CHAP. xxii.

An Act for better supplying with Water the parishes of Old Shoreham, New Shoreham, Kingston-by-Sea, Southwick, Portslade, and Aldrington, in the county of Sussex. A.D. 1870.

[12th May 1870.]

WHEREAS by virtue of the provisions of the Companies Act, 1862, and by a memorandum of association dated the second day of November one thousand eight hundred and sixty-eight, and by articles of association dated the sixth day of November one thousand eight hundred and sixty-eight, and respectively duly registered in the office of the registrar of joint stock companies, the Shoreham and District Constant Service Waterworks Company (Limited) (herein-after referred to as "the Limited Company"), was established and incorporated for the purpose of supplying the parishes of Old Shoreham, New Shoreham, Kingston-by-Sea, Southwick, Portslade, and other places near or adjoining to the said parishes with water, and the acquisition of water and lands, and the construction of works for the attainment of that object:

And whereas the capital of the Company (subject nevertheless to such power of increase as is provided for by the said articles of association) is the sum of five thousand pounds, divided into one thousand shares of five pounds each, of which capital four hundred and thirty shares had, on the thirty-first day of December one thousand eight hundred and sixty-nine, been subscribed for, and a sum of one pound ten shillings per share had been paid thereon:

And whereas the Company have under their said articles of association the power of borrowing on mortgage of their property, or on bond or debenture, but they have not borrowed any money:

And whereas the Company, in order to carry out their proposed undertaking, require power to construct the waterworks shown on the plans and sections next herein-after referred to, and to enter upon, take, and use the lands and waters mentioned and described in the book of reference to such plans; and it would be of public

A.D. 1870. and local advantage if such power and other the powers herein-after mentioned were conferred upon the Company:

And whereas plans and sections of the reservoir, aqueducts, and other works proposed to be made for the purpose of affording such supply of water, showing the line and levels thereof, with a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands through and upon which the waterworks are proposed to be constructed, have been deposited at the office of the clerk of the peace for the county of Sussex:

And whereas it is expedient that the Limited Company should be dissolved and reconstituted, and that a Company (herein-after referred to as "the Company") should be incorporated for the purpose of supplying with water the parishes aforesaid, including the parish of Aldrington:

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; (that is to say,)

Short title.

1. This Act may be cited for all purposes as the "Shoreham and District Waterworks Act, 1870."

Provisions of general Acts herein-named incorporated.

2. "The Companies Clauses Consolidation Act, 1845," and Part I. relating to cancellation and surrender of shares, and Part II. relating to additional capital, and Part III. relating to debenture stock, of "The Companies Clauses Act, 1863," as amended by "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Lands Clauses Consolidation Act, 1869," and "The Waterworks Clauses Acts, 1847 and 1863," are (except where expressly varied by this Act) incorporated with this Act.

Interpretation of terms.

3. In this Act the words "the undertaking" or "the waterworks" mean the waterworks, reservoirs, conduits, mains, pipes, pumping stations, works, and conveniences connected therewith by this Act authorised to be constructed; and the expression "superior courts" or "court of competent jurisdiction" or other like expression in this Act, or any Act incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Same meanings to words, &c. in incorporated Acts as in this Act.

4. The several words and expressions to which, by the Acts wholly or partially incorporated with this Act, meanings are assigned, shall have in this Act the same respective meanings, unless there be in the subject or context something repugnant to or inconsistent with such construction.

Limits of Act.

5. The limits of this Act for the supply of water by the Company shall comprise the parishes of Old Shoreham, New Shoreham, Kingston-by-Sea, Southwick, Portslade, and Aldrington, all in the county of Sussex.

Company incorporated.

6. From and after the passing of this Act the Limited Company shall be dissolved, and the present members of or shareholders in that Company, and all other persons who have already subscribed or shall hereafter subscribe to the undertaking, their executors, administrators, and assigns respectively, shall be united into a company for supplying water within the limits of this Act, and for doing all things necessary for that purpose, and shall be incorporated by the name of "The Shoreham and District Waterworks Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, hold, and dispose of lands and other property for the purposes of this Act.

Property vested in Company incorporated by this Act.

7. Subject to the provision of this Act, all the lands, waterworks, erections, buildings, rights, and easements which immediately before the passing of this Act were vested in the Limited Company, or to which that Company was in anywise entitled either at law or in equity, and all mains and pipes, plant, plugs, gauges, meters, syphons, apparatus, stock, effects, matters, and things which have been by them purchased or provided, laid down, erected, or placed in any place or house within the limits of this Act, or which immediately before the passing of this Act were the property of or belonged to that Company, and all moneys, securities, credits, and effects, and other property whatsoever belonging to that Company, and the benefit of all contracts and engagements entered into with and on behalf of that Company, and immediately before the passing of this Act in force shall be and the same are hereby transferred to and vested in the Company to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the Limited Company, and may according to the provisions of this Act be held and enjoyed, sued for and recovered, maintained, altered, discontinued, sold, let, or removed by the Company as they think fit.

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Memorandum and articles to be void as to future operation.

8. Subject to the provisions of this Act, the memorandum of association and the articles of association of the Limited Company shall, as to any future or prospective operation thereof respectively, from and after the passing of this Act, be wholly void and of none effect; and the several persons who have executed the same, and their heirs, executors, administrators, and assigns, shall immediately from and after the passing of this Act, stand and be by virtue of this Act released and discharged from any future obligation to perform, abide by, fulfil, or conform to such memorandum and articles, or either of them.

Previous rights and liabilities not to be affected.

9. Excepting as is by this Act expressly provided, everything before the passing of this Act done or suffered by or with reference to the Limited Company, or the shareholders therein respectively in that capacity, shall be as valid as if this Act had not been passed, and, except as aforesaid, the provisions of this Act shall accordingly be subject and without prejudice to anything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which, if this Act were not passed, would be incidental to or consequent on any and everything so done and suffered; and with respect to all such rights, liabilities, claims, and demands the Company shall, to all intents and purposes, represent the Limited Company, and the shareholders therein respectively, in their capacity of shareholders: Provided always, that the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts prior to the passing of this Act to be binding.

10. Except as by this Act otherwise specially provided, all purchases, sales, grants, conveyances, deeds, contracts, bonds, debentures, and agreements entered into or made before the passing of this Act, by, to, or with the Limited Company, and now in force, shall be binding and of as full force and effect against or in favour of the Company, and may be enforced as fully and effectually as if, instead of the Limited Company, the Company had been a party thereto.

Actions, &c. not to abate.

11. Nothing in this Act contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity, which was pending by or against the Limited Company or any member or shareholder thereof in relation to the affairs of that Company or to which that Company or any member or shareholder thereof in relation to such affairs were parties immediately before the passing of this Act; but any such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company, as the case may be, in the same manner

and as effectually and advantageously as the same might have been maintained, prosecuted, and continued by or in favour of or against the Limited Company, as the case may be, or any member or shareholder thereof, if this Act had not been passed, the Company being in reference to the matter aforesaid in all respects substituted for the Limited Company, as the case may be.

Judgment in respect of existing liabilities may be enforced against individual shareholders.

12. If any judgment, decree, or order be at any time after the commencement of this Act obtained against the Company in respect of any debt or liability owing or incurred or in respect of any contract made or tort committed by the Limited Company before the commencement of this Act, and be not fully satisfied out of the property of the Company, then and in every such case the judgment, decree, or order may be enforced, and execution thereon issued against the property and effects of any person who was a member of the Limited Company, immediately before the commencement of this Act, or at the time when the contract was made, or the tort was committed, in respect of which such debt or liability accrued or was incurred, and legally responsible in respect of such debt or liability to the same extent as if this Act had not been passed.

Reimbursement of shareholders in such case.

13. Every person against whom or against whose property or effects any such judgment, decree, or order is enforced, shall be entitled to recover against the Company all loss, damage, costs, and charges which he incurs by reason of the execution, and shall be entitled to contribution for so much thereof as remains unsatisfied from the several other persons against whom execution on the judgment, decree, or order might, in accordance with this Act, have been issued, and the contribution may be recovered in like manner as contribution in ordinary cases of copartnership.

Books to be evidence.

14. All entries in the books of the Limited Company, as the case may be, for evidencing the ownership of any share of the capital of that Company, and showing who immediately before the passing of this Act were the shareholders of that Company, shall be primâ facie evidence to show who immediately before the passing of this Act were the shareholders of the Limited Company; and all entries, books, writings, and documents which that Company was authorised or required to keep or make and receivable in evidence before or at the time of the passing of this Act shall be admitted as evidence in all courts of law and equity and elsewhere accordingly.

Rents, &c. to be recovered.

15. All water rents and sums of money which immediately before the passing of this Act were due and payable or accruing to

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the Limited Company shall be payable to and may be collected and recovered by the Company in like manner as the water rents under this Act.

As to payment of debts owing before the passing of the Act.

16. All persons who immediately before the passing of this Act owed any money to the Limited Company, or to any person on their behalf, shall pay the same, with all interest (if any) due and payable or accruing upon the same, to the Company; and all debts and moneys which immediately before the passing of this Act were due, or owing, or recoverable from the Limited Company, or for the payment of which that Company was or but for this Act would be liable, shall be paid, with all interest (if any) due, or payable, or accruing upon the same, by or be recoverable from the Company.

Officers to continue until removed.

17. All the officers and servants of the Limited Company who were in office at the time of or immediately before the passing of this Act shall hold and enjoy their respective offices and employments, together with the salaries and emoluments thereto annexed, until they resign the same or be removed therefrom by the Company, and shall have the like powers and authorities for the purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like conditions, obligations, pains, and penalties, and to the like powers of removal, and to the like rules, restrictions, and regulations in all respects whatever as if they had been appointed by this Act.

Capital.

18. The capital of the Company shall be five thousand pounds, divided into five hundred shares of ten pounds each, but the Company may raise an additional capital of two thousand five hundred pounds by the issue of ordinary shares, or of ordinary stock, or of preference shares, or of preference stock, or by any one or more of those modes.

Shares not to be issued till one fifth paid up.

19. The Company shall not issue any share created after the passing and under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Calls.

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

Appropriation of stock in lieu of

21. Every person and corporation being on the commencement of this Act the holder of shares in the existing capital shall

be entitled in substitution for every two such shares to one share in the capital of the Company, and such share shall by virtue of this Act be vested in and belong to such person and corporation respectively, but subject to the same liability for calls as such two shares are subject to.

existing shares.

22. All persons or corporations in whom any such share shall be vested shall stand and be possessed thereof upon the same trusts and subject to the same powers, provisoes, declarations and agreements, charges and incumbrances, as the trusts, powers, provisions, declarations and agreements, charges and incumbrances upon or to which the existing share in respect of which such substituted share shall be issued was subject and liable at the passing of this Act, so as to give effect to and not revoke any will or other testamentary instrument disposing of or affecting such share.

New shares to be subject to existing trusts.

23. All existing certificates of shares (until cancelled under the powers of this Act) and all sales, transfers, and dispositions heretofore made or executed of or relating to such shares shall remain in full force and continue to be available in all respects as if this Act had not been passed.

Certificates to remain in force.

24. The Company shall call in and cancel the existing certificates of the shares of the Limited Company, and issue in lieu thereof certificates of new shares, to be issued under the authority of this Act, but the holders of such existing certificates of shares shall not be entitled to any certificates of new shares issued under this Act until they shall have delivered up to the Company to be cancelled their certificates of shares, or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction thereof.

Company to call in and cancel existing share certificates, and issue new ones.

25. The Company may from time to time raise under this Act by borrowing on mortgage such sum or sums of money as may by an order of any meeting of the shareholders be authorised to be so borrowed, not exceeding the following; that is to say, when two thousand five hundred pounds of the capital shall have been subscribed for, issued, and accepted, and one half thereof is paid up and certified as herein-after mentioned, six hundred and twenty-five pounds; and a sum not exceeding six hundred and twenty-five pounds when a further sum of two thousand five hundred pounds of the capital has been subscribed for, issued, and accepted, and one half thereof is paid up and certified as herein-after mentioned; and a further sum not exceeding six hundred and twenty-five pounds when the remaining two thousand five hundred pounds of the capital has been subscribed for, issued, and accepted, and one

Power to borrow.

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half thereof is paid up and certified as herein-after mentioned; but no part of any such moneys shall be borrowed until the Company have from time to time proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," that the required amount of capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of each separate share or portion of stock has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the subscribers and their assigns, and that such subscribers or their assigns are legally liable for the same, and upon production from time to time 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.

Arrears of interest and principal may be enforced by appointment of a receiver.

26. The mortgagees of the Company may enforce payment of arrears of interest or principal due on their mortgages by the appointment of a receiver; and in order to authorise such appointment, the amount owing to the mortgagees by whom such appointment shall be made shall not be less than five hundred pounds in the whole.

Power to create debenture stock.

27. The Company may create and issue debenture stock.

Application of moneys.

28. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied to the purposes of this Act only.

General meetings.

29. The first ordinary general meeting of the Company shall be held within two months from the passing of this Act, and the future ordinary meetings of the Company shall be held half-yearly in the months of March and September in every year, or in such other months as the Company, by the resolution of an extraordinary general meeting, shall from time to time determine; and all meetings, whether ordinary or extraordinary, shall be held at such place or places as may from time to time be appointed by the directors.

Quorum of meetings.

30. The quorum to constitute a general meeting, whether ordinary or extraordinary, of the Company, shall be five shareholders holding in the aggregate not less than five hundred pounds nominal value in the capital of the Company.

Extraordinary meeting convened by shareholders.

31. The number of shareholders who may convene extraordinary meetings shall not be less than seven, holding in the aggregate not less than one fourth of the shares of the Company.

32. The number of directors shall be six, but the Company may from time to time reduce the number, provided that the number be not less than three. Number of directors.

33. The qualification of a director shall be the possession in his own right of ten shares at the least. Qualification of directors.

34. The quorum of a meeting of directors shall be three, unless the number of directors be only three, and then the quorum shall be two. Quorum of directors.

35. William Hall, Thomas Fuller, William Greaves, Robert Home Penney, William Dawson Savage, and John Blaker shall be the first directors of the Company, and they shall continue in office until the first general meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the said directors, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the first-mentioned directors being, if qualified, eligible for re-election; and at the first general meeting to be held in every year after the first general meeting the shareholders present in person or by proxy shall, subject to the power herein-before contained for reducing the number of directors, elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained, and the several persons elected at such meeting, being neither removed nor disqualified, nor having resigned, shall continue to act as directors until others are elected in their stead, in manner provided by the same Act. First directors.

36. The auditors need not hold shares in the Company. Auditors not required to hold shares.

37. The remuneration of the directors and auditors shall from time to time be fixed at one of the annual general meetings of the Company, and shall be paid out of the sums receivable under this Act: Provided always, that if in any one year the dividend payable to the holders of ordinary shares or ordinary stock shall be less than five pounds per centum, then no remuneration for that year shall be paid to the directors. Remuneration of directors and auditors.

38. Subject to the provisions in this and in the incorporated Acts contained, the Company may make and maintain the waterworks in the lines, according to the levels, and upon the lands delineated on the said plans and sections, and described in the said books of reference, and for those purposes may enter upon, take, and use such of the lands and waters delineated on the deposited plans Power to make waterworks and take lands for works.

A.D. 1870. within the limits of deviation shown thereon and described in the book of reference, as shall be necessary for the purposes of this Act, and may take and divert from the spring commonly called the "Spring Dyke," situate in the parish of Old Shoreham, in the county of Sussex, such water as they require for the purposes of this Act:

The works by this Act authorised are—

First. A brick receptacle, or other fit receptacle, for water, on land in the parish of Old Shoreham, belonging or reputed to belong to Harry Colvill Bridger, Esquire, and his trustees, Eardley Nicholas Hall, Esquire, and the Reverend Richard Nathaniel Blaker, and in the occupation of Richard Sharpe:

Second. An engine-house, and works, and apparatus, in connexion with such proposed receptacle for water, and at or near the same, and a culvert or main pipe commencing by a junction therewith and extending from the same eastwards, and terminating by a junction with the reservoir next herein-after described:

Third. A reservoir, with all necessary walls, embankments, excavations, and other works in connexion therewith, on the face of the hill above the intended receptacle for water firstly herein-before described, and at a distance of about sixty yards, measuring along the rise or slope of the hill in an easterly direction from such intended receptacle for water:

All which works, firstly, secondly, and thirdly herein-before described, will be wholly within the parish of Old Shoreham:

Fourth. A main pipe or conduit commencing at the reservoir thirdly herein-before described, and thence passing through the parishes of Old Shoreham and New Shoreham, and terminating at a point on the Brighton, Shoreham, and Lancing turnpike road where the boundary between the parishes of New Shoreham and Kingston-by-Sea crosses that turnpike road:

Fifth. A main pipe or conduit commencing by a junction with the eastern extremity of the main pipe or conduit fourthly described, and thence passing through the parish of Kingston-by-Sea, and terminating at a point on the Brighton, Shoreham, and Lancing turnpike road where the boundary between the parishes of Kingston-by-Sea and Southwick crosses that turnpike road:

Sixth. A main pipe or conduit commencing by a junction with the eastern extremity of the main pipe or conduit fifthly described, and thence passing through the parish of Southwick, and terminating at a point on the Brighton, Shoreham, and

Lancing turnpike road where the boundary between the parishes of Southwick and Portslade crosses that turnpike road:

Seventh. A main pipe or conduit commencing by a junction with the eastern extremity of the main pipe or conduit sixthly described, and thence passing through the parish of Portslade, and terminating at a point on the Brighton, Shoreham, and Lancing turnpike road where the boundary between the parishes of Portslade and Aldrington crosses that turnpike road:

Eighth. A main pipe or conduit commencing by a junction with the eastern extremity of the main pipe or conduit seventhly described, and thence passing through the parish of Aldrington, and terminating at a point on the Brighton, Shoreham, and Lancing turnpike road where the boundary between the parishes of Aldrington and Hove crosses that turnpike road:

Ninth. A road commencing at the receptacle for water firstly described, and thence passing through the parish of Old Shoreham, and terminating at a point on the turnpike road leading from Old Shoreham to Beeding, two hundred and forty-two yards or thereabouts to the northwards of the toll-gate at Old Shoreham Bridge:

Provided always, that the Company shall not acquire a right to the soil, but only an easement or right of road for foot passengers, horses, cattle, carriages, waggons, and carts engaged on the works or business of the Company, or matters incidental thereto, in and over the land forming the site of the road ninthly herein-before described jointly with the said Harry Colvill Bridger, Esquire, and his said trustees and tenant, or other the owners or occupiers for the time being of the site of such road, and such road shall not be so made or used by the Company as to interrupt the communication between the lands on either side thereof; nevertheless the Company may from time to time do such things as may be necessary to preserve a proper communication, by means of such road, between the last-mentioned turnpike road and the works of the Company.

Power to deviate.

39. In constructing the works by this Act authorised to be made, the Company may make lateral deviations from the line of such works, not exceeding the limits of deviation shown on the said plans, and may deviate from the levels of the reservoirs to any extent not exceeding three feet, and of other works as delineated on the deposited sections to any extent not exceeding five feet.

Period for compulsory purchase of lands.

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

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Lands for additional purposes.

41. The Company may purchase by agreement and hold any quantity of land not exceeding five acres which they may require in addition to the lands herein-before authorised to be taken for the purposes of this Act.

Owners may grant easements.

42. The persons empowered by "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," respectively, to sell and convey or release lands, shall have full power to grant to the Company, subject to the provisions of those Acts respectively, in fee, and in consideration of any yearly or other rent, or otherwise, any lands or any easement, right, or privilege (not being an easement, right, or privilege of water other than the water of the "Spring Dyke" aforesaid) in or over or affecting any lands by this Act authorised to be taken or held by the Company, and which the Company from time to time think requisite for any of the purposes of their undertaking.

Application of Lands Clauses Consolidation Act, 1860, to easements.

43. For the purposes of this Act, the several provisions of "The Lands Clauses Consolidation Acts Amendment Act, 1860," with respect to lands and rentcharges, so far as the same respectively are applicable in that behalf, shall extend and apply to easements and rentcharges reserved by grants and leases of easements respectively under this Act.

Period within which works are to be completed.

44. If the waterworks shall not be completed within five years from the passing of this Act, then on the expiration of such period the powers of the Company for making the waterworks or otherwise in relation thereto shall cease to be exercised, except as to so much as is then completed: Provided always, that, subject to the restrictions and provisions of this Act, the Company may from time to time alter, enlarge, and extend their engines, machinery, wells, mains, and pipes in such way and manner as shall be necessary for supplying water within the limits of this Act.

Providing for supply of water to the estate of Harry Colvill Bridger, Esquire.

45. From the time the Company shall begin to supply water from the said Spring Dyke to the inhabitants within the limits of this Act, they shall discharge, and at all times hereafter continue to discharge, from some part of their works on a level not higher than the level of the land now irrigated by that spring into the dykes or cuttings now formed or to be formed in, over, or through the meadow or pasture land and saltings now belonging or reputed to belong to the said Harry Colvill Bridger, and forming parts of Old Shoreham Farm and Erringham Farm respectively, free of charge, sufficient water for the flowing thereof and irrigation of the said meadow and pasture land and saltings; but so that the Company shall not be required to discharge therein in any one day of twenty-

four hours more than fifty thousand gallons of water; and the said Harry Colvill Bridger and his assigns, or other the owner or owners for the time being of the said meadow and pasture land and saltings (all which persons are herein-after included in the expression "the said Harry Colvill Bridger"), shall be entitled to use as heretofore all the surplus water not required by the Company; and the Company shall also, when and immediately after being required so to do by notice in writing from the said Harry Colvill Bridger, specifying the houses and premises required to be supplied, permit to flow free of charge to New Erringham House, Buckingham House, Little Buckingham House, and Adur Lodge, all in the parish of Old Shoreham, such water as shall be required for the domestic purposes only of those houses respectively, not exceeding as to Buckingham House and premises and New Erringham House and premises four hundred gallons each for every day, and not exceeding as to Little Buckingham House and premises and Adur Lodge and premises two hundred gallons each for every day: Provided, that the pipes necessary for the purpose of conveying such water from the reservoir or main pipes of the Company to those houses respectively shall be laid down, and at all times kept in good repair by and at the expense of the said Harry Colvill Bridger; and the dimensions and points of junction thereof with the reservoir or main pipes of the Company shall be subject to the reasonable approval of the engineer of the Company, and the provisions of this Act with respect to the prevention of the fouling or misuse or waste of the water of the Company shall be applicable to the supply of water to those houses respectively: Provided also, that the person requiring such supply shall place, and at all times maintain on the premises supplied, a water meter to be approved by the said engineer, and to be at all reasonable times open to the inspection of any officer of the Company; and in case such meter shall show that a larger quantity of water than herein-before provided for has been used by such person, the overplus shall be paid for by him after the rate of one shilling for every one thousand gallons. A.D. 1870.

For protection of the estate of Harry Colvill Bridger, Esquire.

46. No part of the estate belonging or reputed to belong to the said Harry Colvill Bridger which shall be purchased or taken by the Company shall at any time be used for any other purpose than the purposes of a waterworks company and the erection of an engineer's house, not to exceed two stories in height, and other requisite buildings, without his consent in writing first obtained; and nothing shall be done or committed on that part of the estate which shall be a nuisance to the said Harry Colvill Bridger.

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

47. The Company shall, at the request of the owner or occupier of any private dwelling-house or part of a private dwelling-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 a supply of water for domestic purposes, which shall include one watercloset, furnish to such owner or occupier or other persons a sufficient supply of water for domestic uses at a rate per centum per annum not exceeding seven pounds ten shillings on the annual rackrent or value of such dwelling-house or part of a dwelling-house; and for every watercloset beyond the first at a rate not exceeding five shillings per annum; and for every bath containing not more than fifty gallons at a rate not exceeding ten shillings per annum: Provided always, that the Company shall not be obliged to furnish any such supply for any less sum than ten shillings in any one year when paid in advance or twelve shillings when in arrear.

Penalty for using water for other than domestic purposes.

48. In addition to and without prejudice to the provisions in this Act contained with regard to the misuse of water supplied by the Company, no person supplied by the Company with water for domestic purposes shall use such water, or suffer the same to be used, for the purpose of affording power, or in connexion with any machinery or apparatus whatsoever, and every person offending against this enactment shall, for every such offence, forfeit and pay to the Company a penalty not exceeding five pounds.

Company not bound to supply water in certain cases.

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

For preventing fouling water.

50. The Company shall not be compellable to supply with water any watercloset or any private bath, or the apparatus or pipes connected therewith respectively, unless the same 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 or noisome and impure matter into the mains or pipes belonging to or connected with the mains or pipes of the Company, nor if such private bath shall be capable of containing, when filled for use, more than fifty gallons of water.

Pressure.

51. Water supplied by the Company need not be laid on under a pressure greater than that to be afforded from the pipes commu-

nicating with the reservoir of the Company thirdly herein-before described.

As to supply of water by measure.

52. The Company may supply water by measure, provided that no water meter nor any index thereto, whether supplied by the Company or the consumer, shall at any time or times be altered or repaired, connected or disconnected, except under the direction or with the consent of the Company or their manager; and every person offending against this enactment shall for every such offence forfeit and pay to the Company any sum not exceeding five pounds.

Water for other than domestic purposes.

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

Notice of discontinuance.

54. A notice to the Company from a consumer for the discontinuance of a supply of water shall not be of any effect unless it is in writing and is left at the principal office for the time being of the Company.

Power to remove pipes and fittings.

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

Company's officers to enter buildings.

56. The Company's manager or other officer duly appointed for the purpose by the Company may, between the hours of nine of

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

Power for Company to make regulations for preventing waste of water.

57. Subject to the provisions of this Act, the Company may from time to time make and enforce such reasonable regulations as they may find expedient for preventing the waste or misuse of water; and among other things may prescribe the size, nature, make, strength, and arrangement of the pipes, cocks, cisterns, meters, and other apparatus used for the purposes of the supply.

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

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

Recovery of charges for supply of water.

59. In case any person who shall have been supplied with water by the Company, or who shall be liable to payment in respect of a supply of water, under or by virtue of the provisions of this Act, shall neglect or refuse to pay the amount due in respect of such supply for the space of fourteen days after demand thereof by the Company, their agent or collector, it shall be lawful for any justice having jurisdiction where such person shall then reside, or where such water shall have been supplied, to issue his summons to such person, requiring him to appear before two justices having jurisdiction as aforesaid, at a time and place named, then and there to show cause why the sum so demanded should not be paid, and if on the appearance of such person, or in default of appearance after proof of the service of the summons, either personally or at the last known place of abode or of business of such person, no sufficient cause shall be shown to the contrary, it shall be lawful for such two justices to issue their warrant of distress for the seizure and sale of the goods and chattels of such person for the recovery of the amount which may be proved before such justices to be due from such person, together with such costs as to such justices shall seem just and reasonable.

Recovery of sums by action.

60. Whenever any person neglects to pay any rent, rate, or sum due to the Company under this Act, they may recover the same, with full costs of suit, in any court of competent jurisdiction,

for the recovery of debts of the like amount, and the remedy of the Company under this enactment shall be in addition to their other remedies for the recovery of such rent, rate, or sum.

Recovery of water rents, &c.

61. If any person supplied with water or a water meter by the Company neglects to pay the rent due for the same to the Company (such rent not exceeding the sum of five shillings a quarter) for the space of ten days after demand in writing, with notice of distress in default of payment, and does not within that time give notice in writing to the Company that he disputes the demand, it shall be lawful for the Company, or the directors, or any person acting under their authority, to levy the sum so due, or any part thereof, together with costs, by distress and sale of the goods and chattels of the person neglecting to pay the same, wherever such goods and chattels may be found, in the same manner as rents in arrear on common demise may by law be recovered, rendering the surplus (if any) to the person so neglecting to pay, after deducting the necessary charges for such distress and sale.

Incoming tenant not liable for arrears.

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

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

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

Authentication of notices.

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

Application of penalties.

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

Penalties not cumulative.

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

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Expenses of Act.

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

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