle Rasen aforesaid.

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26. The powers by this Act conferred upon the Company shall be exercised only subject to and in accordance with the following provisions; that is to say,

For protection of Vice-Admiral D'Eyncourt.

In laying down the conduit, aqueduct, or line of pipes through the lands in the parish of Tealby, belonging or reputed to belong to Vice-Admiral Edwin Clayton Tennyson D'Eyncourt, the Company shall not deviate from the course of direction thereof shown on the deposited plans to any greater extent than five feet on each side of the centre line, without the previous consent in writing of the said Admiral or other the owner or owners from time to time of those lands, and such conduit, aqueduct, or line of pipes shall not be of a greater diameter than five inches, and shall be watertight, and so constructed and laid as to prevent the percolation of water into or from the same:

The Company shall not use any greater quantity of the said lands than is actually required for laying down and maintaining such conduit, aqueduct, or line of pipes, and the Company shall not purchase and take such lands so required, but they may purchase and take, and the said Admiral, or other the owner or owners for the time being, may and shall sell and grant to the Company, an easement or right of using such lands:

The Company shall not sink any well or shaft, or make any boring or any other work for collecting water in or upon any of the lands aforesaid, and shall not by those or by any other means take or abstract water from the several springs or streams arising on or flowing through the said lands, except the waters of the two springs known as the Bulley Hill Springs, which said waters the Company may abstract and take for the purposes of this Act.

Limits of lateral deviation.

27. Whenever, and so far as the line of any works shown upon the deposited plans passes along any road, and no limits of lateral deviation are marked thereon, the Company may in the construction of such works deviate laterally from the line thereof as laid down on such plans to the extent of the boundaries of such road, and elsewhere the Company may, in constructing the said works, deviate laterally to any extent within the limits of deviation shown upon the deposited plans: Provided always, that in no case shall the embankment of any reservoir shown upon the deposited plans be constructed of a greater height above the general surface of the ground than that shown on the deposited sections.

Limits of vertical deviation.

28. In constructing the said works, the Company may deviate vertically from the levels thereof as shown on the sections to any extent not exceeding three feet in the case of reservoirs and six feet in other cases.

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As to mains crossing the works of a railway or other company.

29. If any difference shall arise between the Company and any railway, canal, or other company, whose lands or works it may be essential for the Company to cross or interfere with in laying down, repairing, altering, or enlarging their mains, pipes, conduits, and other works from time to time for the purposes of meeting the demands for water within their district, as to the mode of laying down, repairing, altering, or enlarging such mains, conduits, or pipes, or the facilities to be afforded for the same, such difference shall (except as herein otherwise provided) be settled by an engineer to be appointed by the Board of Trade at the request of either Company; and the provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration, shall, mutatis mutandis, apply to such arbitration.

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

30. No person shall be disqualified as a director by being a trustee under any Act of Parliament, or member of any local board or other authority 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 and such trustees, local board, or other authority: Provided always, that no trustee or member who is a director or shareholder shall act or vote at any meeting of such trustees, board, or other authority, or at any committee appointed by such corporation, commissioners, trustees, board, or other authority, on any question or with reference to any matter in which such director or shareholder has direct or indirect interest as a shareholder.

Powers for compulsory purchases limited.

31. The powers of the Company for the compulsory purchase of lands granted by this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for completion of works.

32. The works hereby authorised shall be completed within five years from the passing of this Act, and on the expiration of that period the powers by this Act granted to the Company for the construction of those 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 provisions and restrictions 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 the purposes of supplying water within the limits of this Act.

Land by agreement.

33. The Company may from time to time purchase and acquire (by agreement) such land, or any easements in, over, or affecting any land, which they may require for their undertaking, not exceeding in the whole ten acres, in addition to the land which they are by this Act authorised to take by compulsion.

Owners may grant easements.

34. The 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.

Restrictions may be imposed upon the sale of superfluous property.

35. Upon any sale by the Company, under the provision 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 businesses upon the premises, and for preventing or regulating the discharge and deposit of manure, sewage, and other impure matters and liquids, as they may think fit.

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

36. The Company shall, on the application 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 person a sufficient supply of water for domestic use at the following yearly rates; (that is to say,)

Where the annual value of the premises supplied does not exceed five pounds, at a rate of not exceeding twopence per week;

Where the annual value of a house or part of a house shall exceed five pounds and not exceed thirty pounds, a yearly rate not exceeding seven pounds ten shillings per centum on the annual value of such house or part of a house;

Where such annual value shall (except as herein-after mentioned) exceed thirty pounds, a yearly rate not exceeding six pounds five shillings per centum on the amount of such annual value:

Provided always, that all inns and hotels, whether public or private, to which the supply is laid on, the annual value of which exceeds

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five pounds, shall be liable at a rate not exceeding seven pounds ten shillings on the amount of such annual value, whether the same exceeds thirty pounds or not; and also provided that the Company shall not be obliged to furnish any such supply at a less sum than twopence per week, and that it shall not be compulsory on the Company to afford a supply of water for a less period than twelve months.

Rates for waterclosets and baths.

37. 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 ten shillings per annum, and for every bath an additional sum not exceeding ten shillings per annum, and such additional sums may be received with and as part of or recovered by the same means as the rate for supplying 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.

Water for other than domestic purposes.

38. The Company may supply any person with water for irrigation, or any other purpose other than domestic purposes, on such terms as he and the Company agree on; but, notwithstanding any such agreement, no person shall be entitled to such a supply whenever and as long as the Company are of opinion that the same would interfere with the proper supply of water for domestic purposes under this Act. Every such agreement may be by virtue of this Act determined by the Company on one month's notice in writing.

Company not bound to supply water in certain cases.

39. No person shall be entitled to require the Company, nor shall the Company be bound, to supply any dwelling-house with water (otherwise than by meter or special agreement), where any part of such dwelling-house is used for any trade or business purpose for which water is required.

Regulations to be made for preventing waste of water, &c.

40. With regard to the waste or misuse of water supplied by the Company, in addition to the provisions in that behalf contained in any Act incorporated herewith, be it enacted as follows:

The Company may from time to time make, with the sanction of the Local Government Board, such regulations as shall be necessary or expedient for the purpose of preventing the waste or misuse of water, and 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.

Power for Company to refuse supply where regulations not complied with.

41. In the event of any such regulations not being observed by any person having or requiring a supply of water, the Company may refuse to supply water, or may cut off the water supplied to him, unless and until the regulations be complied with.

Protection from impurities and against waste.

42. The Company shall not be compelled to supply any person with water for waterclosets or baths unless the apparatus or pipes and cisterns provided by such person shall be of such material and 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 noxious or impure matter into the mains or pipes belonging to the Company, or into any pipes connected or communicating therewith; and in case any such person shall neglect to keep such pipes, cisterns, or other apparatus in good repair, it shall be lawful for the Company to cut off the pipe or turn off the water from the premises of such person until such pipes, cisterns, or other apparatus shall be repaired, as the case may require; and further, the Company shall not be compelled to supply water for any bath which shall be so constructed as to contain when filled for use more than fifty gallons of water.

Remedy of Company in cases of fraud and waste of water.

43. Whenever any person supplied with water by the Company wilfully does, or causes or suffers to be done, anything in contravention of any of the provisions of this Act, or wilfully fails to do anything which under this Act ought to be done for the prevention of the waste, misuse, or undue consumption of the Company's water, the Company may cut off or stop any pipe by or through which water is supplied to him, and cease to supply him with water so long as the cause of injury remains or is not remedied, and also may recover in any court of competent jurisdiction from every person so offending the amount of all loss, damage, or injury which the Company may sustain by reason of anything or failure, and the remedies of the Company under this enactment shall be in addition to their other remedies in that behalf.

Penalty for using water for other than domestic purposes.

44. No person supplied by the Company with water for domestic purposes shall use such water, or suffer the same to be used, for the purpose of affording power, or in connexion with any machinery or apparatus whatsoever, and every person offending against this enactment shall for every such offence forfeit and pay to the Company a penalty not exceeding five pounds.

As to supply of water by measure.

45. 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, but at the same rate by measure to all demanding the supply under similar circumstances; and the Company may, at the request of any consumer, supply and repair pipes, meters, and

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other conveniences, appliances, and fittings for the proper distribution and measuring of such water, for such remuneration and upon such terms as may be agreed upon between the Company and such consumer: Provided always, that the Company shall not be bound to supply water for other than domestic purposes if such supply shall in any way interfere with or unduly diminish the supply of water for domestic purposes as by this Act authorised.

Penalty for injury to and fraudulent use of meters.

46. 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 repaired or altered except under direction or with consent of Company.

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

Where part of a dwelling-house supplied, water rate to be paid for the whole.

48. 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 consent.

49. It shall not be lawful for the 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, any gutta-percha or other tubes or pipes for any purposes whatever other than those for which water is supplied to such house by the Company.

Contracts for supplying water for public purposes.

50. The Company may from time to time enter into and carry into effect agreements with any body of commissioners, or local board of health of any place, or other public body, and the authorities of any parish or public institution, for the supply of water by the Company for cleansing the sewers and drains, for cleansing and watering the streets, and for supplying any public pumps, baths, or wash-houses that may be established for the use of the inhabitants, or paid for out of any poor rates or local rates levied within the

limits of this Act, and for other public purposes, and also for the supply of fountains, or for any ornamental purpose within the limits of this Act, for such term or period of years as may be agreed upon, and may from time to time, by mutual consent, vary, suspend, or rescind any such agreements and enter into and carry into effect agreements in lieu thereof, or in addition thereto.

Notice of discontinuance.

51. A notice to the Company from a consumer for the discontinuance of a supply of water shall not be of any effect unless it is in writing, and is left at the principal office for the time being of the Company at least six days previous to the day on which it is intended to discontinue such supply.

Power to remove pipes and fittings.

52. The Company, after twenty-four hours notice in writing under the hand of the secretary or some other officer of the Company to the occupier, or if there be no occupier, then to the owner or lessee, of any building or lands in which any pipe, meter, or fitting belonging to the Company is laid or fixed, through or in which the supply of water is from any cause other than the default of the Company discontinued, may enter such building or lands between the hours of nine in the morning and four in the afternoon, or at any other time with the authority in writing of a justice of the peace, for the purpose of removing, and may remove every such pipe, meter, and fitting, repairing all damages caused by such entry or removal, and every such notice shall be served by being delivered to the person for whom it is intended, or left at his usual or last known place of abode or business in England, or if such person or his usual place of abode or business in England is not known to the Company after proper inquiry, then by being affixed on some conspicuous part of such building or lands.

Company's officers to inspect buildings.

53. The Company's manager, or other officer duly appointed for the purpose by the Company, may, between the hours of ten of the clock in the forenoon and four of the clock in the afternoon, enter any building or place supplied with water by the Company, and inspect the meters, pipes, fittings, and apparatus for regulating the supply of water, and see whether they are in good repair; and if such manager or other officer at any such time be refused admittance into such premises for the purposes aforesaid, or be prevented from making such examination, the occupier of such premises shall for every such offence forfeit to the Company a sum not exceeding five pounds.

Recovery of charges for supply of water and rent of meters by distress.

54. In case any person who shall have been supplied with water by the Company, or who shall be liable to payment in respect of a supply of water, or in respect of the rent for any meter provided by the Company under or by virtue of the provisions of this Act, shall

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refuse or neglect to pay the amount due for such supply or rent of meter, 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 water shall have been supplied or meter rented, to issue his summons to such person, requiring him to appear before two justices having jurisdiction as aforesaid, at a time and place named therein, and there to show cause why the sum so demanded should not be paid; and if on appearance of such person, or, in default of appearance, after the 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, together with such costs as to such justices shall seem just and reasonable.

Incoming tenant not liable for arrears.

55. The Company shall not be entitled to require from the incoming tenant of any property the payment of arrears of water rate or rent left unpaid by any former tenant, unless the incoming tenant has undertaken with such former tenant to pay or exonerate him from the payment of such arrears.

Providing a reserved fund.

56. The Company may from time to time provide and form a reserved fund for the purposes mentioned in the said "Waterworks Clauses Act, 1845," and may from time to time, in case the same or any part thereof may be expended as in the said last-mentioned Act is provided, renew the same or any part thereof: Provided that such reserved fund shall not exceed at any one time the sum of two thousand five hundred pounds.

Liability to water rent not to disqualify justices, &c.

57. A justice or a judge of any court shall not be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any water rate, rent, or charge under this Act.

Several names in one warrant.

58. Any number of names and sums of money 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.

Authentication of notices.

59. Any summons, warrant, demand, or notice, or other such document, to be issued or given for any of the purposes of this Act, may be in writing or print, or partly in writing and partly in print; and if the same require authentication by the Company, the signature thereof by the secretary to the Company shall be a sufficient authentication.

Application of penalties.

60. Every penalty imposed by this Act, or any Act incorporated with this Act, shall (except where otherwise expressly provided, and except where the Company shall be the party by whom the penalty has to be paid,) be paid to the Company.

Penalties not cumulative.

61. Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts.

Expenses of Act.

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

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