CHAPTER xxxiii.

An Act for better supplying with Water the town of Sleaford in the county of Lincoln and the adjacent district; and for other purposes. [23d May 1879.]

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WHEREAS the present supply of water to the town of Sleaford in the county of Lincoln and the adjacent district is insufficient for the wants of the inhabitants thereof, and it is expedient to improve such supply:

And whereas the persons herein-after named, and others, are willing at their expense to provide such improved supply, and to make and maintain the works herein-after described on being incorporated into a company for that purpose:

And whereas plans and sections of the works by this Act authorised, showing the lines 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 of the occupiers of the lands in the line of the proposed works, or within the limits of deviation as defined on the plans, and describing those lands, have been deposited with the clerk of the peace for the parts of Kesteven in the county of Lincoln, and those plans, sections, and book of reference are in this Act referred to as the deposited plans, sections, and book of reference respectively:

And whereas the objects aforesaid cannot be attained 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 Sleaford Water Act, 1879.

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Incorporation of general Acts.
8 & 9 Vict. c. 10.
26 & 27 Vict. c. 118.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
10 & 11 Vict. c. 17.
26 & 27 Vict. c. 93.

2. The Companies Clauses Consolidation Act, 1845; Part I., relating to cancellation and surrender of shares, and Part III., relating to debenture stock, of the Companies Clauses Act, 1863; the Lands Clauses Consolidation Acts, 1845, 1860, and 1869; and the Waterworks Clauses Acts, 1847 and 1863, are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction. The expression "the Company" means the Company incorporated by this Act; the expression "the undertaking" means the undertaking by this Act authorised or any part thereof; and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Limits of Act.

4. The limits of this Act for the supply of water by the Company shall be the parishes or townships of New Sleaford, Old Sleaford, Holdingham, Quarrington, and Kirkby Laythorpe, in the parts of Kesteven in the county of Lincoln.

Incorporation of Company.

5. Thomas Parry, William Henry Knight, George Weston, Robert Sharpe, and Henry Peake, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a company for the purpose of supplying with water the inhabitants, buildings, lands, and premises within the limits of this Act, and for making and maintaining waterworks for that purpose, together with all proper works and conveniences connected therewith, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The Sleaford Water Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to make and maintain works.

6. Subject to the provisions of this Act, the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the several works by this Act autho-

rised and herein-after described, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose.

The works herein-before referred to and authorised by this Act are:—

1. A pumping station, engine-house, and well or shaft, in the parish of New Sleaford, in the parts of Kesteven in the county of Lincoln, at or near the spring called Cobbler's Hole, otherwise Piper's Hole, in a field called the Hill Side Close:
2. A line of pipes, "No. 1," commencing in the said parish of New Sleaford at or in the intended pumping station and engine-house before described, and terminating in the parish of Quarrington, in the said parts and county, at or in the intended service reservoir next herein-after described:
3. A service reservoir in the said parish of Quarrington, at or near the south-east corner of a field called Clay Hill:
4. A line of pipes, "No. 2," commencing in the said parish of Quarrington, at or in the service reservoir before described, and terminating in the said parish of New Sleaford:
5. A new road in the said parish of New Sleaford, commencing at the intended pumping station and engine-house before described, and terminating by a junction with a certain occupation road in the same parish, leading from a road called the West Banks, to and across a field called Turners Fen Close, at the north-east corner of that field.

Capital.

7. The capital of the Company shall be six thousand pounds in six hundred shares of ten pounds each.

Shares not to issue until one fifth paid up.

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

Calls.

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

Receipt clause in case of persons not sui juris.

10. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow on mortgage.

11. The Company may from time to time borrow on mortgage any sum not exceeding in the whole one thousand five hundred

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pounds, but no part thereof shall be borrowed until the whole capital of six thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

As to appointment of a receiver.

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

Power to create and issue debenture stock.

13. 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 at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Moneys borrowed on mortgage to have priority.

14. All moneys to be raised by the Company on mortgage or debenture stock under this Act, from the time when the said moneys shall be advanced, and the interest for the time being due thereon, 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 to be incurred, or engagements entered into or to be entered into by them: Provided always, that such priority shall not prejudice or affect any claim against the Company or their property in respect of any rentcharge to be granted by them in pursuance of the provisions of the Lands Clauses Consolidation Act, 1845, or the Lands Clauses Consolidation Acts Amendment Act,

1860, nor shall anything herein-before contained prejudice or affect any claim or lien in respect of any land taken, used, or occupied by the Company for the purposes of their undertaking, or injuriously affected by the construction of their works, or by the exercise of any of the powers by this Act conferred on the Company.

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 any part thereof, by the creation of shares or stock instead of borrowing, or to convert into capital the amount borrowed under the provisions of this Act, unless in either case all dividends upon the shares or stock, whether ordinary or preferential, are limited to a rate not exceeding five pounds per centum per annum.

Application of moneys.

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

First ordinary meeting.

17. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Manner of voting at meetings.

18. At all the meetings of the Company every holder of five shares and under shall be entitled to one vote; and every shareholder shall be entitled to an additional vote for every five shares held by him beyond the first five.

Number of directors.

19. The number of directors shall not be more than five nor less than three, to which it shall be lawful for the Company from time to time to reduce the number.

Qualification of directors.

20. The qualification of a director shall be the possession in his own right of not less than ten shares.

Quorum.

21. The quorum of a meeting of directors shall be three, unless the number of directors shall be reduced to three, in which case the quorum shall be two.

Names of first directors.

22. Thomas Parry, William Henry Knight, George Weston, Robert Sharpe, and one other duly qualified person to be nominated by them or the majority of them, and consenting to the nomination, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may, subject to the power herein-before contained for reducing the number of directors, either continue in office the directors appointed by this Act and nominated as aforesaid, or any of them, or may elect a new body of directors or director to supply the place of those not continued in office, the directors appointed by this Act or nominated as aforesaid being, if qualified, eligible for

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re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in the Companies Clauses Consolidation Act, 1845, contained, and the several persons elected at any such meeting, being neither removed nor disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Company may acquire additional lands.

23. The Company may from time to time by agreement purchase or acquire for the purposes of this Act any land not exceeding in quantity one acre, in addition to the lands which they are by this Act authorised to take by compulsion. No building shall be erected on the said land except in connexion with the waterworks of the Company.

Powers for compulsory purchases limited.

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

Period for completion of works.

25. The works by this Act authorised shall be completed within five years after the passing of this Act, and on the expiration of that period the powers by this Act granted to the Company for executing the works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall be then completed; provided that nothing in this Act shall restrain the Company from extending and enlarging, altering and removing any of their aqueducts, main pipes, engines, machinery, tanks, wells, shafts, adits, and other works and conveniences, from time to time, whenever they find it convenient or requisite for the purpose of increasing the supply of water or supplying water within the limits of this Act.

Power to take, divert, &c. certain waters.

26. The Company may take, divert, and collect into or by means of their waterworks, or some of them, and impound, appropriate, and use all or some of the waters of the spring called "Cobbler's Hole," otherwise "Piper's Hole," and the cut or drain called the "Nine Foot Drain," and all brooks, rivulets, streams, watercourses, surface waters, and other waters and springs which flow into or form part of the said spring, and cut or drain, and all other waters found in or under any of the lands for the time being belonging to the Company, and impound and store such several waters in their reservoirs and works, and from such works supply water within their limits of supply.

Power to take ease-

27. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell or convey or release lands may, if they think fit,

subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to the Company any easement (not being an easement of water), right, or privilege in, over, or affecting any such lands, and the provisions of the last-mentioned Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid; and in particular the Company may purchase and acquire, and the person or persons for the time being entitled to sell or convey or release under the first-mentioned Act may grant to the Company, an easement or right of way over the occupation road aforesaid, commencing at the western end of the said road called the West Banks, and terminating at the north-east corner of the said field called Turners Fen Close.

Grants, &c. by agreement.

28. Whenever and so far as the line of any works shown upon the deposited plans passes along any road, and no limits of lateral deviation are marked thereon, the Company may, in the construction of such works, deviate laterally from the line thereof as laid down on such plans to the extent of the boundaries of such road, and elsewhere the Company may, in constructing the said works, deviate laterally from the lines thereof as laid down on the said plans to the extent of the limits of lateral deviation shown thereon.

Limits of lateral deviation.

29. In constructing the works authorised by this Act, the Company may deviate vertically from the level thereof as shown on the deposited sections with reference to the datum line to any extent not exceeding, in the case of the reservoir herein-before described, three feet upwards or ten feet downwards, and in the case of other works, five feet upwards and seven feet downwards; provided that the Company may erect any water tower, stand pipe, or other like work of any height which for the time being may be necessary or proper for the purposes of this Act.

Limits of vertical deviation.

30. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Company to any other such tenement, unless the tenant or occupier be, in respect of the tenement so occupied by him, rated under this Act for a supply of water; and every person so taking or using water, or allowing the same to be used, contrary to the provisions of this Act, shall for every such offence forfeit and pay to the Company any sum not exceeding five pounds.

Supply of water to tenements in a row.

31. The Company shall, at the request of every person entitled under the Waterworks Clauses Act, 1847, to demand a supply of

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water for domestic purposes.

water, furnish to the occupier of every dwelling-house or part of a dwelling-house to which the request relates, within the limits in that behalf of this Act, a supply of wholesome water for the domestic purposes (including one watercloset) of every such occupier, at any rate not exceeding the following rates; (that is to say,)

Where the gross estimated rental of the premises supplied does not exceed five pounds, at a rate not exceeding twopence per week;

Where such rental shall exceed five pounds and not exceed thirty pounds, a yearly rate not exceeding seven pounds per centum on such rental;

Where such rental shall exceed thirty pounds, a yearly rate not exceeding six pounds per centum on such rental:

Provided that all inns and hotels, whether public or private, to which the supply is laid on, the gross estimated rental of which exceeds five pounds, shall be liable to a rate not exceeding seven pounds ten shillings per centum on such rental, whether the same exceeds thirty pounds or not.

Rates for baths and water-closets.

32. The Company may charge in any one year in respect of the first bath supplied with water, in or belonging to any private dwelling-house, the sum of ten shillings, and in respect of any watercloset beyond the first, and of every bath beyond the first, the sum of five shillings.

Rates payable quarterly in advance.

33. The rates for a supply of water for domestic purposes shall be payable in advance by equal quarterly payments on the first day of January, the first day of April, the first day of July, and the first day of October in every year.

Penalty for using water other than for domestic purposes.

34. 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 to or in connexion with any machinery or apparatus whatsoever; and every person offending against this enactment shall for every such offence forfeit and pay to the Company a penalty not exceeding five pounds.

As to supply of water by measure.

35. The Company may, if they think fit, enter into agreements for the supply of water by measure to any consumer for other than domestic purposes, but at the same rate by measure to all demanding the supply under similar circumstances; and the Company may, at the request of any consumer, supply and repair pipes, meters, and other conveniences, appliances, and fittings for the proper distribution and measuring of such water for such remuneration and

upon such terms as may be agreed upon between the Company and such consumer: Provided always, that the Company shall not be bound to supply water for other than domestic purposes, if such supply shall in any way interfere with or unduly diminish the supply of water for domestic purposes as by this Act authorised. A.D. 1879.

Penalty for injury to pipes, &c., and fraudulent use of meters.

36. Every person who shall wilfully, fraudulently, or by culpable negligence injure or suffer to be injured any meter, pipes, or fittings belonging to the Company, or who shall fraudulently alter the index to any meter, or shall knowingly and wilfully prevent any meter from duly and properly registering the quantity of water supplied, shall for every such offence forfeit to the Company a sum not exceeding five pounds, and the Company may, in addition thereto, recover the amount of any damage by them sustained.

Meters not to be repaired or altered except under direction or with consent of Company.

37. No meter, whether supplied by the Company or the consumer, shall be altered or repaired unless under the direction or with the consent of the Company, or the surveyor or other officer of the Company, and the Company shall be entitled to keep all meters which may be provided by the consumer in repair at the cost of the consumer, at such moderate rate of remuneration as may be agreed on between the Company and the consumer, or in case of dispute as may be fixed by two justices.

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

38. The Company shall not be compelled to supply water to the occupier of any part of a dwelling-house, or for any premises occupied with a dwelling-house, unless the water rate is paid for the whole of such dwelling-house and premises.

Prohibiting the affixing of tubes, &c. to Company's pipes without consent.

39. It shall not be lawful for the owner or occupier of any house supplied with water by the Company, without the consent of the Company, to affix, or permit or suffer to be affixed, to any of the mains or other pipes of the Company, or to any service pipe of such owner, any gutta-percha or other tubes or pipes for any purposes whatever, other than those for which water is supplied to such house by the Company.

Contracts between Company and public local bodies for supply of water.

40. The Company may from time to time enter into agreements with any local boards, commissioners, corporations, or other public or local bodies for the supply by the Company within the limits of this Act of water to or for those bodies respectively, in bulk or otherwise, for any purpose whatsoever, for such times and for such remuneration and on such terms and conditions as the Company think fit: Provided always, that the Company shall not supply water under this section if and so long as the affording such supply would prevent the Company from giving a full and efficient supply for domestic purposes within the limits by this Act authorised.

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Company not bound to supply water in certain cases.

41. 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 waste and fouling of water.

42. The Company shall not be compelled to supply with water any watercloset or 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 or 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.

43. The Company shall not be compelled to supply water at a higher level than can be reached by the pressure afforded by their reservoirs.

Water for other than domestic purposes.

44. The Company may supply any person with water for other than domestic purposes on such terms as may be agreed upon; 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.

As to notice for discontinuance of supply of water.

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

Power to remove pipes, fittings, &c.

46. 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 buildings 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 buildings 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 and removal, and every such notice shall be served by being delivered to the person for whom it is intended, or left at his usual

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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 buildings or lands.

Company's officers may enter buildings to inspect meters, &c.

47. The Company's manager, or other person duly appointed for the purpose by the Company, may, between the hours of nine in the forenoon and four 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 person 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, &c. of water.

48. Subject to the provisions of this Act, and with the sanction of the Local Government Board, the Company may from time to time, but so far only as they are bound to give a constant supply, make and enforce such reasonable regulations as they may find expedient for preventing the waste, misuse, undue consumption, or contamination 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 supply.

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

49. In the event of any such regulations not being observed by any person whose duty it is to observe the same, and 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, &c.

50. In case any person who shall have been supplied with water by the Company, or who shall be liable to payment in respect of a supply of water or in respect of the rent for any meter provided by the Company under or by virtue of the provisions of this Act, shall neglect or refuse to pay the amount due in respect of such supply or meter rent 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 or meter rented, to issue his summons to such person requiring him to appear before two justices having jurisdiction as aforesaid, at a time and place named, 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

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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 appear just and reasonable.

Incoming tenant not liable for arrears of water rent.

51. In case any consumer of the water of the Company shall leave the premises where such water has been supplied to him without paying to the Company the water rent due from him, the Company shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant shall have undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

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

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

Several names may be included in one warrant of distress, &c.

53. Any number of names and sums of money may be included in any warrant of distress or notice obtained or given by the Company for any of the purposes of this Act, and may be stated either in the body of the warrant or notice, or in a schedule thereto.

Authentication of summons, &c.

54. 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 or 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.

Penalties to be paid to Company.

55. Every penalty imposed by 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 on Company not cumulative.

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

For protection of the Great Northern Railway Company.

57. For the protection of the Great Northern Railway Company (in this section called the Great Northern Company) the following provisions shall have effect; that is to say,

1. All the works crossing or in any way affecting the railways or works of the Great Northern Company shall be executed and maintained at the expense of the Company, under the

superintendence and to the reasonable satisfaction of the engineer of the Great Northern Company, and in accordance with plans and sections and specifications to be submitted to and approved of by him before such works shall be commenced:

2. The Company shall not, without in every case the previous consent in writing of the Great Northern Company under their common seal, enter upon, take, or use any portion of their railways, lands, or works, except only such parts thereof as may be necessary for the construction and maintenance of the works of the Company by this Act authorised, and the Company shall not purchase or take any such parts, but shall only acquire such an easement therein as shall be necessary for such construction and maintenance:

3. If by reason of the extension, maintenance, or failure of any works of the Company, or of any act or omission of the Company, or of any contractor of or person employed by the Company or by any such contractor, any railway or works of the Great Northern Company, or any passenger or traffic thereon, be damaged or injured, the Company shall forthwith make good such damage or injury, and in default the Great Northern Company may so make good the same; and if any interruption be caused to the traffic on the said railways or works by reason of any of the matters or causes aforesaid, the Company shall also pay to the Great Northern Company all costs and damages they may be put to or suffer by reason of such interruption:

4. All moneys payable under this section may be recovered by the Great Northern Company, with full costs of suit, in any court of competent jurisdiction:

5. If any difference arise between the engineers to the Company and the Great Northern Railway Company touching anything to be done or not to be done under this section, such difference shall be determined by an arbitrator to be agreed on between the Companies, or in default of agreement to be appointed, on the application of either of them, by the President for the time being of the Institution of Civil Engineers, and the costs of the arbitration shall be borne as he shall direct.

Saving rights of lords of certain manors.

58. Nothing in this Act contained shall take away, lessen, alter, or affect any of the jurisdictions, rights, powers, or authorities vested in or belonging to the lords of the manors of New Sleaford, Old Sleaford, Quarrington, and Kirkby Laythorpe, or of any or either of them, but all such jurisdictions, rights, powers, and authorities

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shall be as good, valid, and effectual as if this Act had not been passed.

Saving rights of Sleaford Local Board of Health.

59. Nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or in any manner interfere with the rights, powers, privileges, or authorities of the Sleaford Local Board of Health under the Acts relating to public health, or any or either of them, except so far as the same are inconsistent with the provisions of this Act, or any of them, or are expressly varied or altered by this Act.

Expenses of Act.

60. 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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