ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

****

Cap. xxviii.

An Act for supplying with Water the Parishes, Townships, and Places of *Slough*, *Upton-cum-Chalvey*, *Stoke Poges*, *Langley*, *Datchet*, and *Farnham Royal*, in the County of *Buckingham*; and for other Purposes. [29th *May* 1868.]

WHEREAS the Parishes, Townships, Hamlets, and Places of *Slough*, *Upton-cum-Chalvey*, *Stoke Poges*, *Langley*, *Datchet*, and *Farnham Royal*, and Places in the Neighbourhood thereof, are at present either not supplied or are inadequately supplied with Water, and it is expedient that a better Supply should be afforded them: And whereas Plans and Sections showing the Works of the Reservoir, Aqueducts, and other Works (herein-after called "the Waterworks") proposed to be made for the Purpose of affording such Supply of Water by means of boring or sinking, and 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 *Buckingham*: And whereas the several Persons herein-after named, and others, are willing at their own Expense to afford such Supply, and to make and maintain all the necessary

Works for the Purpose; but such Objects 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 of the 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 *Slough* Waterworks Act, 1868."

8 & 9 Vict. cc. 16. & 18., 10 & 11 Vict. c. 17., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 93. & 113. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Waterworks Clauses Act, 1847 and 1863," are (except where expressly varied by this Act) incorporated with 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 shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the Company incorporated by this Act; the Expression "the Waterworks" or "the Undertaking" shall mean the Waterworks, Conduits, Mains, Pipes, Pumping Stations, Works, and Conveniences connected therewith, or the Undertaking by this Act authorized, 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.

Company incorporated.

4. *William George Nixey*, *Edward Onslow Secker*, and Lieutenant-Colonel *William Griffin Sutton*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, their Executors, Administrators, Successors, and Assigns respectively, shall be united and incorporated into a Company for the Purpose of making and maintaining the Waterworks and for other the Purposes of this Act, and for those Purposes shall be incorporated by the Name of "The *Slough* Waterworks Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes of this Act.

5. Subject

Power to construct Waterworks and take Lands for Works according to deposited Plans.

5. Subject to the Provisions in this and in the incorporated Acts contained, the Company may make and maintain in the County of *Buckingham* the Works shown on the deposited Plans and Sections and described in the deposited Book of Reference, and may enter upon, take, and use such of the Lands delineated on the deposited Plans within the Limits of Deviation shown thereon, and described in the deposited Book of Reference, as shall be necessary for the Purposes of obtaining a Supply of Water by boring and sinking, and for the Purposes of the Works by this Act authorized.

Capital.

6. The Capital of the Company shall be Twenty thousand Pounds, divided into Two hundred Shares of One hundred Pounds each.

Shares not to issue until One Fifth paid up.

7. The Company shall not issue any Share created under 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 Part of the Amount of such Share is paid up in respect thereof.

Calls.

8. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Two Months at the least shall be the Interval between each successive Call, and Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon any Share.

Receipts of Guardians &c. to be sufficient Discharge.

9. If any Money be payable to a Shareholder being a Minor, Idiot, or Lunatic, the Receipt of his or her respective Guardian or Committee shall be a sufficient Discharge to the Company for the same.

Power to borrow on Mortgage.

10. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Five thousand Pounds, but no Part thereof shall be borrowed until the whole Capital of Twenty thousand Pounds is subscribed for, 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 the 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 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 or their Assigns, and that such Subscribers or their 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.

11. The

Arrears may be enforced by Appointment of a Receiver.

11. The Mortgagees of the Company may enforce Payment of the Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees shall not be less than Five hundred Pounds in the whole.

Monies borrowed on Mortgage to have Priority.

12. All Monies to be borrowed on Mortgage under this Act from the Time when the said Monies shall be advanced, and the Interest for the Time being due thereon, shall have Priority against the Company, and all the Property from Time to Time of the Company, over all other Claims on account of any Debts to be incurred or Engagements 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 the Lien of any Vendor for the unpaid Purchase Money of any Land taken by the Company for the Purposes of this Act.

Debenture Stock.

13. The Company may create and issue Debenture Stock.

Application of Monies.

14. All Monies raised under this Act, whether by Shares or borrowing, shall be applied for the Purposes of this Act only.

First and other Meetings.

15. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* and *August* in every Year.

Quorum of General Meetings.

16. The Quorum of General Meetings of the Company shall be Shareholders present personally or by proxy holding in the aggregate not less than One thousand Pounds in the Capital of the Company.

Number of Shareholders to convene Extraordinary Meeting.

17. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be not less than Three, and such Shareholders shall hold in the aggregate not less than Two thousand Pounds in the Capital of the Company.

Number of Directors.

18. The Number of the Directors shall not be more than Seven nor less than Three.

Qualification of Directors.

19. The Qualification of a Director shall be the Possession in his own Right of not less than Five Shares.

20. The

20. The Quorum of a Meeting of Directors shall be Three. Quorum.

21. *William George Nixey*, *Edward Onslow Secker*, and *William Griffin Sutton*, and the other Persons to be appointed by them, 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 such Meeting the Shareholders present in person or by proxy may either continue in Office the Directors appointed by this Act or under the Powers hereof, 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 Directors appointed by this Act, or any of them, being, if qualified, eligible for Re-election; and at the First Ordinary Meeting the Shareholders present in person or by proxy shall 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 or disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the same Act. First Directors to continue in Office until First Meeting after passing of this Act.

22. The Company may from Time to Time purchase by Agreement and hold, in addition to the Lands described on the deposited Plan and Book of Reference, any Quantity of Land not exceeding in the whole at any One Time Seven Acres which they may require for the Purposes of boring and sinking for obtaining a Supply of Water and for the other Purposes of their Undertaking, and may also from Time to Time purchase by Agreement any Rights or Easements, not being Rights or Easements of Water, in, upon, under, or over Lands, as they may think requisite for the Purposes of this Act. Company may purchase Lands by Agreement.

23. The Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey Lands may, if they think fit, grant to the Company any Rights or Easements in or over Lands by this Act authorized to be purchased or taken by the Company, and the Provisions of the last-mentioned Act and of the "Lands Clauses Consolidation Act Amendment Act, 1860," with respect to the Purchase of Lands by Agreement and to Rentcharges, shall extend and apply to such Rights and Easements and to Rentcharges granted for the same. Owner, &c. may grant Easements.

24. The Powers of the Company for the 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. Powers for compulsory Purchases limited.

25. The Waterworks shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers Period within which

Works are to be completed.

Powers of this Act granted by 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, Tanks, Wells, Mains, and Pipes in such Way and Manner as they may consider requisite or advisable for supplying Water within the Limits of this Act.

Power to deviate.

26. Notwithstanding anything contained in this Act or in the Acts incorporated herewith, the Company may, in constructing the Works by this Act authorized to be made, 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 said Works as delineated on the deposited Sections to any Extent not exceeding Five Feet, and may deviate from the Levels of any Mains or Pipes for the Supply of Water as shown on the said Sections to any Extent which may be necessary for the proper and convenient affording of such Supply, so that such Mains and Pipes be wholly below the Surface of the Ground.

Limits of Act.

27. The Limits of this Act for the Supply of Water by the Company comprise the Parishes, Townships, and Hamlets of *Upton-cum-Chalvey*, *Stoke Poges*, *Langley*, *Datchet*, *Farnham Royal*, and *Slough*, in the County of *Buckingham*.

Rates for Supply of Water.

28. 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 Rates not exceeding the yearly Rates herein specified, according to the annual Rackrent or Value of such Dwelling House or Part of a Dwelling House; (that is to say,)

Where the annual Rackrent or Value of the Premises so supplied with Water shall not exceed Twenty Pounds, at a Rate *per Centum per Annum* not exceeding Seven Pounds Ten Shillings: Provided always, that the Company shall not be obliged to furnish any such Supply for any less Sum than Twopence *per* Week:

Where such annual Rackrent or Value shall exceed Twenty Pounds and not exceed Forty Pounds, at a Rate *per Centum per Annum* not exceeding Seven Pounds:

Where

Where such annual Rackrent or Value shall exceed Forty Pounds and not exceed Eighty Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds Ten Shillings:

Where such annual Rackrent or Value shall exceed Eighty Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds:

For every Watercloset beyond the first, the Sum of Five Shillings *per Annum*:

For every private Bath, the Sum of Ten Shillings *per Annum*.

As to Supply of Water for flushing Sewers, &c.

29. The Company shall supply any Local Board of Health within the Limits of this Act with Water for flushing the Sewers, or for watering Streets, or other public Purposes, at a Rate not exceeding Sixpence for every Thousand Gallons.

Company and Great Western Railway Company may enter into Contracts for Supply of Water.

30. The Company and the *Great Western* Railway Company may enter into and carry into effect all such Contracts or Agreements as they think fit with respect to the placing or laying of any Pipes or Mains by, on, or along the Property of the *Great Western* Railway Company within the Limits of the *Slough* Water Act, or with respect to the Supply of Water by the Company to the Railway Works and Stations of the *Great Western* Railway Company, or to any Buildings or Premises at or near *Slough* Station now supplied with Water by that Company.

In the event of the Company diminishing or taking away the Supply of Water of the Great Western Company they are to afford a Supply to that Company.

31. And whereas the *Great Western* Railway Company have at considerable Expense sunk a Well and erected Machinery for supplying their Railway Stations and Works at *Slough* and the adjoining Premises with Water, and they now supply their Railway Stations, Works, and Premises, and also the *British Orphan Asylum* at *Slough*, with Water from the said Well: Therefore in the event of the Well or Works of the Company diminishing or taking away the Supply of Water which the *Great Western* Railway Company now obtain from their said Well, the Company shall furnish to the *Great Western* Railway Company the Deficiency, or such a Supply of Water as they may require, by reason of such Diminution, for their own Purposes, and for supplying the *British Orphan Asylum*, and any other Buildings or Premises near *Slough* Station, now supplied by them, of the same Quality as is supplied by the Company to their Water Consumers; and in the event of any Difference between the Company and the *Great Western* Railway Company as to whether such Diminution or taking away of Water was caused by the Well, Works, or Operations of the Company, or as to the Amount or Quantity of such Deficiency, the same shall be referred to Arbitration in the Manner provided by the Railway Companies Arbitration Act, 1859; and any Supply of Water required to be furnished

by

by the Company to the *Great Western* Railway Company under this Enactment by reason of such Deficiency shall be on such Terms and at such a Rate as not to exceed in Cost *per* Thousand Gallons to the *Great Western* Railway Company the Sum which prior to the Diminution or taking away of the Water it cost that Company *per* Thousand Gallons to obtain the same from their own Well; and in the event of any Difference between the Company and the *Great Western* Railway Company as to the Sum to be paid by the *Great Western* Company to the Company for such Supply of Water, the same shall be referred to Arbitration in the Manner provided by the Railway Companies Arbitration Act, 1859.

Protection from Impurities and against Waste.

32. The Company shall not be compelled to supply with Water any Watercloset or private Bath, or the Pipes or Apparatus connected therewith, unless the same shall be so constructed and used as to prevent the Waste, Misuse, or undue Consumption of the Water of the Company, and the Flow or Return of foul Air or other noisome or impure Matter into the Mains or Pipes of the Company, or into any Pipes connecting or communicating therewith, nor any private Baths which shall be so constructed as to contain when filled for Use more than Fifty Gallons of Water.

What are domestic Purposes.

33. A Supply of Water for domestic Purposes does not include a Supply of Water for more than One Watercloset, or for Cattle, or for Horses, or for washing Carriages, where the Horses and Carriages are kept for Hire, or are the Property of a Dealer, or for Steam Engines, or for Railway Purposes, or for warming or ventilating Purposes in Public Buildings, or for working any Machine or Apparatus, or for any Trade, Manufacture, or Business whatsoever, or for watering Gardens by means of any Tap, Tube, Pipe, or other such like Apparatus, or for Fountains, or for flushing Sewers or Drains, or public or private Baths, or for any ornamental Purposes whatsoever.

Penalty for using Water for other than domestic Purposes without Agreement.

34. Every Person using for other than domestic Purposes any Water supplied by the Company, and not having previously agreed with the Company for a Supply for the other Purposes, and every Person having agreed with the Company for a Supply of Water for other than domestic Purposes, and using for any Purpose other than the Purposes so agreed on the Water supplied by the Company, shall respectively for every such Offence forfeit and pay to the Company any Sum not exceeding Five Pounds.

Incoming Tenant not liable for Arrears.

35. 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

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.

Regulations to be made for preventing Waste of Water.

36. The Company may from Time to Time make such Regulations as shall be necessary or expedient for the Purpose of preventing the Waste or Misuse of Water, and amongst other things may prescribe the Size, Nature, and Strength of the Pipes, Cocks, Cisterns, and other Apparatus whatsoever to be used, and may interdict any Arrangements and the Use of any Pipes, Cocks, Cisterns, or other Apparatus which may tend to such Waste or Misuse as aforesaid.

Limitation of Pressure.

37. The Water to be supplied from any Pipe of the Company need not be laid on under a Pressure greater than that to be afforded from the Reservoir of the Company.

Water may be supplied by Agreement.

38. The Company may supply any Person, Corporation, or Public Body with Water for any Purpose in respect of which no special Rates are by this Act granted, for such Remuneration and upon such Terms and Conditions as shall be agreed upon between the Company and the Person, Corporation, or Public Body desiring such Supply.

Company may remove Pipes from unoccupied Premises on giving Notice to the Owner.

39. If and whenever any House, Building, or Premises which shall have been supplied with Water by the Company shall be unoccupied, the Company, their Agents, Servants, or Workmen, after giving Twenty-four Hours previous Notice to the Owner by serving the Notice on him or leaving the same at his usual Place of Abode (or if the Owner or his usual Place of Abode be not known to the Company after due Inquiry, by affixing the same for Three Hours on some conspicuous Part of such House, Building, or Premises), may enter into such House, Building, or Premises between the Hours of Nine o'Clock in the Forenoon and Four o'Clock in the Afternoon, and remove and carry away any Pipe, Fittings, or other Works the Property of the Company.

Recovery of Charges for Supply of Water.

40. 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 the 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.

41. Where any Person fails to pay any Water Rate or other Sums due to the Company, the Company may recover the same, with full Costs of Suit, in any Court of competent Jurisdiction, and the Remedies of the Company under this Enactment shall be in addition to their other Remedies in that Behalf.

Several Sums in One Summons.

42. Any Summons or Warrant issued for any of the Purposes of this Act may contain in the Body thereof, or in a Schedule thereto, several Names and several Sums.

Costs of Distress.

43. Any Justice who issues any Warrant of Distress for any of the Purposes of this Act may order that the Costs of the Company of and incident to the Recovery of the Money to be levied shall be paid by the Person liable to pay the Money, and the Costs shall be ascertained by the Justices, and shall be included in the Warrant of Distress for the Recovery of the Money.

Penalties on the Company not cumulative.

44. 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 the Acts incorporated herewith shall be deemed separate Acts.

No Justice disqualified by being a Shareholder, &c.

45. No Justice shall be disqualified for acting in the Execution of this Act by reason of his being a Shareholder in the Company, or by being liable to Payment of Rent or other Charge under this Act.

Expenses of Act.

46. All the Costs, Charges, and Expenses of obtaining and passing this Act, and preparatory or incidental thereto, shall be paid by the Company.

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