CHAPTER lxxxvi.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Bull Bay Water Higham and Hundred of Hoo Water and Monks and Princes Risborough Water.

A.D. 1925.

[7th August 1925.]

WHEREAS the Minister of Health has made the Provisional Orders set forth in the schedule hereto under the provisions of the Gas and Water Works Facilities Act 1870 and the Gas and Water Works Facilities Act 1870 Amendment Act 1873: 33 & 34 Vict. c. 70. 36 & 37 Vict. c. 89.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the King'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:—

Orders in schedule confirmed.

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Short title.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (Water) Act 1925.

[*Price* 1*s.* 6*d. Net.*]

A.D. 1925.

SCHEDULE.

BULL BAY WATER.

Bull Bay Order.

Provisional Order under the Gas and Water Works Facilities Act 1870 *and the Gas and Water Works Facilities Act* 1870 *Amendment Act* 1873 *to authorise the construction and maintenance of waterworks and the supply of water in part of the Urban District of Amlwch in the County of Anglesey.*

The Minister of Health in pursuance of the powers given to him by the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and of all other powers enabling him in that behalf hereby orders as follows :—

PRELIMINARY.

Short title.

1. This Order may be cited as the Bull Bay Water Order 1925.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as " the commencement of this Order."

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and of the Waterworks Clauses Acts 1847 and 1863 are except where the same are inconsistent with or expressly varied by this Order hereby incorporated with and form part of this Order.

Interpretation.

4. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings.

In this Order the expressions—

" Deposited plans " and " deposited sections " shall mean respectively the plans and sections deposited for the purposes of this Order;

" The Minister " shall mean the Minister of Health.

Bull Bay Order.

Limits of Order.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be that part of the Urban District of Amlwch in the County of Anglesey which is bounded—

(*a*) on the south by the road leading from Amlwch to Cemaes Bay from a point on that road two hundred and ten yards or thereabouts east of Careg-y-Gath to the cross roads by Capel Rehoboth;

(*b*) on the west by the road from Capel Rehoboth to Tyddyn-y-Waen and by an imaginary straight line from Tyddyn-y-Waen to Trwyn Myn;

(*c*) on the north and north-east by the coast line of the Irish Sea from Trwyn Myn to Traeth Dynion; and

(*d*) on the east by an imaginary straight line drawn from Traeth Dynion to the above-mentioned point on the road leading to Cemaes Bay two hundred and ten yards or thereabouts east of Careg-y-Gath.

UNDERTAKERS.

Undertakers.

6. The most Honourable Charles Henry Alexander Sixth Marquess of Anglesey his heirs executors administrators or assigns shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers" Provided that if at any time the undertaking is assigned to any body company or person such body company or person shall from the date of such assignment thereof be the Undertakers for the purposes of this Order in lieu of the person or persons above mentioned but no assignment shall have any validity or effect until after the approval of the Minister of Health to such assignment has been signified in writing signed by a secretary or assistant secretary of the Ministry of Health Provided also that nothing in this Order contained shall prevent the Undertakers borrowing money on the security of mortgages of the undertaking not exceeding the amount prescribed by this Order or shall make the consent or approval of the Minister of Health necessary to the validity of any such mortgage.

CAPITAL.

Capital.

7. The capital of the Undertakers for the purposes of the water undertaking authorised by this Order shall not exceed eight thousand pounds unless any increase thereto be hereafter authorised by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

Limit of borrowing powers.

8. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the water undertaking authorised by this Order shall not at any time exceed in the whole one-half of the amount of the paid-up capital and no higher rate of

A.D. 1925.

Bull Bay Order.

interest than seven pounds per centum per annum shall be paid by the Undertakers without the consent of the Minister of Health in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid Provided always that if and so long as the undertaking is carried on by an individual or individuals as undertakers and not by a duly constituted company in the construction of this Order and in the construction of the provisions of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the Undertakers when the waterworks are carried on for their benefit the expression "the paid-up capital" shall mean the capital actually expended or actually being used for the purposes of the undertaking.

ACQUISITION OF LANDS.

Power to use and acquire lands and easements.

9. The Undertakers may use such of the lands shown on the deposited plans as they may require for the purposes of the water undertaking authorised by this Order and they may by agreement purchase take on lease acquire and use any other lands and any easements rights or privileges (not being easements rights or privileges to take water in which persons other than the grantors have an interest) in over or affecting any lands which they may require for such purposes Provided always that they shall not create or permit a nuisance on any lands held by them and that they shall not at any time purchase for such purposes more than ten acres of land.

Power to hold lands for protection of waterworks.

10. The Undertakers may hold any lands belonging to them or acquired by them which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts but the Undertakers shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their water undertaking.

Power to impound water.

11. The Undertakers may subject to the provisions of this Order take and collect by means of the works by this Order authorised to be maintained constructed and used for the purposes of their undertaking the waters of or arising in or flowing from any springs or waters situate in on or under lands upon which those works are or are proposed to be situate.

Persons under disability

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of the said Acts grant to the Undertakers any

A.D. 1925.

Bull Bay Order.

easement right or privilege (not being an easement right or privilege of taking water in which parties other than the grantors have an interest) 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.

may grant easements &c. to Undertakers.

MAINTENANCE AND CONSTRUCTION OF WATERWORKS.

13. The Undertakers may maintain continue alter improve enlarge extend renew reconstruct and repair the following existing works in the County of Anglesey constructed by them (that is to say) :—

Confirmation of existing works.

Work No. 1 A well and pumping station situate on the Bull Bay Golf Links at the south-westerly corner of the enclosure numbered 322 on the $\frac{1}{2500}$ Ordnance Map of the County of Anglesey (1924 Edition) Sheet III. 6;

Work No. 2 A line of pipes commencing in Work No. 1 hereinbefore described proceeding in a north-westerly direction therefrom for a distance of 292 yards or thereabouts to and terminating in the service tank (Work No. 3) hereinafter described;

Work No. 3 A service tank on the Bull Bay Golf Links situate in enclosure numbered 291 on the above-mentioned Ordnance map;

Work No. 4 A line of pipes commencing in the service tank (Work No. 3) hereinbefore described proceeding in an easterly direction to the Bull Bay Road and in a northerly direction along that road for a total distance of 646 yards or thereabouts and terminating in that road at a point opposite the northern boundary of the house and premises known as "Trefor."

14. The Undertakers may on the lands shown on the deposited plans while they are in possession of the same make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections the works hereinafter described and they may subject to the provisions of this Order supply and sell water within the limits of supply The works authorised by this Order are situate in the Urban District of Amlwch in the County of Anglesey and are as follows :—

Power to construct waterworks and supply water.

Work No. 5 A line of pipes commencing at the well and pumping station (Work No. 1) hereinbefore described extending in a north-westerly direction for a distance of 665 yards or thereabouts to and terminating in a proposed service reservoir (Work No. 6) hereinafter described:

A.D. 1925.

Bull Bay Order.

Work No. 6 A service reservoir to be situate at a point 66 yards or thereabouts north of the most northerly corner of the house known as "Llechog-isaf" and within enclosure numbered 291 on the above-mentioned Ordnance Map (Sheet III. 5):

Work No. 7 A line of pipes commencing in the service reservoir (Work No. 6) hereinbefore described proceeding in a northerly and then in an easterly direction for a distance of 700 yards or thereabouts and terminating by a junction with Work No. 4 hereinbefore described at its termination:

Together with all conduits mains connections branch mains filters pumps tanks goits culverts embankments cuts drains sluices walls fences water towers engines machinery pipes meters valves hydrants washouts road boxes and every appliance whatsoever for conveying water from the works and distributing the same throughout the limits of supply.

Limits of deviation.

15. In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent within the limits of deviation shown on the deposited plans but in no case beyond the width of any road shown on the deposited plans and they may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards Provided always that the Undertakers may in constructing such works or any of them in or upon the lands shown on the deposited plans deviate beyond such limits laterally and vertically to such extent as they may think necessary Provided that the Undertakers shall not raise any aqueduct or line of pipes above the surface of the ground unless so shown on the deposited sections and then only to the extent so shown.

Completion of works.

16. The works authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by Section 11 of the Gas and Water Works Facilities Act 1870 Provided always that subject to the restrictions and provisions of this Order the Undertakers may alter enlarge and extend their engines machinery tanks wells reservoirs filters conduits pipes mains connections and other works by this Order authorised in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

Power to lay pipes in private streets.

17. The Undertakers may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if Section 29 of that Act were excepted from incorporation in this Order and as if the street were under the control or management of the local authority.

A.D. 1925.

Bull Bay Order.

18. If any difference arise between the Undertakers and any road authority whose lands or works the Undertakers have power to cross under the authority of this Order for the purpose of meeting the demands for water within the limits of supply as to the mode of laying down repairing altering or enlarging their conduits or pipes or as to the facilities to be afforded for the same or as to any other matter herein referred to the same shall unless otherwise provided by this Order be settled by an engineer to be appointed by the Minister at the request of either party. Differences with road authority.

SUPPLY.

19. The water supplied by the Undertakers shall be laid on constantly under pressure but need not at any time be delivered at a greater height than can be reached by gravitation from the service tank or reservoir authorised by this Order (as the case may be) from which the supply is afforded. Limits of pressure.

20. Subject to the provisions of Article 30 of this Order— Rates of supply for domestic purposes.

(1) The Undertakers shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes (which shall include one watercloset) furnish to such owner or occupier a sufficient supply of water for such domestic purposes at a rate per annum not exceeding twenty per centum upon the gross estimated rental of the premises so supplied and so in proportion for any shorter period:

Provided that the Undertakers shall not be compellable to furnish any such supply as aforesaid for any less sum than twenty-six shillings in any one year nor for a less period than twelve months:

(2) The gross estimated rental of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the period for which the rate accrues or by any new or supplementary list made during such period or if there be no such list in force by the last rate made for the relief of the poor:

Provided that where the water rate is chargeable on the gross estimated rental of a part only of any hereditament entered in the valuation list such gross estimated rental shall be a fairly apportioned part of the gross estimated rental of the whole hereditament ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction:

A.D. 1925.

Bull Bay Order.

(3) The Undertakers may demand and receive for every watercloset beyond the first (for which no additional charge shall be made) on any premises within the limits of supply any additional sum not exceeding ten shillings per annum and for every fixed bath capable of containing not more than fifty gallons any additional sum not exceeding ten shillings per annum and for every fixed bath capable of containing more than fifty gallons such additional sum as the Undertakers may think fit any such additional sums to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

Rates payable by owners of small houses.

21. Where any premises supplied with water are let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Undertakers so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner :

Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

Charge for water used in garages &c.

22. When water supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in premises where horses carriages or motor cars are kept the Undertakers may if a hose pipe or other similar apparatus is used charge any additional sum not exceeding twenty shillings per annum The additional sums chargeable under this Article shall be paid quarterly in advance and be recoverable in all respects with and as the rate for the supply of water for domestic purposes to the premises.

Supply to houses partly used for trade.

23. The Undertakers shall not be bound to supply with water otherwise than by meter—

(*a*) any building used by an occupier as a dwelling-house whereof a part is used by the same occupier for any trade or manufacturing purpose for which water is required; or

(*b*) any workhouse hospital asylum sanatorium school hotel or boarding-house capable of accommodating at least twelve persons or any other institution which is habitually occupied by at least twelve persons.

As to supply to farm-houses.

24. Where a supply of water to a farmhouse is used for farming purposes the Undertakers may require that the supply for farming purposes shall be taken by meter but nothing in this Article shall authorise the Undertakers to refuse a supply

A.D. 1925.

Bull Bay Order.

of water for domestic purposes to a farmhouse at the ordinary rate calculated on the gross estimated rental thereof.

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

25.—(1) The Undertakers may make such reasonable regulations as shall be necessary or expedient for the purpose of preventing the contamination waste or misuse of water supplied by him 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 contamination waste or misuse as aforesaid Provided always that no such regulations shall have effect unless and until they have been approved by the Minister who is hereby empowered to confirm the same Provided also that such regulations shall only be in force within the area in which the Undertakers are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(2) Any such regulations in force for the time being shall be published by a copy thereof being kept at the office of the Undertakers which copy shall be open to the inspection of all persons at all reasonable times without payment and the Undertakers shall also furnish a printed copy of all such regulations to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

(3) A printed copy of any such regulations purporting to be made and to have been confirmed by the Minister as aforesaid shall be evidence (until the contrary is proved) in all legal proceedings of the due making confirmation publication or existence of such regulations without further or other proof.

(4) In case of failure of any person to obey such regulations as are for the time being in force the Undertakers may if they think fit after forty-eight hours' notice in writing enter and by and under the direction of their duly qualified officer repair replace or alter any pipes cocks cisterns or other apparatus whatsoever belonging to or used by any person supplied by them and the expense of every such repair replacement or alteration shall be repaid to the Undertakers by the person on whose credit the water is supplied and may be recovered by the Undertakers summarily.

Undertakers not bound to supply several houses by one pipe.

26. The Undertakers shall not be bound to supply more than one house by means of the same communication pipe and may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Notice of discontinuance.

27. A notice to the Undertakers from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left at or sent by post to the office for the time being of the Undertakers.

A.D. 1925.

Bull Bay Order.

Notice to Undertakers of connecting or disconnecting water meters.

28.—(1) Before any person connects or disconnects any meter by means of which any of the water of the Undertakers is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Undertakers of his intention to do so and all alterations or repairs and the connecting or disconnecting of meters shall be done at his cost and under the superintendence of any officer of or person authorised by the Undertakers.

(2) Any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Supply of water by meter.

29. Subject to the provisions of Article 30 of this Order the Undertakers may if they think fit enter into agreements for the supply of water by measure to any person and may charge a rent for each meter or other instrument for measuring water provided by them at a rate per annum not exceeding fifteen per centum of the price of the meter or other instrument such rent to be paid quarterly in advance and to be recoverable in all respects with and as the water rate Provided that the price to be charged for a supply of water by measure shall not exceed five shillings per thousand gallons.

Duration of prescribed maximum rates &c.

30.—(1) The maximum rates charges and prices prescribed by Articles 20 and 29 of this Order (hereinafter referred to as "the rates") shall remain in operation for a period of five years from the commencement of this Order and after the expiration of such period until the rates are altered in accordance with the provisions of this Article.

Continuance of same or revised rates &c. by Order of Minister.

(2) The Minister at any time prior to the expiration of the period of five years aforesaid and afterwards from time to time as may be necessary may by order either—

(i) provide for the continuance of the rates for such further period or periods as he may think fit; or

(ii) prescribe other maximum rates charges and prices in lieu thereof and any such revised maximum rates charges or prices shall take effect as from the expiration of the said period of five years or from such later date as may be prescribed by such order and shall have effect as if they were incorporated in the said Articles respectively:

Provided that—

(*a*) The rates shall not under this subdivision be reduced by more than twenty-five per cent. below those prescribed in Articles 20 and 29 of this Order;

(*b*) subject to the Minister's powers of revision under the succeeding sub-division of this Article any order of the Minister which reduces the rates by twenty-five

per cent. shall be of permanent effect and the maximum rates charges and prices prescribed by any such order shall not be subject to further revision under this sub-division. *Bull Bay Order.*

(3) In the event of the Minister of Health being satisfied that the cost of labour and materials or other circumstances affecting the undertaking have been substantially altered he may if he think fit after the expiration of five years from the date of the order fixing permanent maximum rates charges and prices vary by order either by way of increase or decrease the maximum rates charges and prices for the supply of water prescribed by that order : Revision of permanent maximum rates &c.

Provided that the maximum rates charges and prices prescribed in any order made under this sub-division shall be of such respective amounts as to provide (after paying all proper expenses of and in connection with the working management and maintenance of the undertaking and making good depreciation and paying all other costs charges and expenses if any properly chargeable to revenue) a reasonable return on the ordinary capital of the Undertakers :

Provided also that the maximum rates charges and prices for the time being in force under any such order may in the like event be varied in like manner at any time after the expiration of any or every period of five years after they were last varied.

31. The Undertakers shall at all times at their own expense keep all meters or other instruments for measuring water let by them for hire to any consumer in proper order for correctly registering the supply of water and in default of their so doing the consumer shall not be liable to pay rent for the same during such time as such default continues Such meters shall remain and be the property of the Undertakers who shall for the purposes aforesaid have access to and be at liberty to remove test inspect and replace any such meter or other instrument at all reasonable times. Undertakers to keep meters in repair.

32. Where water is supplied by measure the register of every meter or other instrument for measuring water supplied by the Undertakers or permitted by them to be used shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rent is charged and sought to be recovered by the Undertakers Provided always that if the Undertakers and the consumer differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties the costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties. Register of meters to be evidence.

A.D. 1925.

Bull Bay Order.

Amendment of 10 & 11 Vict. c. 17. s. 44.

33. Section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words " with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner " were omitted therefrom Provided always that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Contracts for supply of water in bulk.

34.—(1) The Undertakers and the Amlwch Urban District Council or any other local authority company or person may enter into and carry into effect agreements for and in relation to the supply of water by the Undertakers beyond the limits of supply to any such authority company or person respectively in bulk for any purpose and for such remuneration and on such terms and conditions as may be agreed upon.

(2) Provided that—

(*a*) a supply of water under this Article shall not be given beyond the limits of supply except with the consent of any company or person supplying water under Parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply;

(*b*) nothing in this Article shall authorise the Undertakers to lay any mains or other pipes or to interfere with any street beyond the limits of supply.

Supply in Amlwch Urban District.

35. The Undertakers may with the consent of the Amlwch Urban District Council supply water to the owner or occupier of any house or premises within the Amlwch Urban District and beyond the limits of supply on such terms and conditions and for such period or periods as the Undertakers and such owner or occupier from time to time agree.

PENALTIES.

Injuring meters &c.

36. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers or who fraudulently alters the index to any meter or prevents any meter from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Undertakers shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence be liable to a penalty not exceeding five pounds and the Undertakers may in addition thereto recover the amount of any damage by him sustained and in any case in which any person has wilfully fraudulently or by culpable negligence injured or

suffered to be injured any pipe meter instrument or fittings belonging to the Undertakers or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Undertakers the Undertakers may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Undertakers by the offender and may be recovered by them as water rates are recoverable and the existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Undertakers when such pipe meter or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such injury alteration prevention abstraction consumption or user as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

MISCELLANEOUS.

Power to supply materials.

37. The Undertakers may if requested by any person supplied or about to be supplied by them with water furnish to him and repair and alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans water-closets apparatus and receptacles as are required or permitted by their regulations and may provide all materials and do all work necessary or proper in that behalf and the reasonable charges of the Undertakers in providing such materials and executing such works shall be paid by the person requiring the same.

Fittings not to be subject to distress &c.

38. Any fittings let for hire by the Undertakers shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be :

Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof.

Maintenance of common pipe.

39. When several houses or parts of houses in the occupation of several persons are supplied by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Undertakers in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the engineer or agent of the Undertakers.

A.D. 1925.

Bull Bay Order.

Power to Undertakers to repair communication pipes.

40. If it should appear to the Undertakers that by reason of any injury to or defect in any communication pipe which the Undertakers are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Undertakers (subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes) to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Undertakers in executing such repairs shall be recoverable by the Undertakers from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier :

Provided that except in case of emergency the Undertakers shall not under the powers of this Article enter into any house or private premises unless they shall have given to the owner or occupier of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

As to communication pipes.

41.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 or under any other Act or any Order relating to the Undertakers to maintain any pipe or apparatus used for the supply of water from the works of the Undertakers the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of Sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Undertakers by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any streets in the limits for the supply of water by the Undertakers may subject to the like conditions execute such works on behalf of such owner or occupier and any expenses incurred by the Undertakers shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

Entry of premises to remove fittings and meters.

42. The Undertakers by their agents or workmen after forty-eight hours' notice in writing under the hand of the agent or other officer of the Undertakers to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which any water pipe meter or fitting belonging to the Undertakers is laid or fixed and through or in which the supply of water is from any cause other than the default of the Undertakers discontinued for the space of forty-eight hours may enter such house building or land 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 for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Power to sell undertaking.

43.—(1) The Undertakers may with the approval of the Minister sell the undertaking authorised by this Order to the Amlwch Urban District Council or to any other authority company or person upon such terms as may be agreed by and between the Undertakers and such Council authority company or person.

(2) The Undertakers may at any time give notice to the Amlwch Urban District Council requiring them to determine whether they desire to purchase the said undertaking and if before the expiration of one calendar month from the date of such notice the council do not notify the Undertakers that they desire to purchase the said undertaking or if before the expiration of two calendar months from the same date a contract to purchase the undertaking on agreed terms and at an agreed price has not been entered into between the Undertakers and the council the said council shall be deemed to have determined that they do not desire to purchase the undertaking and the Undertakers shall be at liberty subject to the provisions of this Order to sell or otherwise dispose of the undertaking to any other authority company or person at any time.

Several sums in one summons.

44. Any summons or warrant issued for any of the purposes of this Order may contain in the body thereof or in the schedule thereto several sums due from the same person.

Liability to water rate not to disqualify justice from acting.

45. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Costs of Order.

46. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers.

Given under the Official Seal of the Minister of Health this Seventeenth day of April One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

A.D. 1925. HIGHAM AND HUNDRED OF HOO WATER.

Higham and Hundred of Hoo Order.

Provisional Order under the Gas and Water Works Facilities Act 1870 *and the Gas and Water Works Facilities Act* 1870 *Amendment Act* 1873 *empowering the Higham and Hundred of Hoo Water Company to construct and maintain additional waterworks to raise additional capital and for other purposes.*

The Minister of Health in pursuance of the powers given to him by the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and of all other powers enabling him in that behalf hereby orders as follows :—

Short and collective titles.

1. This Order may be cited as the Higham and Hundred of Hoo Water Order 1925 and the Higham and Hundred of Hoo Water Act 1890 the Higham and Hundred of Hoo Water (Amendment) Act 1898 the Higham and Hundred of Hoo Water Act 1905 the Higham and Hundred of Hoo Water Company (Capital Issues) Consent 1921 the Higham and Hundred of Hoo Water Company (Modification of Charges) Order 1923 and this Order may be cited together as the Higham and Hundred of Hoo Water Acts and Orders 1890 to 1925.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as " the commencement of this Order."

Incorporation of Acts.

3. So far as the same relate to the powers conferred by this Order the provisions of the Companies Clauses Consolidation Act 1845 with respect to the several matters following (that is to say) :—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The consolidation of the shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts and the Waterworks Clauses Acts 1847 and 1863 are except where expressly varied by this Order incorporated with and form part of this Order.

For the purposes of such incorporation the term "special Act" in the said Acts shall be construed to mean this Order and the term "company" shall mean the Undertakers.

Interpretation.

4.—(1) In this Order unless the context otherwise requires—

"The Act of 1890" means the Higham and Hundred of Hoo Water Act 1890;

"The Act of 1905" means the Higham and Hundred of Hoo Water Act 1905;

"Deposited plans" and "deposited sections" mean respectively the plans and sections deposited for the purposes of this Order;

"The limits of supply" means the limits within which the Undertakers are for the time being authorised to supply water;

"The directors" means the directors of the Undertakers.

(2) The several words terms and expressions to which by the Acts incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings.

Undertakers.

5. The Higham and Hundred of Hoo Water Company incorporated by the Act of 1890 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Power to construct waterworks.

6. The Undertakers may on the lands now belonging to them delineated on the deposited plans make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections the works hereinafter described with all needful approaches embankments roads filtering beds wells reservoirs water towers drains sluices culverts mains pipes engines and all works and conveniences necessary for the supply of water (that is to say):—

(*a*) A well and pumping station with engines pumps tanks and other works and the necessary buildings in connection therewith at Three Crutches Lane in the Parish of Higham in the County of Kent;

(*b*) A water tower at Christmas Lane in the Parish of High Halstow in the County of Kent.

A.D. 1925.

Higham and Hundred of Hoo Order.

Limits of deviation.

7. In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards or seven feet downwards.

Power to divert and impound water.

8. The Undertakers may take divert collect and impound in the works authorised by this Order any water which may be obtainable by them from the said works as well as the waters of any springs or any other waters on or near the site of the said works or which may be from time to time in on or under any lands for the time being belonging to the Undertakers.

Period for completion of works.

9. The works authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by Section 11 of the Gas and Water Works Facilities Act 1870 Provided that subject to the restrictions and provisions of this Order the Undertakers may from time to time alter enlarge and extend their engines machinery tanks wells pipes reservoirs and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

Additional capital.

10. In addition to the capital already authorised to be raised by the Undertakers they may—

(1) Raise any further sums not exceeding in the whole the sum of thirty thousand pounds by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively (in this Order referred to as "the additional capital") but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any share or stock issued under the authority of this Order vest in the person accepting the same unless and until the full price of such share or stock including any premium obtained on the sale thereof as hereinafter provided has been paid in respect thereof Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of thirty thousand pounds :

(2) Borrow on mortgage of their undertaking in respect of the additional capital such sum or sums not exceeding in the whole one-half of the additional capital at the time actually raised by the issue of shares or stock including the premiums (if any) realised on the sale

thereof but no sum shall be borrowed in respect of any additional capital to be raised until the Undertakers have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock or shares at the time issued together with the premium (if any) realised on the sale thereof have been fully paid up:

(3) Borrow on mortgage (at any time after the commencement of this Order and without obtaining the certificate of a justice under the fortieth section of the Companies Clauses Consolidation Act 1845) in respect of the capital issued before the commencement of this Order a sum or sums (inclusive of the sums already borrowed in respect thereof) equal in the aggregate to one-half of the total amount of such capital.

New shares or stock to be sold by auction or tender.

11.—(1) Notwithstanding anything contained in the Higham and Hundred of Hoo Water Acts and Orders 1890 to 1925 all shares or stock created and issued by the Undertakers after the commencement of this Order shall be issued in accordance with the provisions of this Article.

(2) All shares or stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers shall from time to time determine Provided as follows:—

(*a*) Notice of the intended sale shall be given in writing to the clerk of the local authority of every district within the limits of supply and to the secretary of the London Stock Exchange at least seven days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply;

(*b*) A reserve price shall be fixed by the directors and notice thereof shall be sent by the Undertakers in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be;

(*c*) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds;

(*d*) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum In the case of a sale by auction a bid shall not be

A.D. 1925.

Higham and Hundred of Hoo Order.

recognised unless it is in advance of the last preceding bid;

(*e*) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary and preference shares or stock of the Undertakers in accordance with the provisions of Sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Undertakers and to the consumers of water supplied by the Undertakers in such proportions as the Undertakers may think fit or to one or more of these classes of persons only Provided that in the case of an offer to holders of shares or stock if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any shares or stock which have been offered for sale in accordance with subdivision (2) or with subdivisions (2) and (3) of this Article and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this Article and any such shares or stock then remaining unsold may be otherwise disposed of at such price and in such manner as the Directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Undertakers shall send a report thereof to the Board of Trade stating the total amount of the respective shares or stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the respective shares or stock.

Power to offer shares or stock for subscription and pay commissions.

12.—(1) Notwithstanding anything in the immediately preceding Article of this Order it shall be lawful for the Undertakers with the consent of the Board of Trade and subject to such conditions as that Board may think fit to impose to offer for subscription by the public free from the provisions of the said Article any ordinary or preference shares or stock to be created under the powers of this Order and upon any such offer to pay a commission not exceeding five per centum to any person in consideration of his subscribing or agreeing to subscribe whether absolutely or conditionally for any such shares or stock or procuring or agreeing to procure subscriptions whether absolute or conditional for any such shares or stock:

A.D. 1925.

Higham and Hundred of Hoo Order.

Provided that the payment of the commission and the amount or rate per centum of the commission paid or agreed to be paid shall be disclosed in every prospectus advertisement or other document of the Undertakers inviting subscriptions for such shares or stock.

(2) Nothing in this Article shall affect any power of the Undertakers to pay brokerage.

Appointment of a receiver.

13. The mortgagees of the Undertakers 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 than one-tenth part of the total amount for the time being owing by the Undertakers on mortgage under the authority of this Order.

Limit of dividend on additional capital.

14. The Undertakers shall not in any year make out of their profits any larger dividend on the additional capital by this Order authorised than seven pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as ordinary capital or six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

Power to create debenture stock.

15. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 and of Section 15 of the Act of 1890 Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Existing mortgages to have priority.

16. All mortgages granted by the Undertakers in pursuance of the powers of any Act of Parliament before the date of this Order and subsisting at that date shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Order but nothing in this Article contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers.

New shares or stock to be subject to same incidents as other shares or stock.

17. Except as by this Order otherwise provided the capital in new shares or stock created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing

Higham and Hundred of Hoo Order.

capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital.

Receipt in case of persons not sui juris.

18. If any money be payable to a shareholder being a minor idiot or lunatic the receipt therefor of the guardian committee or receiver of his estate shall be a sufficient discharge to the Undertakers.

Application of money.

19. All moneys raised under this Order including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of shares or stock under the provisions of this Order shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limit of interest on moneys borrowed.

20. The Undertakers shall not without the consent of the Minister of Health pay interest at a higher rate than six pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Ordinary meetings.

21. The ordinary meeting of the Undertakers shall be held once in each year not later than the month of March and it shall not be obligatory on the Undertakers or the directors to balance their accounts or make up a balance sheet half-yearly and Section 18 of the Act of 1890 shall be deemed to be amended accordingly.

Power to Directors to determine remuneration of secretary.

22. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 or otherwise they may from time to time determine the remuneration of the secretary of the Undertakers.

Power to make superannuation and other allowances.

23. It shall be lawful for the directors to make superannuation and other allowances and to pay pensions to any officers servants or employees of the Undertakers who may be temporarily or permanently disabled by sickness infirmity or age and for that purpose to apply the revenues of the Undertakers.

Power to make donations &c.

24. The directors out of the revenues of the Undertakers may subscribe or make donations to infirmaries or hospitals and to convalescent homes and similar institutions and to benevolent and accident and sick funds of the employees of the Undertakers.

Undertakers may purchase lands by agreement.

25. The Undertakers may by agreement from time to time purchase and use any lands and any easements rights or privileges in over or affecting any lands which they may require for their undertaking: Provided that they shall not hold for the purposes of the Higham and Hundred of Hoo Water Acts and Orders 1890 to 1925 more than twenty acres of land.

A.D. 1925.

Higham and Hundred of Hoo Order.

Persons under disability may grant easements to Undertakers.

26. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of the said Acts and of this Order grant to the Undertakers any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order 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.

Supply by meter for certain purposes.

27.—(1) The Undertakers shall not if a hose pipe or other similar apparatus is used be compelled to supply water for watering gardens for use in any trade or business for use for washing carriages motor cars or other vehicles or for use for other purposes in stables or premises where carriages motor cars or other vehicles are kept otherwise than by meter at the usual scale in force for the time being Provided that the minimum sum for which the Undertakers shall be compellable to afford a supply for such purposes shall be twenty shillings in any one year.

(2) In all cases to which this Article shall apply and in which a meter with an inlet and outlet not exceeding respectively three-eighths of one inch in diameter is sufficient for the purpose of the supply the Undertakers shall supply and fix the meter at their own expense and shall not be entitled to charge for the use of the same any higher rent than six shillings per annum.

Costs of Order.

28. All costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers and may in whole or in part be charged against revenue and if wholly charged against revenue may be spread over a period not exceeding five years.

Given under the Official Seal of the Minister of Health this Seventeenth day of April One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

A.D. 1925.

MONKS AND PRINCES RISBOROUGH WATER.

Monks and Princes Risborough Order.

Provisional Order under the Gas and Water Works Facilities Act 1870 *and the Gas and Water Works Facilities Act* 1870 *Amendment Act* 1873 *for empowering the Rural Districts Water Company Limited to construct and maintain waterworks and to supply water in parts of the Rural District of Wycombe in the County of Buckingham.*

The Minister of Health in pursuance of the powers given to him by the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and of all other powers enabling him in that behalf hereby orders as follows :—

Short title.

1. This Order may be cited as the Monks and Princes Risborough Water Order 1925.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act of Parliament confirming this Order is passed which date is in this Order referred to as " the commencement of this Order."

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and of the Waterworks Clauses Acts 1847 and 1863 are except where the same are expressly varied by this Order hereby incorporated with and form part of this Order :

Provided that Section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words " with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner " were omitted therefrom For the purposes of such incorporation the term " special Act " in the said Acts shall be construed to mean this Order and the term " company " shall mean the Undertakers.

Interpretation.

4. In this Order—

The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have the same respective meanings unless there be something in the subject or context repugnant to such construction; and

"Deposited plans" and "deposited sections" mean respectively the plans and sections deposited for the purposes of this Order;

"The undertaking" means the water undertaking authorised by this Order;

"The limits of supply" means the limits for the time being of the Undertakers for the supply of water.

Limits of supply.

5. The limits of supply shall be the whole of the Parishes of Monks Risborough Princes Risborough Great and Little Kimble and Horsenden in the Rural District of Wycombe in the County of Buckingham.

Power to local authority &c. to supply water in case Undertakers fail to supply.

6. If after the expiration of five years from the commencement of this Order the Undertakers are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of this Order throughout the district of any local authority within the limits of supply the local authority of that district may provide a supply in accordance with the provisions of the Public Health Act 1875 or the local authority or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Undertakers and for the repeal of the powers of the Undertakers in that behalf.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled by an arbitrator to be appointed on the application of either party by the Minister of Health.

Undertakers.

7. The Rural Districts Water Company Limited shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Capital.

8. The share capital of the Undertakers for the purposes of the undertaking shall not exceed fifteen thousand pounds unless the Undertakers are hereafter authorised to raise for the purposes of the undertaking additional capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

Application of moneys.

9. All moneys raised under this Order including premiums shall be applied only to the purposes of this Order to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of shares under the provisions of this Order shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limit of borrowing powers.

10. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one-half of the amount of the paid-up capital

A.D. 1925.

Monks and Princes Risborough Order.

of the Undertakers at the time actually raised by the issue of shares including any premium that may be obtained on the sale of any such shares and no higher rate of interest than six pounds per centum per annum shall be paid by the Undertakers without the consent of the Minister of Health in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

Purchase of lands by agreement.

11.—(1) The Undertakers may subject to the limitation mentioned in subdivision (2) of this Article from time to time purchase take on lease or otherwise acquire by agreement and use and hold for the purposes of the undertaking any lands and any easements rights or privileges (not being an easement right or privilege of water in which persons other than the parties to the agreement have an interest) in over or affecting any lands which they may from time to time require and the Undertakers may on any lands acquired by them under this Article make maintain alter or discontinue such cisterns tanks aqueducts drains cuts sluices pipes culverts engines buildings offices and dwellings and other works (other than works for taking or intercepting water) as may be required for the purposes of or in connection with their undertaking:

Provided that the Undertakers shall not on any lands so acquired so long as the same are held by them create or permit a nuisance or erect or authorise the erection thereon of any houses or similar buildings except offices and dwellings for persons in their employ and such buildings as may be required for the purposes of or in connection with the undertaking.

(2) The total quantity of land held by the Undertakers at any one time under this Article shall not exceed ten acres in the whole.

Persons under disability may grant easements &c.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Undertakers any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order 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.

Power to erect &c. dwellings for officers and servants.

13. The Undertakers may on any land for the time being belonging to or leased by them erect fit up maintain and let houses cottages and buildings for the officers and servants employed by the Undertakers for the purposes of the undertaking.

Power to construct waterworks.

14.—(1) Subject to the provisions of this Order the Undertakers may in upon or under the lands shown on the deposited

A.D. 1925.

Monks and Princes Risborough Order.

plans so long as they are possessed of the same construct and maintain in the lines and according to the levels shown on the deposited plans and sections the following work in the County of Buckingham :—

Work No. 1. A well and pumping station situate in the parish of Monks Risborough in the Rural District of Wycombe in the enclosure numbered in that parish 204 on the $\frac{1}{2500}$ Ordnance Map (Buckingham Sheet XXXVII. 7 Edition 1921).

(2) The Undertakers may also in upon or under the lands upon which the same are situate so long as they are possessed of the said lands or any necessary rights or easements therein maintain and continue the existing waterworks hereinafter described and may from time to time alter enlarge renew and improve the same together with all mains pipes machinery and other works as may be necessary or convenient in connection therewith or subsidiary thereto but nothing in this subdivision shall exonerate the Undertakers from any action indictment or other proceedings for nuisance in the event of any nuisance being caused or permitted by them.

The existing works hereinbefore referred to are situate in the said Parish of Monks Risborough and are :—

Work No. 2. A well and pumping station on the western side of the enclosure numbered in the said parish 159 on the $\frac{1}{2500}$ Ordnance Map (Buckingham Sheet XXXVII. 7 Edition 1921) :

Work No. 3. A reservoir situate near the southern part of the enclosure numbered in the said parish 120 on the $\frac{1}{2500}$ Ordnance Map (Buckingham Sheet XXXVII. 8 Edition 1921) :

Work No. 4. A line or lines of pipes along the road from Askett to Missenden commencing at a point 150 yards or thereabouts east of the junction of that road with the Upper Icknield Way and terminating at a point 10 yards or thereabouts west of the said junction :

Work No. 5. A line or lines of pipes commencing by a junction with the line or lines of pipes (Work No. 4) passing in a southerly and south-westerly direction along the Upper Icknield Way for a distance of 1,130 yards or thereabouts and terminating at a point 10 yards or thereabouts south of the junction of the said road with the lane known as Peters Lane :

Work No. 6. A line or lines of pipes commencing at the junction of the road known as the Hollow Way with the main road from Princes Risborough to Aylesbury passing thence up the Hollow Way and terminating by a junction with the line or lines of pipes (Work No. 5) at or near

A.D. 1925.

Monks and Princes Risborough Order.

the junction of the Hollow Way with the Upper Icknield Way:

Work No. 7. A line or lines of pipes commencing by a junction with the line or lines of pipes (Work No. 5) passing thence in a south-easterly direction for a distance of 140 yards or thereabouts and terminating in the said reservoir (Work No. 3):

Work No. 8. A line or lines of pipes commencing at the well and pumping station (Work No. 2) passing thence in a south-easterly direction for a distance of 60 yards or thereabouts and terminating in the line or lines of pipes (Work No. 5):

Work No. 9. A line or lines of pipes commencing in the high road from Princes Risborough to Aylesbury at a point in the said high road opposite the house and premises known as "The Haven" passing thence along the said road to the junction of that road with Peters Lane passing thence up Peters Lane and across the Upper Icknield Way thence along the road from Monks Risborough to Green Hailey for a distance of 230 yards or thereabouts and thence in a south-westerly direction along a new road at present unnamed and terminating at a point therein 700 yards or thereabouts measured in a south-westerly direction along the said new road from the junction therewith of the said road from Monks Risborough to Green Hailey.

Power to take waters.

15. Subject to the provisions of this Order the Undertakers may pump collect, impound take use divert and appropriate for the purposes of the undertaking all such springs streams or waters as may be intercepted by the works by this Order authorised to be constructed or maintained.

Limits of deviation.

16. In the construction of the new work authorised by this Order the Undertakers may deviate laterally to any extent within the limits of deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards and ten feet downwards Provided always that the Undertakers may in constructing such works or any of them in or upon the lands shown on the deposited plans which for the time being belong to or are leased to or have been acquired by them under the provisions of this Order deviate beyond such limits laterally and vertically to such extent as they may think necessary.

Completion of work.

17. The new work authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by Section 11 of the Gas and Water Works Facilities Act 1870 Provided always that subject to the restrictions and provisions of this Order the Undertakers may

alter enlarge renew deepen improve and extend their engines machinery tanks wells filters pipes mains connections and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

Limiting powers of Undertakers to abstract water.

18. The Undertakers shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this Order or some Act of Parliament.

Discharge of water into streams.

19.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying or examining any of the works authorised by this Order the Undertakers may cause the water in such works to be discharged into any available stream or watercourse Provided that any water so discharged shall so far as may be reasonably practicable be free from mud or solid or offensive matter.

(2) In the exercise of the powers conferred by this section the Undertakers shall do as little damage as may be and shall make compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

(3) The powers conferred by this Article shall not be exercised so as to damage or injuriously affect the railways or works of the Great Western Railway Company or the Great Western and Great Central Railways Joint Committee.

Exercise of powers of Section 12 of Water works Clauses Act 1847.

20.—(1) The Undertakers may on all or any of the lands for the time being held by them in connection with their water undertaking execute for the purposes thereof or in connection therewith any of the works (other than wells and works for taking and intercepting water) and exercise any of the powers mentioned in or conferred by Section 12 of the Waterworks Clauses Act 1847.

(2) Provided that the Undertakers shall not under the powers of this Article create or permit the creation or continuance of any nuisance on any such lands.

Telephonic wires and apparatus in streets.

21. Subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets the Undertakers may for the purpose of effecting telegraphic or telephonic communication between to or from the Undertakers' works or offices lay down maintain alter repair and renew mains tubes electric and other wires and apparatus in the soil of any street road highway or footpath within the limits of supply :

Provided that any mains tubes electric or other wires or apparatus laid down or maintained under the provisions of this

A.D. 1925.

Monks and Princes Risborough Order.

Article shall not be used in contravention of the exclusive privilege conferred on the Postmaster General by the Telegraph Act 1869 and shall not be constructed in such a manner as to interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster General or with telegraphic communication by means of any such line.

Detection of waste.

22. Subject to the provisions of the Waterworks Clauses Act 1847 the Undertakers may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Undertakers and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets roads lanes footways courts passages tramways gas or water pipes electric and other lines wires and apparatus Provided that the Undertakers shall not interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878:

Provided also that the Undertakers shall not enter upon break up or interfere with the railways or works or any street or road or any electric wires or apparatus belonging to or maintained by the Great Western Railway Company or the Great Western and Great Central Railways Joint Committee without their consent or unreasonably interfere with or render less convenient the access to or exit from any station or depôt of such company or committee.

Power to lay pipes in private streets.

23. The Undertakers may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if Section 29 of that Act were excepted from incorporation in this Order:

Provided that the Undertakers shall not without the consent of the Great Western Railway Company or the Great Western and Great Central Railways Joint Committee exercise the powers of this section in respect of any street belonging to that company or committee but such consent shall not be unreasonably withheld nor shall the Undertakers in carrying out the works authorised by this Article obstruct or interfere with the convenient access to any such street.

Differences with road authority or railway or other company.

24. If any difference arise between the Undertakers and any road authority railway canal or other company whose lands or works the Undertakers have power to cross under the authority of this Order for the purpose of meeting the demands for water within the limits of supply as to the mode of laying down repairing

altering or enlarging their conduits or pipes or as to the facilities to be afforded for the same or as to any other matter herein referred to the same shall unless otherwise provided by this Order be settled by an engineer to be appointed by the Minister of Health at the request of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference to arbitration.

For protection of Great Western Railway Company and Great Western and Great Central Railways Joint Committee.

25. The following provisions for the protection of the Great Western Railway Company and the Great Western and Great Central Railways Joint Committee (each of which is in this Article referred to as "the Railway Company") shall unless otherwise agreed in writing between the Undertakers and the Railway Company apply and have effect that is to say :—

(1) In laying and maintaining any mains pipes culverts or other works (hereinafter included in the expression "the authorised works") over upon across or under any work or property of the Railway Company the Undertakers shall execute and maintain such works with all despatch and under the reasonable direction and superintendence (if given) and to the reasonable satisfaction of the engineer of the Railway Company and in accordance with plans and sections previously submitted to and approved by him :

(2) The Undertakers shall with all reasonable despatch restore and make good to the reasonable satisfaction of the said engineer the railway and other property of the Railway Company and the roads on any bridge or level crossing of such railway or over the approaches to any such bridge so far as the same may be disturbed or interfered with by or in connection with the authorised works :

(3) If the Railway Company so elect they may by notice in writing given to the Undertakers within fourteen days of the receipt of any such plans and sections as aforesaid themselves execute and maintain the authorised works (other than the actual laying down and maintenance of the pipes) and may recover from the Undertakers the reasonable expenses incurred by the Railway Company in connection therewith :

Provided that if the Railway Company after giving such notice fail at any time to execute forthwith the same or any necessary works of maintenance or to proceed with due despatch with such execution or any such maintenance the Undertakers may proceed to execute and maintain the authorised works as if no such notice had been given to them by the Railway Company :

A.D. 1925.

Monks and Princes Risborough Order.

(4) The authorised works shall be constructed executed and maintained so as not to cause any injury or damage to the railway or other property of the Railway Company or any interruption to the passage or conduct of traffic over such railway or any unreasonable interruption to the traffic at any station thereon and if any such injury damage or interruption arises from the acts or operations of the Undertakers or by reason of the failure of the Undertakers to maintain the authorised works or from the bursting leakage or failure of the authorised works all such injury or damage shall forthwith be made good by the Railway Company at the expense of the Undertakers and the Undertakers shall indemnify the Railway Company from all claims for or arising out of any such injury damage or interruption and shall make compensation to the Railway Company for and in respect thereof :

(5) In the event of the Undertakers failing to maintain the authorised works in substantial repair and good order to the reasonable satisfaction in all respects of the said engineer or in case of emergency of which the said engineer shall be the sole judge the Railway Company may make good the same and make and do in and upon the lands of the Undertakers or their own lands all such repairs and things as may be reasonably requisite and recover from the Undertakers the reasonable expenses incurred by them in connection therewith :

(6) If it should be necessary during the construction of the authorised works or by reason of the existence of the same to alter any of the telegraph telephone or signal posts or wires or other works or apparatus belonging to or on the railway of the Railway Company the Railway Company may effect such alterations and the Undertakers shall repay to them the reasonable expenses incurred by them in connection with such alterations :

(7) The Undertakers shall bear and on demand pay to the Railway Company the reasonable expense incurred by the Railway Company of and in connection with the employment by them during the construction and maintenance of the authorised works over under or across any railway crossing of the Railway Company of a sufficient number of inspectors signalmen or watchmen to be appointed by the Railway Company for watching and protecting the said railway and the conduct of the traffic thereon with reference to and during the execution and maintenance of the authorised works and for preventing as far as may be all interference

obstruction danger and accident from any of the operations or from the acts or defaults of the Undertakers or their contractors or any person or persons in the employ of the Undertakers or their contractors :

Monks and Princes Risborough Order.

(8) If at any time it is found necessary in order to enable the Railway Company to carry out any alterations widenings or extensions of their railway or works authorised before the commencement of this Order that the position of the authorised works shall be altered the Undertakers shall on receiving notice in writing from the Railway Company so to do at the Undertakers' own cost and with all despatch alter the position of the same so far as may be necessary to enable the Railway Company to carry out such alterations widenings or extensions and the provisions of this section shall apply to the authorised works in their altered position If upon receipt of notice as aforesaid the Undertakers fail or refuse to alter the position of the authorised works it shall be lawful for the Railway Company to take up and relay the authorised works at the expense of the Undertakers and the Undertakers shall indemnify the Railway Company from and against all claims which may arise out of or in connection with the action of the Railway Company in taking up and relaying the authorised works :

(9) Any additional expense which the Railway Company may reasonably and properly incur in connection with their railway or other works by reason of the existence of the authorised works shall be paid by the Undertakers :

(10) Any difference arising between the Undertakers and the Railway Company respecting any of the matters referred to in this Section shall be referred to and determined by an arbitrator to be appointed failing agreement at the request of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protection of Buckingham County Council.

26. For the protection of the County Council of the Administrative County of Buckingham (in this Article called " the County Council ") the following provisions shall unless otherwise agreed in writing between the County Council and the Undertakers apply and have effect (that is to say) :—

(1) Except in cases of laying down connecting or repairing consumers' service pipes or except in cases of leakage bursting or other emergency the notice required by

A.D. 1925.

Monks and Princes Risborough Order.

Section 30 of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall as regards any main road or county bridge be not less than seven days instead of three days :

(2) Except in cases of laying down connecting or repairing consumers' service pipes and except in cases of leakage bursting or other emergency the plan required by Section 31 of the Waterworks Clauses Act 1847 shall as regards any main road or county bridge be on a scale of not less than twenty-five inches to the mile and such plan shall be accompanied by sections drawn to suitable scales and the said plan and sections shall show clearly the proposed works and their proposed position and depth and shall be delivered to the County Council or the County Surveyor by the Undertakers not less than fourteen days before the Undertakers commence to open or break up or interfere with any such main road or county bridge :

(3) All works shall be so executed by the Undertakers as not to stop or (so far as reasonably practicable) impede or interfere with the traffic of any such main road or county bridge and the Undertakers shall not break up at any time a greater consecutive length than one hundred yards and a clear space of not less than fifty yards shall intervene between any two lengths of road or bridge broken up :

(4) The Undertakers shall not without the consent in writing of the County Council (which consent shall not be unreasonably withheld) interfere with the structure of any county bridge for the time being maintainable by the County Council but shall if so required by the County Council in the case of any main or pipes having a diameter exceeding six inches attach such main or pipes which they may wish to carry across such county bridge under or on the outside of such county bridge in such manner as the County Council may reasonably direct and the County Council shall in such case permit the Undertakers to protect such main or pipes from frost or injury by artificial covering :

(5) Where the Undertakers place any stop-cock or other apparatus on the surface of the roadway of any main road they shall place granite setts or other suitable material round such stop-cock or apparatus and shall maintain the same at the level of the surrounding road surface :

(6) All mains pipes or other works other than consumers' service pipes and replacements of mains pipes or other

works being replacements which do not exceed in size the works replaced to be laid by the Undertakers in along across or in any way affecting any main road or county bridge shall be laid under the superintendence (if the same be given) and to the reasonable satisfaction of the County Surveyor and in such position in or at the side thereof and at such depth as he shall by writing under his hand reasonably direct and in accordance with plans and sections to be reasonably approved of by him in writing before the commencement of any such works and the Undertakers shall in executing any such work conform to all the reasonable requirements of the County Surveyor :

(7) If the County Council shall within seven days after the receipt by them of any notice by the Undertakers of their intention to execute any works affecting any road or bridge give written notice to the Undertakers of such their desire the Undertakers shall under the supervision (if given) and to the reasonable satisfaction of the County Surveyor fill in any trench or excavation made by them in connection with such works to the height of eight inches from the level of the surface so broken up and the County Council shall forthwith fill in the remainder of the trench or excavation and reinstate and make good the surface of the portion of the roadway broken up by the Undertakers and upon the completion of such filling in reinstatement and making good by the County Council the Undertakers shall repay to the County Council the reasonable expenses incurred by them in such filling and reinstatement and making good with materials of the same substance and character and so far as practicable with the same material as that with which such portion was made up immediately before the roadway was so broken up :

If any subsidence of the surface of the roadway so filled in and reinstated shall occur within twelve months after the reinstatement the Undertakers shall if the County Council so require repay to them all expenses of the County Council incident to the making good of such subsidence :

(8) Any paving metalling or other materials excavated or removed by the Undertakers from any main road or the roadway on any county bridge or approaches during the laying of any mains pipes or other works as aforesaid shall where there is roadside waste be laid on the roadside waste and shall in no case be laid on the metalled portion of the road without the consent of the County Surveyor but such consent shall not be unreasonably withheld

A.D. 1925.

Monks and Princes Risborough Order.

and any surplus paving metalling or other materials shall be disposed of in such manner as the County Surveyor may reasonably direct :

(9) Nothing in this Order contained shall interfere with the right of the County Council to alter the level or deviate or improve in any manner they think fit any main road in or along which any mains pipes or works of the Undertakers shall have been laid and the Undertakers shall at the expense of the County Council within a reasonable time after receiving notice under the hand of the clerk or the surveyor to the County Council so to do alter the positions of any such mains pipes or works in the manner and to the extent prescribed by such notice or as in the case of difference shall be determined by arbitration in the manner hereinafter provided :

(10) Nothing in this Order contained shall limit the right of the County Council at any time or times to remove alter or rebuild any county or main road bridge over near or attached to which any mains pipes or works of the Undertakers are carried in the same manner as they might have removed altered or rebuilt such bridge if this Order had not been made and such mains pipes or works had not been laid over or near or attached to such bridge and the County Council shall not make any compensation to the Undertakers for any expense or loss to which the Undertakers may be put in consequence of the exercise of such right and in the event of any such bridge over or near or attached to which any such mains pipes or works are laid being removed altered or rebuilt as aforesaid the Undertakers shall if required by the County Surveyor at their own cost in all things alter the position of any works by which such mains pipes or works are carried over or near or attached to such bridge Provided that during the removal alteration or rebuilding of such bridge the County Council shall at the cost of the Undertakers afford all reasonable facilities for temporarily carrying such mains pipes and works across such bridge overhead or at the side thereof in such a manner as will not in the opinion of the County Council or their surveyor be a danger or inconvenience to the public and so as not to interrupt the continued supply of water through such mains pipes or works and the Undertakers may temporarily carry such mains pipes or works accordingly :

(11) The County Council shall not except in case of their negligence be liable for or in respect of any damage or injury done to any main pipe or work of the Undertakers laid or fixed in or upon the metalled

portion of any main road or county bridge arising from the use by the County Council in the exercise or performance of their powers or duties in regard to the maintenance or repair of roads or bridges of a steam or other roller not exceeding fifteen tons in weight :

(12) If any difference arises at any time between the County Council or their surveyor and the Undertakers touching this section or anything to be done or not to be done thereunder such difference shall be settled by an arbitrator to be agreed on between the County Council and the Undertakers and failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 (and any statutory modification thereof) shall apply to such arbitration.

Rates for domestic supply.

27. The Undertakers shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at a rate not exceeding sixteen pounds per centum per annum of the gross estimated rental of the premises supplied and so in proportion for any shorter period than a year :

Provided that the Undertakers shall not be bound to afford a supply of water to any premises for a less sum than seventeen shillings and fourpence per annum.

The gross estimated rental of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor Provided that where the water rate is chargeable on the gross estimated rental of a part only of any hereditament entered in the valuation list such gross estimated rental shall be a fairly apportioned part of the gross estimated rental of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction.

In addition to the foregoing charges the Undertakers may charge in respect of every watercloset beyond the first (for which no additional charge shall be made) on any premises within the limits of supply a sum not exceeding five shillings per annum and for every fixed bath a sum not exceeding ten shillings per annum such additional sums to be paid quarterly in advance and be recoverable in all respects with and as the water rate.

Supply by meter.

28. The Undertakers may supply water for other than domestic purposes on such terms and conditions as the Undertakers think fit and may supply water by meter either for domestic

A.D. 1925.

Monks and Princes Risborough Order.

or other purposes and the moneys payable for the supply of water under this Article shall be recoverable in the same manner as water rates Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes.

Price of supply by meter.

29. The price to be charged for a supply of water by meter shall not exceed three shillings a thousand gallons.

Revision of rates.

30. On the application of the Undertakers or of a local authority having jurisdiction within the limits of supply the Minister of Health may if satisfied that circumstances have materially changed make an order varying either by way of increase or decrease the rates for the supply of water by this Order authorised :

Provided that the rates prescribed in any such order shall be such as to provide (after paying all proper expenses of and in connection with the working management and maintenance of the undertaking of the Undertakers and making good depreciation and paying all other costs charges and expenses (if any) properly chargeable to revenue) a reasonable return on the share capital of the Undertakers :

Provided also that in the absence of exceptional reasons the said Minister shall not alter the rates at less intervals than every five years.

Byelaws for preventing waste &c. of water.

31.—(1) The Undertakers may make byelaws for the purpose of preventing waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this Article referred to as " water fittings ") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

(2) Such byelaws shall apply only in the case of premises to which the Undertakers are bound to afford and do in fact afford or are prepared on demand to afford a constant supply and the provisions with respect to byelaws contained in Sections 182 to 185 of the Public Health Act 1875 shall apply to all byelaws so made.

(3) A copy of all such byelaws in force for the time being shall be kept at the office within the limits of supply of the Undertakers All persons may at all reasonable times inspect such copy without payment and the Undertakers shall cause to be delivered a printed copy of all byelaws for the time being in force to every

person applying for the same on payment of a sum not exceeding sixpence for each copy. A.D. 1925.

Monks and Princes Risborough Order.

(4) In case of failure of any person to observe such byelaws as are for the time being in force the Undertakers may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Undertakers as the water rates in respect of the premises are recoverable.

Supply to certain premises.

32.—(1) The Undertakers shall not be bound to supply with water otherwise than by meter (*a*) any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required or (*b*) any workhouse hospital asylum (whether public or private) sanatorium school club hotel public house or inn or (*c*) any boarding house capable of accommodating at least twelve persons or (*d*) any other institution which is habitually occupied by at least twenty persons.

(2) Where a supply of water to a farmhouse is used for farming purposes the Undertakers may require that the supply for farming purposes shall be taken by meter but nothing in this Article shall authorise the Undertakers to refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate calculated on the gross estimated rental thereof.

(3) The minimum quarterly charge for a supply of water by meter to any of the premises in this Article mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same gross estimated rental.

Application of Section 35 of Waterworks Clauses Act 1847.

33. Section 35 of the Waterworks Clauses Act 1847 in its application to the Undertakers shall be read and construed as if the words "one-seventh part" and "five successive years" were substituted therein for the words "one-tenth part" and "three successive years" respectively.

Charges for supply by hose-pipe.

34. Where water supplied for domestic purposes is used for horses washing carriages or motor cars or for other purposes in premises where horses carriages or motor cars are kept the Undertakers may if a hose-pipe or other similar apparatus is used charge any additional sum not exceeding twenty-five shillings per annum and (where more motor cars than one are ordinarily kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first and any sum chargeable under the provisions of this Article shall be recoverable with and as the water rate.

A.D. 1925.

Monks and Princes Risborough Order.

Rates payable by owners of small houses.

35. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Undertakers so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

Contracts for supplying water in bulk.

36. The Undertakers may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the limits of supply to any such authority company or persons respectively in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon Provided that such supply shall not be given except with the consent of any company or person supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply Provided also that nothing in this Article shall authorise the Undertakers to lay any mains or other pipes or to interfere with any street beyond the limits of supply.

Purchase of water in bulk.

37. The Undertakers may subject to the consent of the Minister of Health enter into and carry into effect agreements made with any company or person for the purchase of water in bulk by the Undertakers for such price and on such terms and conditions and for such period as may be agreed upon and any water so purchased may be used by the Undertakers for the purposes of their undertaking.

Guarantees by district councils.

38.—(1) Any urban or rural district council whose district is in whole or in part within the limits of supply may give and enter into any guarantee or contract for securing payment to the Undertakers of such periodical or other sum or sums at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Undertakers for the purpose of or with respect to the providing or laying down by the Undertakers of any main pipe or works for the supply of water within any part of such district.

(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise in like manner as money may be raised under the provisions of any such general Act any money which may become payable to the Undertakers under this Article.

(3) Nothing in this Article shall be deemed to authorise any such urban or rural district council to use any water supplied by the Undertakers under any such guarantee or contract as aforesaid in any part of the district of such council which is beyond the limits of supply and within the limits for the supply of water of any other company or person supplying water under parliamentary authority without the consent of such other company or person.

Power to sell meters.

39. The Undertakers may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

Power to supply fittings.

40.—(1) The Undertakers may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets and other fittings as are required or permitted by their regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges of the Undertakers in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings let for hire under the provisions of this Article shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof.

Undertakers not bound to supply several houses by one pipe.

41. The Undertakers shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Notice of discontinuance.

42. A notice to the Undertakers from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Undertakers or be given by the consumer personally at the office of the Undertakers.

Notice to Undertakers of connecting or disconnecting meters.

43. Before any person connects or disconnects any meter by means of which any of the water of the Undertakers is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Undertakers of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the

Monks and Princes Risborough Order.

Undertakers and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Register of meter to be primâ facie evidence.

44. Where water is supplied by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rate or rent is charged and sought to be recovered by the Undertakers Provided always that if the Undertakers and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties the costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

As to communication pipes.

45.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 or under any other Act relating to the Undertakers to maintain any pipe or apparatus used for the supply of water from the works of the Undertakers the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of Sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Undertakers by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe or apparatus and for that purpose to open or break up any street in the limits of supply may subject to the like conditions execute such works on behalf of such owner or occupier and any expenses incurred by the Undertakers shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

(3) The Undertakers or any other person liable to maintain any such pipes or apparatus shall not without the previous consent of the Great Western Railway Company or the Great Western and Great Central Railways Joint Committee exercise the powers of this Article in respect of any street which is the property of that company or committee but such consent shall not be unreasonably withheld.

Undertakers to connect communication pipes with mains.

46. Notwithstanding anything contained in any Act relating to the Undertakers the Undertakers shall have the exclusive right of executing any works on any of the water mains of the Undertakers for connecting any communication pipe therewith and the Undertakers shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Undertakers execute on any such main any work which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and any expenses incurred by the

Monks and Princes Risborough Order.

Undertakers in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Maintenance of common pipe.

47. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Undertakers in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the engineer of the Undertakers.

Power to Undertakers to repair communication pipes.

48. If it should appear to the Undertakers that by reason of any injury to or defect in any communication pipe which the Undertakers are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Undertakers to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Undertakers in executing such repairs shall be recoverable by the Undertakers from the owner :

Provided that except in case of emergency the Undertakers shall not under the powers of this Article enter into any house or private premises unless they shall have given to the owner of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

Injuring meters &c.

49. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Undertakers shall (without prejudice to any other right or remedy for the protection of the Undertakers) be liable to a fine not exceeding five pounds and the Undertakers may in addition thereto recover the amount of any damage by them sustained and in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Undertakers or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Undertakers the Undertakers may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter of the quantity of water supplied by means thereof

A.D. 1925.

Monks and Princes Risborough Order.

and the expense of such repair and of all such works matters and things shall be repaid to the Undertakers by the person so offending and may be recovered by them as water rates are recoverable The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Undertakers when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Penalty for closing valves and apparatus.

50. Every person who shall wilfully (without the consent of the Undertakers) or negligently close or shut off or interfere with any valve cock or other work or apparatus belonging to the Undertakers whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Undertakers) be liable on conviction to a penalty not exceeding five pounds and the Undertakers may in addition thereto recover the amount of any damage by them sustained Provided that this Article shall not apply to a consumer closing a valve fixed on his communication pipe.

For protection of Alice Maud Rowoon Taylor.

51. Nothing in this Order contained shall derogate from or prejudice the provisions of a lease dated the twenty-fourth day of June One thousand nine hundred and twenty-two and made between William Joseph Ennever of the one part and Cornelius Stevens Arthur Stevens Alfred Cornelius Stevens Charles Henry Stevens and Rupert Stevens of the other part.

Receipt in case of persons not sui juris.

52. If any money is payable to a shareholder stockholder mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Authentication and service of notices by Undertakers.

53. Any notice to be served by the Undertakers on a person supplied with water shall be sufficiently authenticated by the signature of the secretary or other officer of the Undertakers for the time being authorised in writing by the directors of the Undertakers being affixed thereto in writing or in print or by a stamp or if it be a notice to pay any charge in respect of a supply of water by the name either of the secretary or of such other officer as aforesaid being affixed thereto as aforesaid and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a

notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises. *Monks and Princes Risborough Order.*

Recovery of penalties &c.

54. Save as otherwise expressly provided by any Act or Order from time to time relating to the undertaking all offences against and all penalties forfeitures costs and expenses imposed or recoverable under any such Act or Order or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

55. Proceedings for the recovery of any demand made under the authority of any Act or Order from time to time relating to the undertaking or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Penalties not cumulative.

56. Penalties imposed under this Order and the Acts wholly or in part incorporated therewith for one and the same offence shall not be cumulative.

Several sums in one summons.

57. Any summons or warrant issued for any of the purposes of this Order may contain in the body thereof or in the schedule thereto several sums due from the same individual.

Judges not disqualified.

58. A judge of any court or a justice shall not be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any rate.

Costs of Order.

59. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers.

Given under the Official Seal of the Minister of Health this Sixteenth day of April One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

Printed by EYRE and SPOTTISWOODE, LTD.,
FOR
WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C. 2; 28, Abingdon Street, London, S.W. 1;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
or 120, George Street, Edinburgh;
or through any Bookseller.