CHAPTER xx.

An Act for extending the Limits of Supply of the Rickmansworth Waterworks Company to change the name of the Company and for other purposes. [21st May 1885.] A.D. 1885.

WHEREAS by the Rickmansworth Waterworks Act 1884 (herein called "the Act of 1884") the Rickmansworth Waterworks Company (herein called "the Company") were incorporated and were authorised to make and maintain waterworks and to supply water within the parish of Rickmansworth in the county of Hertford:

And whereas it is expedient that the limits of the Act of 1884 for the supply of water by the Company should be extended so as to include the several places in that behalf mentioned in this Act and that the Company should be authorised to raise further money and that the powers of the Company should be extended:

And whereas it is expedient to change the name of the Company and their undertaking:

And whereas the Company have not raised any money either by way of mortgage or debenture stock:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with 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:—

Short title.

1. This Act may be cited as the Rickmansworth and Uxbridge Valley Water Act 1885.

This Act and Act of 1884 to be construed as one Act.

2. This Act and the Act of 1884 as amended by this Act shall be read and construed together as one Act.

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Incorporation of general Acts.

3. The provisions of the Companies Clauses Consolidation Act 1845 with respect to :—

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 conversion of borrowed money into capital ;

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) and Part II. (relating to additional capital) and Part III. (relating to debenture stock) and Part IV. (relating to change of name) of the Companies Clauses Act 1863 ; the Waterworks Clauses Acts 1847 and 1863 (as far as they are applicable to the purposes and not inconsistent with the provisions of this Act) are except when expressly varied by this Act incorporated with and form part of this Act.

Interpretation.

4. Terms to which meanings are assigned in Acts incorporated wholly or in part with this Act or which have therein special meanings have in this Act the same respective meanings and in this Act and (for the purposes of this Act) in Acts incorporated wholly or in part with this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression shall have effect as if the debt or demand with respect to which it is used was a simple contract debt and not a debt or demand created by statute.

Extension of limits.

5. From and after the passing of this Act the limits of the Act of 1884 for the supply of water shall extend to and include the several parishes parts of parishes and townships following (that is to say) Harefield Ickenham West Drayton and Harlington and such parts of the parishes of Hillingdon and Cowley as are not within the district of the Uxbridge Local Board of Health and such parts of the parish of Hayes as are not within the limits of supply of the South West Suburban Water Company all in the county of Middlesex and the Act of 1884 shall (subject to the provisions of this

Act) be in force within the said parishes parts of parishes and townships in the same manner as within the existing limits of the Company:

Provided that if any of the aforesaid parishes parts of parishes and townships shall not be adequately supplied with water within five years after the period in the Act of 1884 fixed for the completion of the works thereby authorised the restriction on the construction of waterworks by a local authority by section 52 of the Public Health Act, 1875 shall not in respect of the Company apply to or be binding on the local authority of any such parish part of a parish or township.

For protection of Great Western Railway Company.

6. For the protection of the Great Western Railway Company (herein-after referred to as "the Great Western Company") the following provisions shall apply:

(A) In laying down or executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in this Act upon across over under or in any way affecting the lands and property now or hereafter belonging to or used or occupied by the Great Western Company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the Great Western Company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of that company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by him or in the event of such engineer and the engineer of the Company not agreeing then in such manner as shall be determined by an engineer to be appointed by the Board of Trade on the application of either Company and the decision of such engineer shall be final and conclusive between both companies;

(B) All such works shall be done by and at the expense of the Company who also shall restore and make good the roads over any bridges level crossings and approaches which the Great Western Company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company;

(C) All such works and operations and all matters incidental thereto shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon;

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(D) If any injury or interruption shall arise from or in any way be owing to any of the works operations and matters aforesaid or the bursting leakage or failure of any such mains pipes or works in under or near to any bridge or level crossing of the Company the Company shall make compensation to the Great Western Company in respect thereof the amount of such compensation together with full costs to be recoverable by the Great Western Company from the Company by all and the same means as any simple contract debt is recoverable;

(E) The Company shall also pay to the Great Western Company for any easement to be acquired by them upon across over or under any of the railways works lands or property of the Great Western Company such sum either annual or otherwise as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Consolidation Act 1845 with respect to the purchase of lands otherwise than by agreement and for the purposes of such arbitration the easement so to be taken shall be deemed to be lands;

(F) In cases of emergency the Company may commence such works as may be necessary for the maintenance or repair of any works of the Company and shall submit such plans and obtain the approval thereto of the principal engineer of the Great Western Company and otherwise comply with the provisions of this section as aforesaid as soon thereafter as practicable:

Provided always that subject to the stipulations before mentioned nothing herein contained shall prevent the Company from laying mains and pipes along any public street road highway or bridge crossing the railway of the Great Western Company.

For protection of Grand Junction Canal.

7. The provisions of section 26 of the Act of 1884 shall apply and be in force in relation to the laying down and maintenance altering and relaying of mains pipes or works across over or along the Grand Junction Canal and the towing-paths and property of the Company of Proprietors of the Grand Junction Canal within the limits of supply of the Company as extended by this Act in the same manner as within the existing limits of the Company.

Change of name.

8. Subject to the provisions of Part IV. (relating to change of name) of the Companies Clauses Act 1863 the name of the Company shall from and after the passing of this Act be the Rickmansworth and Uxbridge Valley Water Company and their undertaking shall thenceforth be called the Rickmansworth and Uxbridge Valley Waterworks.

Application of funds.

9. The Company may apply for the purposes of this Act to which capital is properly applicable any money which they have raised or are authorised to raise under the Act of 1884 and not thereby made applicable for any particular purpose or if so made applicable not required for that purpose.

Power for Company to raise further capital.

10. The Company from time to time may (subject to the provisions of Part II. of the Companies Clauses Act 1863) raise any additional capital not exceeding in the whole fifty-two thousand pounds by the issue of new ordinary shares but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or corporation accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Incidents of shares.

11. The capital in new shares created by the Company under this Act and the new shares 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 capital of the Company of the same class or description and the new shares were shares in that capital The capital in new shares so created shall form part of the capital of the Company.

Dividends new share

12. Every person who becomes entitled to new shares shall in respect of the same be a holder of shares in the Company and shall be entitled to a dividend with the other holders of shares of the same class or description proportioned to the whole amount from time to time called and paid on such new shares as the case may be.

Repeal of sections 10 & 11 of the Act of 1884.

13. Sections 10 (power to borrow) and 11 (as to conversion of borrowed money into capital) of the Act of 1884 are hereby repealed.

Power to borrow.

14. The Company may in respect of the original capital of twenty-four thousand pounds authorised to be raised in shares by the Act of 1884 and in respect of the additional capital of fifty-two thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole nineteen thousand pounds and of that sum they may borrow not exceeding four thousand seven hundred and fifty pounds in respect of each nineteen thousand pounds of their said capital but no part of any such sum of four thousand seven hundred and fifty pounds shall be borrowed until shares for such portion of the said capital in respect of which it is to be borrowed are issued and accepted and one half of such portion of capital is paid up and the Company have proved to the justice who

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is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such portion of capital have been issued and accepted and that one half of such portion of capital has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and the Company have proved to such justice as aforesaid before he so certifies that such shares were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

As to conversion of borrowed money into capital.

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

Repealing provisions of former Act as to receiver.

16. The provisions of section 12 of the Act of 1884 (for appointment of a receiver) are hereby repealed.

For appointment of a receiver.

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

Debenture stock.

18. Section 13 (debenture stock) of the Act of 1884 is hereby repealed The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under the Act of 1884 or this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates

of the securities or the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages.

As to priority of mortgages and debenture stock.

19. Section 14 of the Act of 1884 (priority of mortgages and debenture stock over other debts) is hereby repealed All money to be raised by the Company on mortgage or debenture stock under the provisions of the Act of 1884 or of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Consolidation Act 1845 or the Lands Clauses Consolidation Acts Amendment Act 1860 or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company in pursuance of any Act relating to the Company which is entitled to rank in priority to or pari passu with the interest or dividend on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes of their undertaking and waterworks or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

Application of moneys raised under this Act.

20. All moneys raised under this Act or the Act of 1884 whether by shares debenture stock or borrowing shall be applied for the purposes only of the Act of 1884 and of this Act to which capital is properly applicable.

Expenses Act.

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

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