ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

****

Cap. lxviii.

An Act for the better supplying with Water the Town of *Reading* and the Hamlet of *Whitley* in the County of *Berks*. [15th *July* 1850.]

WHEREAS it is expedient that the Town of *Reading* and Hamlet of *Whitley* should obtain a more pure and more abundant Supply of Water, which would greatly contribute to the Health and Comfort of the Inhabitants: And whereas the Persons herein-after named are willing, with others, at their own Expense, to carry such Undertaking into execution, but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Acts of Parliament following, that is to say, "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Waterworks Clauses Act, 1847," shall be incorporated with and form Part of this Act, except as far as the same several Acts or any of them, or any Part or Parts thereof respectively, are inconsistent with the Pro-

Provisions of 8 & 9 Vict. cc. 16. & 18. and 10 & 11 Vict. c. 17. incorporated with this Act.

visions of this Act or any of them, or are expressly varied or altered by this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression, "The *Reading* Union Waterworks Act, 1850."

Limits of Act.

III. And be it enacted, That the Limits of this Act shall be deemed and taken to extend to and shall comprise and include the several Parishes and Places of *Saint Giles*, *Saint Laurence*, and *Saint Mary*, *Reading*, and the Hamlet of *Whitley* in the said Parish of *Saint Giles*, all in the County of *Berks*.

Incorporation of Company.

IV. And be it enacted, That *George Barrett*, *William Silver Darter*, *Thomas Edwards*, *William Exall*, *Thomas Harris*, *Henry Finch Letchworth*, *Thomas Philbrick*, *Henry Simonds*, *George Simonds*, *Thomas Tredwell*, *Thomas Coombe Williams*, and *Henry Wood*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns respectively, shall be and they are hereby united and incorporated into a Company for the Purpose of supplying with Water the Inhabitants, Buildings, and Lands within the Limits of this Act, and for other Purposes herein and in the said recited Acts contained, under the Name of "The *Reading* Union Waterworks Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall and may sue and be sued, and shall have Power to purchase and hold Lands, for the Purposes of the Undertaking, within the Restrictions and Provisions herein and in the said incorporated Acts contained.

Amount of Capital.

V. And be it enacted, That the Capital of the Company for the Purposes of this Act shall be Thirty-five thousand Pounds.

Shares.

VI. And be it enacted, That the Number of Shares into which the said Capital shall be divided shall be Three thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Calls.

VII. And be it enacted, That One Pound Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and that Two Months at the least shall intervene between the making of any Two successive Calls.

Power to borrow Money on Mortgage.

VIII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond, for the Purposes of this Act, any Sums of Money not exceeding in the whole the Sum of Eleven thousand

sand six hundred and sixty-six Pounds; but no Part of such Sum shall be raised until the whole of the said Capital or Sum of Thirty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Number and Qualification of Directors.

IX. And be it enacted, That (subject to the Provisions herein contained for increasing or reducing the Number of Directors) the Number of Directors shall be Twelve, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares at least in the Undertaking.

Power to vary the Number of Directors.

X. And be it enacted, That it shall be lawful for the Company from Time to Time to increase the Number of Directors, and from Time to Time to reduce such Number; but the whole Number of Directors after such an Increase or Reduction as aforesaid shall not be greater than Twelve nor less than Nine.

First Directors.

XI. And be it enacted, That the said *George Barrett*, *William Silver Darter*, *Thomas Edwards*, *William Exall*, *Thomas Harris*, *Henry Finch Letchworth*, *Thomas Philbrick*, *Henry Simonds*, *George Simonds*, *Thomas Tredwell*, *Thomas Coombe Williams*, and *Henry Wood* shall be the first Directors of the Company.

Quorum of Directors.

XII. And be it enacted, That a Quorum of a Meeting of Directors shall be Five.

Committees of Directors.

XIII. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Five, and the Quorum of such Committee shall be Two.

Meetings.

XIV. And with respect to the General Meetings of the Company, be it enacted, That the First General Meeting of the Shareholders of the Company shall be held within Three Months after the passing of this Act, and a General Meeting shall be held in the Month of *March* in each Year, and such other stated Periods as shall be appointed for that Purpose by an Order of a General Meeting; and all Meetings, whether ordinary or extraordinary, shall be held within the said Town of *Reading*; and that the Quorum for every Meeting of the Company shall be Ten Shareholders holding in the aggregate not less than One thousand Pounds in the Capital of the Company.

Scale of voting.

XV. And be it enacted, That the Scale according to which the Shareholders may vote in respect to their Shares shall be as follows; (that is to say,) for One Share but not exceeding Ten, One Vote; for more than Ten and not exceeding Thirty, Two Votes; for more than

than Thirty and not exceeding Fifty, Three Votes; and for more than Fifty, Four Votes.

Proxies.

XVI. And be it enacted, That no Person shall be entitled to vote as a Proxy unless the Instrument appointing such Proxy shall have been transmitted to the Clerk or Secretary of the Company Two Days before the holding of the Meeting at which such Proxy is to be used, and that no Person shall at any One Meeting represent as Proxy more than Three Shareholders.

Appointment of Auditors.

XVII. And be it enacted, That the Number of Auditors shall be Two, and that *John Berry Clacy* and *James Haslam* shall be the First Auditors of the Company.

Qualification of Auditors.

XVIII. And be it enacted, That no Person shall be capable of being an Auditor unless he be a Shareholder possessed in his own Right of One Share in the Undertaking.

Appointment of Secretary.

XIX. And be it enacted, That the Clerk or Secretary of the Company shall from Time to Time be appointed by the Directors, and the Amount of his or their Salary or Remuneration shall be fixed and determined by them.

Remuneration of Directors.

XX. And be it enacted, That the Remuneration of Directors shall from Time to Time be fixed by a General Meeting of the Company.

Power to appoint Manager.

XXI. And be it enacted, That it shall be lawful for the Company at any General or Special General Meeting of the Proprietors to authorize the Appointment of a Manager, with such Salary as they shall think fit, and from Time to Time to alter the Amount of such Salary, and after such Authority shall have been given to appoint a fit and proper Person out of their own Body authorized to be such Manager, and from Time to Time, at their Pleasure, to remove such Manager, and to appoint another in his Stead.

Power to make Waterworks according to deposited Plans.

XXII. And whereas Plans and Sections showing the Line and Levels of the Waterworks, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers of the Lands and Streams in or through which the same are intended to be made or to pass, or which are required for the Purposes of the Company, have been deposited with the Clerk of the Peace for the County of *Berks:* Be it enacted, That it shall be lawful for the Company, subject to the Provisions and Restrictions in this and the said incorporated Acts contained, to make and maintain the said Waterworks in the Line and on the Levels and upon the Lands delineated on the said Plans

and Sections and described in the said Book of Reference, and to enter upon, purchase, take, and use, or to agree for and take a Lease of such of the Lands mentioned in the said Plans and Book of Reference as shall be necessary for that Purpose, and also to divert, impound, and take from the Stream called the River *Kennet*, mentioned in the said Plans and Book of Reference, such Water as the Company may require for the Purposes of this and the said incorporated Acts.

In case of Parties under Disability, Lands, &c. to be let at best yearly Rent.

XXIII. And be it enacted, That in every Lease of any Lands by any Party under any Disability or Incapacity to sell and convey Lands as defined by "The Lands Clauses Consolidation Act, 1845," there shall be reserved the best or most usual yearly Rent for or in respect of such Lands; and that no Fines, Premium, or Foregift shall be paid upon or in respect of such Lease.

Owners may grant Leases.

XXIV. And be it enacted, That the Persons empowered by the said Lands Clauses Consolidation Act to convey Lands shall have full Power to grant Leases of any Lands for the Purposes of this Act, or any Easement, Power, or Authority in or over such Lands.

Form of Lease.

XXV. And be it enacted, That all Leases of Land to be taken on Lease by virtue of the Powers or Provisions of this or the incorporated Acts may be according to the Form in Schedule (A.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit.

Power to purchase additional Quantity of Land.

XXVI. And be it enacted, That, in addition to the Lands authorized to be purchased as aforesaid, it shall be lawful for the Company to contract with any Party or Parties willing to sell or lease the same for the Purchase or Lease of any Land not exceeding in Quantity Twenty Acres, and any Easements, Power, or Authority in or over the same which shall be deemed proper or expedient for the Purposes of the said Undertaking; and that it shall be lawful for all Persons who under the Provisions herein-before and in the said incorporated Acts contained would be enabled to sell or convey Lands for the said Undertaking to sell and convey such additional Quantity of Land so required.

Period within which Waterworks are to be completed.

XXVII. And be it enacted, That the Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said incorporated Acts granted to the Company for completing such Works or otherwise in relation thereto shall cease to be exercised, except as to so much of the said Works as shall then be completed: Provided always, that nothing in this Act contained shall extend or

be construed to extend so as to restrain the Company from enlarging and extending their Mains and Pipes and Works from Time to Time, whenever it shall be necessary for the Purpose of supplying the Inhabitants with Water.

Compensation for Damage to St. Giles' and Minster Mills to be settled by Arbitration.

XXVIII. And whereas there are situate within the said Town of *Reading* on the said River *Kennet*, and on a Branch of the said River known as the *Minster* Mill Stream, Two ancient Mills situate below the Site of the Waterworks by this Act authorized to be constructed, and called respectively "The *Saint Giles'* Mill," and "The *Minster* Mill," of which said Two Mills *John May* and *William May* claim to be the Owners, and the same Mills are worked wholly by Water derived from the said River *Kennet:* Be it enacted, That the Compensation for any Damage to be done to the Water Power of the said Mills by reason of the Waterworks by this Act authorized to be constructed shall be determined by Arbitration in the Manner provided by the Lands Clauses Consolidation Act, 1845, for settling by Arbitration Questions of disputed Compensation, and the Sum so determined shall be paid by the Company to the said *John May* and *William May* or other the Owners of the said Mills, their Heirs or Assigns, and all the Powers and Provisions of the said Lands Clauses Consolidation Act shall be applicable to enforce Payment or other Satisfaction thereof.

Limiting Quantity of Water to be taken by the Company.

XXIX. And be it enacted, That nothing in this Act or in the said incorporated Acts contained shall extend or be construed to enable the Company at any Time to divert, impound, or take from the said River *Kennet* a greater Quantity of Water than Two Millions of Gallons *per Diem*, without the Consent in Writing of the Owners for the Time being of the said *Saint Giles'* Mill and *Minster* Mill respectively being first had and obtained.

Saving Rights of Owners of St. Giles' and Minster Mills.

XXX. And be it enacted, That nothing in this Act or in the said incorporated Acts contained shall be construed to affect, diminish, prejudice, or alter in any Manner whatsoever any Right which before the passing of this Act the respective Owners and Occupiers of the said Mills or either of them had or have possessed or enjoyed, or might lawfully have, possess, or enjoy, to the Use of the Water of the said River *Kennet*, except so far as is provided and declared in and by this Act.

Rate at which Water is to be supplied for domestic Purposes.

XXXI. And be it enacted, That the Company shall, at the Request of the Owner or Occupier of any House or Proprietor of a House in any Street in which any Pipe of the Company shall be laid, or on the Application of any Person who under the Provisions of this Act or any Act incorporated herewith shall be entitled to demand

demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for domestic Use at the Rates herein-after specified; (that is to say,)

Where no Water-closet.

If there be no Water-closet or Bath in the Dwelling House or on the Premises to be supplied with Water, then at the following Rates:

Where the annual Value of such House shall not amount to Five Pounds, at a Rate not exceeding Four Shillings and Four-pence *per Annum*:

Where the annual Value of such Dwelling House shall be Five Pounds and under One hundred Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds:

Where the annual Value of such Dwelling House shall be One hundred Pounds and upwards, at a Rate *per Centum per Annum* not exceeding Four Pounds and Ten Shillings:

If there be a Water-closet.

If there be a Water-closet or Water-closets in such Dwelling House, then, in addition to the Rates above specified, the following Rates shall be payable; (that is to say,)

When the annual Rack Rent or Value of the Premises so supplied with Water shall not amount to Forty Pounds *per Annum*, for One Water-closet the Sum of Eight Shillings *per Annum*; and for each additional Water-closet, if more than One, the Sum of Four Shillings *per Annum*:

When such Rent or Value shall amount to Forty Pounds and be less than One hundred Pounds *per Annum*, for One Water-closet the Sum of Ten Shillings *per Annum*; and for each additional Water-closet, if more than One, the Sum of Five Shillings *per Annum*:

When such Rent or Value shall amount to One hundred Pounds and upwards *per Annum*, for One Water-closet the Sum of Twelve Shillings *per Annum*; and for each additional Water-closet, if more than One, the Sum of Six Shillings *per Annum*:

Provided always, that the Company shall not be compelled to supply with Water any Water-closet or Bath, or the Apparatus or Pipes connected therewith, unless the same shall be so constructed and used as to prevent the Waste or undue Consumption of the Water of the Company, and the Return of foul Air and other noisome or impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Company.

What shall be deemed domestic Purposes.

XXXII. And be it enacted, That a Supply of Water for domestic Purposes shall not include a Supply of Water for Horses or Cattle, or for washing Carriages, or for any Trade or Manufacture or Business whatsoever, or for any Bath or Baths, or for watering Gardens, or for Fountains, or for any ornamental Purposes whatever.

XXXIII. And

Power to lease the Rents or Rates.

XXXIII. And be it enacted, That it shall be lawful for the Company to lease the whole or any of the Rates or Rents payable to the Company by virtue of this Act, or otherwise, to any Person or Persons, for any Term not exceeding Three Years, and upon such Rents, Covenants, and Conditions as the Company shall think fit: Provided always, that no such Lease shall defeat or abridge the Powers by the said Waterworks Clauses Act given to the Court of Quarter Sessions of directing the Reduction of the Rates, and the Company shall reduce the Rates in the same Manner they would have done in case no Lease had been granted.

High Pressure.

XXXIV. And in respect of the Supply of Water in pursuance of the Thirty-eighth Section of the "Waterworks Clauses Act, 1847," as enumerated in the Copy thereof as printed by the Queen's Printers, be it enacted, That the Water so to be supplied need not be constantly laid on under a Pressure greater than that to be afforded from the Service Reservoir by this Act authorized to be constructed: Provided always, that if at any Time or Times after the Expiration of the said Period of Five Years the Majority of Houses in any Street shall not be furnished with Communication Pipes in manner required by the said "Waterworks Clauses Act, 1847," the Company shall not be bound to supply the Inhabitants of the Houses in such Street with Water constantly laid on under such Pressures as aforesaid until the Communication Pipes of the Majority of Houses in such Street shall be provided as required by the "Waterworks Clauses Act, 1847;" and, notwithstanding the Communication Pipes to the Majority of Houses in such Street shall have been provided as last aforesaid, the Company shall not be bound to supply with Water constantly laid on under such Pressure as aforesaid the Inhabitants of any House the Communication whereof shall not have been provided as last aforesaid.

Water for other than domestic Purposes to be supplied by Agreement.

XXXV. And be it enacted, That it shall be lawful for the Company to supply any Person with Water for other than domestic Purposes for such Remuneration and upon such Terms and Conditions as shall be agreed upon between the Company and the Persons desirous of having such Supply of Water.

Undertaking not to be exempt from Provisions of 11 & 12 Vict. c. 63.

XXXVI. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Company from the Provisions of the "Public Health Act, 1848," or of any general Act relating thereto or to the Subject Matter thereof which may pass during the present or any future Session of Parliament.

Power to make Agreements with

XXXVII. And be it enacted, That the Company shall have full Power and Authority to contract and agree with any Local Board of Health

Health established or which may hereafter be established in or for the said Town of *Reading* and Hamlet of *Whitley* or either of them, for the Supply of Water for the Purposes of the Public Health Act, in any Manner whatsoever. Local Board of Health.

XXXVIII. And be it enacted, That the Profits of the Undertaking to be divided among the Shareholders in any Year shall not exceed the Rate of Seven Pounds in the Hundred by the Year on the paid-up Capital in the Undertaking. Limiting Amount of Dividend.

XXXIX. And be it enacted, That nothing in this Act contained shall extend or be construed to extend in any Manner to prejudice, lessen, or defeat any legal Power, Privilege, Franchise, or Authority of the Corporation of *Reading*, or any of the Juries or Officers of their Courts or Leets within the said Borough, (save only the Power and Authority, if any such there shall be, of preventing or hindering in any respect the Execution of this Act, or of punishing any Person or Persons who shall have been before punished by Authority of this Act for the same Offence,) but the said Corporation, Juries, and Officers respectively shall and may exercise and enjoy all and every such Powers, Privileges, Franchises, and Authorities, (save only as before is saved,) in as full and ample a Manner to all Intents and Purposes as they have heretofore used to do and of Right could or might have done in case this Act had not been made. Saving Rights of Corporation of Reading.

XL. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

The SCHEDULE (A.) to which the foregoing Act refers.

Form of Lease.

I of in consideration of the Sum of £ paid to me by *or* (*as the Case may be*) in consideration of the Sum of £ paid to me, and of the Rent herein-after reserved and made payable, by the Reading Union Waterworks Company, do hereby demise to the said Company, their Successors and Assigns, all [*describing the Premises to be demised*], together with all Ways, Rights, and Appurtenances thereunto belonging, to hold the Premises to the said Company, their Successors and Assigns, for the Term of Years from the Day of the Date hereof, yielding and paying therefor yearly and every Year during the said Term the Sum of £ , free from Land Tax, Sewers Rates, and all other Taxes and Outgoings (Property and Income Tax excepted), by equal Payments in the Year, the first Payment to be made on the Day of , according to the true Intent and Meaning of the Act of Parliament incorporating the said Company. In witness whereof I have hereunto set my Hand and Seal, and the said Company have hereunto affixed their Common Seal, the Day of ,

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