CHAPTER lxxxi.

An Act for incorporating the Stroud Water Company and for conferring powers on that Company and for other purposes. [3rd July 1882.] A.D. 1882.

WHEREAS the borough of Stroud in the county of Gloucester and adjoining parishes and places are imperfectly supplied with water:

And whereas the persons herein-after in that behalf named with others are willing to provide a better supply of water to those places if incorporated into a company with the necessary powers for that purpose and it is expedient that they be incorporated accordingly and be empowered to make and maintain the works herein-after described:

And whereas it is expedient that the Company so to be incorporated (in this Act called "the Company") be authorised to acquire by agreement any waterworks now belonging to the Local Board of Health for the district of Stroud:

And whereas plans and sections of the works by this Act authorised showing the situations and levels thereof with a book of reference to the plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands through and upon which such works are intended to be made have been deposited at the office of the clerk of the peace for the county of Gloucester and are in this Act referred to as the deposited plans sections and book of reference:

And whereas the object of this Act 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):—

1. This Act may be cited as Stroud Water Act 1882. Short title.

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Provisions of certain general Acts incorporated.
8 & 9 Vict. c. 16.
26 & 27 Vict. c. 118.
32 & 33 Vict. c. 48.
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 Parts I. (relating to cancellation and surrender of shares) and III. (relating to debenture stock) of the Companies Clauses Act 1863 the Companies Clauses Act 1869 the Lands Clauses Consolidation Acts 1845 1860 and 1869 and the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by or inconsistent with the provisions of this Act) incorporated with and form part of this Act.

Interpretation.

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 "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 and the expression "superior courts" shall include county courts in all cases where the amount of the debt or demand is within the jurisdiction for the time being of county courts.

Limits of Act for supply of water.

4. The limits of this Act for the supply of water shall be and include the parishes and townships of Avening Bisley Chalford Haywardsfield Horsley King-Stanley Leonard-Stanley Minchinhampton Nailsworth Painswick Pitchcombe Randwick Rodborough Stonehouse Stroud and Woodchester all in the borough of Stroud and county of Gloucester so much of the parishes of Brookthorpe and Standish in the said county as lies within the said borough and the parish of Eastington in the county of Gloucester Provided that the Company shall not supply water within the district of the Stroud Local Board without having first obtained the consent in writing of the said local board.

Company incorporated.

5. James Wright George Wright and Henry John Higgs 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 are hereby united into a Company for the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of "The Stroud 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.

General purposes of the Company.

6. The Company shall be established for the purpose of making and maintaining the well pumping station reservoirs works and conduit or line of pipes by this Act authorised and for supplying

water by meter or otherwise to and within the limits of this Act and for selling or letting on hire meters and other materials necessary or desirable for such supply and for other the purposes of this Act.

Capital.

7. The capital of the Company shall be eighty thousand pounds in eight thousand shares of ten pounds each.

Shares not to be issued until one-fifth paid up.

8. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share 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-fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt 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 of the undertaking any sums not exceeding in the whole twenty thousand pounds and of that sum they may borrow from time to time not exceeding ten thousand pounds in respect of every forty thousand pounds of their capital but no part of any such sum of ten thousand pounds shall be borrowed until the whole of the respective forty thousand pounds of capital in respect of which it is to be borrowed 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 the respective forty thousand pounds 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 the amount of each separate share in such forty thousand pounds of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that the respective forty thousand pounds of 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.

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As to conversion of borrowed money into capital.

12. 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 are limited to a rate not exceeding five pounds per centum per annum.

Arrears may be enforced by appointment of a receiver.

13. 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 In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Debenture stock.

14. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock or mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages.

Priority of mortgages and debenture stock over other debts &c.

15. All moneys raised on mortgage by the Company under this Act and the interest due thereon and the interest due on debenture stock created and issued under this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by the Company after the passing of this Act but this priority shall not affect any claim against the Company or their property in respect of any rentcharge to be granted by them in pursuance of the Lands Clauses Consolidation Act 1845 or the Lands Clauses Consolidation Acts Amendment Act 1860 or in respect of any rent or sum reserved by or payable under any lease to be granted or made to the Company by any person in pursuance of any Act relating to the Company which is entitled to rank in priority to or pari passu with the interest or dividends on the mortgages and debenture stock nor shall anything herein-before contained affect any claim for land taken used or occupied by the Company for the purposes of their works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

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.

Number of directors.

18. The number of directors shall be seven but the Company may from time to time reduce the number provided that the number be never less than three.

Qualification of directors.

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

Quorum.

20. The quorum of a meeting of directors so long as the number of directors be four or more shall be three but if the number of directors be reduced to three or less the quorum shall be two.

First directors.

Election of directors.

21. James Wright George Wright and Henry John Higgs and four other duly qualified persons to be nominated by them or by the majority of them and consenting to such 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 of reducing the number of directors herein contained either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to fill up the number of directors or 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 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 elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 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.

Contracts not to disqualify for office of director.

22. Any contract to be made under this Act with any local board corporation or public body shall not disqualify any of the members of such local board corporation or public body for the office of director of the Company and no director or shareholder of the Company shall be disqualified for the office of director of the Company by reason of any contract between him and the Company for any loan of money to the Company or for renting any land of the Company but no director of the Company being a

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member of any such local board corporation or public body shall vote upon any question with reference to any contract with such local board corporation or public body.

Power to make waterworks.

23. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the well pumping station reservoirs works and conduit or lines of pipes shown on the deposited plans and sections with all necessary and convenient approaches embankments roads ways tanks filtering beds dams sluices outfalls channels drains mains pipes engines works and conveniences connected therewith respectively 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 any of the purposes which the Company are by this Act authorised to execute and may collect take and divert into the said waterworks and therein impound and thence distribute the waters of any springs and streams on the site of the proposed well pumping station reservoirs and conduit or lines of pipes or on any lands for the time being belonging to the Company.

Description of works.

24. The works herein-before referred to and authorised by this Act will be wholly situate in the county of Gloucester and are:—

(*a*) A well pumping station and reservoir situate in the parish of Minchinhampton in a field bounded on the north by the Thames and Severn Navigation Canal on the south partly by the Great Western Railway and partly by a turnpike road leading from Chalford to Cirencester on the east by the fence forming the boundary of the parish of Minchinhampton and on the west by land belonging to the Great Western Railway Company.

(*b*) A reservoir and works situate in the said parish of Minchinhampton in the triangular piece of land being part of Minchinhampton Common formed by the intersection of the roads leading from Amberley and Stroud to Minchinhampton respectively at a point distant about 260 yards north-west from the house known as the Windmill.

(*c*) A conduit or line of pipes commencing at the pumping station aforesaid and terminating in the said reservoir on Minchinhampton Common Provided that the Company shall not lay any service pipes for supplying water to any houses or premises or to any company or person within the district of the Stroud Local Board without having first obtained the consent in writing of the said local board Provided further that nothing in this Act contained shall prevent the said

local board extending their mains from time to time within their district.

For protection of Great Western Railway Company.

25. For the protection of the Great Western Railway Company (in this Act called "the Great Western Company") the several provisions following shall have full effect:

(*a*) The conduit or line of pipes shown on the deposited plans and sections and by this Act authorised shall where it crosses the railway of the Great Western Company be made and maintained in the roadway or footpath of the bridge shown on the deposited plans and sections but in making or maintaining the said aqueduct or line of pipes the Company shall not (without the consent of the Great Western Company) cut into or injuriously interfere with any of the works of the said bridge except that they may cut into and interfere with the roadway or footpath on the said bridge for the purpose aforesaid.

(*b*) The Company shall not without the consent of the Great Western Company testified by writing signed by their Secretary acquire any part of their land or property but if and when any part of the Company's works is to be executed in or upon any land of the Great Western Company the Company may acquire an easement or right of making and maintaining the work on that land in such a manner as not to prejudice any part of the Great Western Company's railway works and conveniences.

(*c*) The Company shall make full compensation to the Great Western Company for any such easement and for all loss damages costs and expenses sustained or incurred by them by or in consequence of the bursting of any water pipe or aqueduct or by or in consequence of the construction or repair of or want of repair or the failure of any of the works by this Act authorised or otherwise.

For the protection of the Thames and Severn Canal Company.

26. For the protection of the Thames and Severn Canal Company (herein-after called "the Canal Company") the following provisions shall have effect that is to say:

(1) The Company shall not enter upon take or use that part of the field numbered 40 on the deposited plans in the parish of Minchinhampton and shown on those plans as required for the well pumping station and reservoir by this Act authorised and coloured red upon a plan signed by Charles Minns on behalf of the Company and John Hooke Taunton on behalf of the Canal Company.

(2) The Company shall not make upon any part of the said field numbered 40 on the deposited plans in the parish of

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Minchinhampton any reservoir which shall be above the present surface of the ground and any reservoir which the Company may lawfully make upon any part of such land shall be constructed so as to be watertight and shall be maintained by them in that condition.

(3) If any difference arise between the Company and the Canal Company with respect to anything to be done or not to be done by the Company such difference shall unless otherwise agreed on be settled by the engineers for the time being of the Company and the Canal Company and in case of difference by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers on the application of either of the parties in difference.

Power to purchase lands by agreement.

27. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands delineated on the deposited plans and described in the deposited book of reference any lands and hereditaments not exceeding in the whole five acres which the Company may from time to time require for the purposes of their works and undertaking But the Company shall not erect any buildings upon such lands other than offices residences for persons in their employ or such buildings and works as may be incident to or connected with their water undertaking.

Power to take easements &c. by agreement.

28. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and 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 right or privilege in over or affecting any such lands not being an easement right or privilege of water required for the purposes of this Act in or over or affecting any such lands and the provisions of the said 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.

Limits of deviation.

29. Except as in this Act otherwise provided the Company in constructing the waterworks by this Act authorised may deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation marked or described in writing thereon and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and ten feet downwards Provided always that the Company shall not in the exercise of the power of lateral deviation hereby given construct any embankment or retaining wall of any reservoir of a

greater height above the general surface of the ground than that shown on the deposited sections with respect to the corresponding embankment or wall and three feet in addition.

Period for compulsory purchase of lands.

30. 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.

Period for completion of works.

31. If the waterworks authorised by this Act and shown on the deposited plans are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for executing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed but nothing herein contained shall restrict the Company subject to the provisions of this Act from extending enlarging altering or removing any of their engines machinery mains or pipes from time to time as occasion requires for supplying water within the limits in that behalf of this Act.

Company may sell spare lands of undertaking.

32. The Company may from time to time demise and also either before or after making any demise thereof absolutely sell and dispose of to such persons and in such manner as the Company think fit any lands or works by this Act vested in them or acquired by them under this Act which they do not require for the purposes of their undertaking (subject nevertheless to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands) and on the sale by the Company of any lands or works they may reserve to themselves all or any part of the water or water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter as they think fit.

Reservation of water rights &c. on sale.

Constant pressure &c.

33. Water supplied under this Act need not be constantly laid on under pressure but the Local Government Board may at any time or times order that the water to be supplied under this Act within the whole or any part of the Company's water limits shall be constantly laid on under pressure and the Company shall be bound by such order as if the same were herein enacted and with a view to the better execution of the provisions of this section the Company shall on the first day of February in every year report to the Local Government Board within what parts of the Company's water limits the water supplied by the Company is not constantly laid on under pressure.

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

34. The Company shall at the request of the owner or occupier of any 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 is entitled to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for domestic use at a rate not exceeding six pounds per centum per annum upon the gross estimated rental of the dwelling-house supplied and so in proportion for any longer or shorter period than a year Provided that the Company shall not be compellable to afford a supply of water for domestic purposes at a less rate than twopence per week.

For the purposes of this section the gross estimated rental shall be ascertained by the valuation list in force at the time in the district in which the dwelling-house in respect of which the water rate is made is situate and if there should be no such valuation list then by the last rate for the relief of the poor made in respect of such dwelling-house.

Rates for waterclosets and baths.

35. In addition to the rates for the supply of water for domestic purposes the Company may demand and receive for every watercloset beyond one in any house of not more than twenty pounds gross estimated rental any yearly sum not exceeding five shillings and in any other house any yearly sum not exceeding ten shillings for the first or only one seven shillings and sixpence for the second and five shillings for every additional one and for every private fixed bath in any house any yearly sum not exceeding ten shillings.

For preventing fouling of water.

36. Provided always that the Company shall not be compelled to supply with water any watercloset or any private fixed 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 any bath which shall be capable of containing when filled for use more than fifty gallons of water.

Supply of water by meter.

37. The Company shall at the request of any consumer of water for purposes other than the purposes for or in respect of which the rates or charges are herein-before provided or limited or may at their own instance afford a supply of water by meter and may charge for such supply not exceeding the following rates per one thousand gallons (that is to say) :—

When the quarterly consumption of water is less than fifty thousand gallons then a sum of one shilling and sixpence shall be charged for each thousand gallons up to and

including fifty thousand gallons and when the quarterly consumption is more than fifty thousand gallons then a sum of one shilling and sixpence shall be charged for each thousand gallons up to and including the first fifty thousand gallons and a sum of one shilling for each thousand gallons in excess of the first fifty thousand gallons.

Power to sell or let meters.

38. The Company may from time to time sell and dispose of meters or let meters on hire upon and subject to such terms (pecuniary or otherwise) and conditions as the Company think fit.

Regulations for preventing waste of water.

39. The Company may from time to time make regulations for the purpose of preventing the waste or misuse or contamination of water and amongst other things may by such regulations prescribe (with or without reference to models patterns or samples) the size nature materials workmanship and strength of the pipes cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus or receptacles whatsoever to be used and forbid any arrangements and the use of the several things before mentioned or any or either of them which may lead to such waste or misuse or contamination.

Confirmation of regulations.

40. No such regulation shall be of any force or effect except within the district which the Company is bound to supply with water under constant pressure and unless and until the same shall have been submitted to and confirmed by the Local Government Board which Board is hereby empowered to confirm the same And no such regulation shall be confirmed until after the expiration of ten days after notice in writing of the intention to submit the same for confirmation together with a copy of the proposed regulation shall have been given by or on behalf of the Company to the local authorities within the limits of supply who may within the said period of ten days make such representation with reference thereto to the Local Government Board as such authorities shall think expedient.

Publication of regulations.

41. All such regulations in force for the time being shall be published by a copy thereof being kept at the office of the Company All persons may at all reasonable times inspect such copy without payment and the Company shall cause to be delivered a printed copy of all regulations for the time being in force to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

Evidence of regulations.

42. A printed copy of any such regulations as aforesaid dated and purporting to be made as aforesaid and to have been confirmed by the Local Government Board shall be evidence until the contrary is proved in all legal proceedings of the due making confirmation

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publication and existence of such regulations without further or other proof.

For enforcing regulations.

43. In case of failure of any such person to observe such regulations as are for the time being in force the Company may (notwithstanding any contract or otherwise) if they think fit after forty-eight hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe valve cock cistern bath soil-pan watercloset or other apparatus or receptacle belonging to or used by any person supplied by them and the expense of every such repair replacement or alteration shall be repaid to the Company by the person on whose credit the water is supplied and may be recovered by them summarily.

Disputes to be determined by justices.

44. In the event of any dispute between the Company and any customer or intended customer as to the fact or extent of any alleged non-compliance with any such regulations such dispute shall be referred to the determination of two justices whose decision thereon and as to the amount of costs (if any) of or incident to such dispute and the determination thereof and as to the persons by whom such costs are to be paid shall be final and conclusive.

Power to purchase waterworks.

45. With the consent of the Local Government Board the Company may acquire by agreement from the Stroud Local Board and the Stroud Local Board are by this Act authorised and empowered to sell and transfer to the Company their and each and every of their waterworks mains or pipes and all lands waters sources of water agreements rights and privileges for the supply of water within the limits of this Act upon such terms and conditions pecuniary or otherwise as the Company and the Stroud Local Board with the approval of the Local Government Board may agree and subject to all obligations and liabilities affecting the same: Provided always that within three months from the date of every such sale or transfer the Company shall produce to the Commissioners of Inland Revenue a deed of conveyance duly stamped in which the purchase money or consideration for the sale to the Company shall be fully and truly set forth and in default of such production the ad valorem stamp duty with interest thereon at the rate of five pounds per centum per annum from the date of such sale or transfer to the date of payment shall be recoverable from the Company with full costs of suit and all costs and charges attending the same.

Application of purchase money.

46. Any purchase money paid by the Company to the local board under the provisions of the foregoing section shall be applied with the approval of the Local Government Board to purposes of the local board to which capital is properly applicable but the

Company shall in no way be responsible for the application of any such purchase money after they have once paid the same.

Power to Company to agree for supplies of water for other than domestic purposes.

47. Subject to the provisions of this Act the Company may from time to time enter into and carry into effect such contracts and arrangements with any urban or rural sanitary authority or the trustees of any turnpike or other road or any highway board or any surveyors of any highway and any railway company and any other companies bodies or persons with respect to the supply of water within the limits of this Act in bulk or otherwise as the Company think fit and every such contract and arrangement may be for such period on such terms pecuniary or otherwise and conditions as the Company think fit and they may from time to time by agreement vary or rescind any such contracts or arrangements.

Company to supply Stroud Local Board with water.

48. Notwithstanding anything in this Act the Company shall be bound to supply the Stroud Local Board if required so to do with good and pure water to such amount and at such times as required by them by meter at a price not exceeding ninepence for every one thousand gallons at such point or points not exceeding three in the main road from Stonehouse to Brinscombe within the district of the said local board as the said local board may direct and shall form a connexion or connexions not exceeding three with a pipe or pipes of the said local board of not less than three inches diameter Provided that the Company shall be bound to afford such supply by gravitation only from their low-level reservoir at their pumping station marked on the deposited plan and section as "commencement of conduit" and not from any other reservoir or reservoirs belonging to them Provided that if the said local board shall require on any one day more than one hundred thousand gallons they shall give the Company fourteen days' previous notice thereof in writing under the hand of the clerk engineer or other proper officer of the board and in such case they shall be bound to continue to take not less than one hundred thousand gallons for not less than fourteen consecutive days and will give seven days' notice before discontinuing such extra supply Provided further that the said local board shall pay all expenses of forming such connexion or connexions as aforesaid and the usual charges for the supply and hire of a meter or meters by the Company and shall also turn on the water when required without requiring the attendance of the Company's servants or officials for that purpose.

Domestic supply within limits of Act not to be interfered with by

49. Notwithstanding anything in this Act contained the Company shall not supply water for other than domestic purposes if and so long as in either case the affording such supply would prevent

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supply for other purposes.

the Company from giving a full and efficient supply for domestic purposes.

Entry on premises to cut off supply in certain cases.

50. In all cases in which the Company are by this Act authorised to cut off the pipe or to turn off water from any premises the Company their agents and workmen (after giving notice to the owner or occupier as herein-after provided) may enter into such premises between the hours of nine in the forenoon and four in the afternoon for the purpose of cutting off any pipe by which the water of the Company shall be supplied to such premises.

Mode of giving notice.

51. The notice to be given previously to such entry shall be in writing and shall be served in manner following (that is to say):—

If the premises intended to be entered be occupied then by leaving the notice thereat or by delivering the same to the occupier thereof twenty-four hours at least previously to such entry.

If such premises be unoccupied and the owner thereof and his usual place of abode be in England and be known to the Company then by delivering the notice to such owner or by leaving the same at his usual place of abode twenty-four hours or by sending the same by post in a registered letter addressed to him at his usual place of abode and posted forty-eight hours at least previously to such entry.

If such premises be unoccupied and the owner thereof or his usual place of abode be not in England or be not known to the Company after due inquiry then by affixing the notice on some conspicuous part of such premises three days at least previously to such entry.

And for the purposes of this section any person receiving the rents of any such premises either on his own account or as agent for any other person shall be deemed the owner of such premises.

Service pipes.

52. All fittings connected with any service pipe to communicate with the mains and pipes of the Company which shall be provided by any person shall be placed and removed under the superintendence of the Company and at the expense of such person.

Power to remove meters and fittings.

53. 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 is 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 for not less than forty-eight consecutive hours 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 or removal and every notice required by this section 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.

Notice to Company of putting up meters &c.

54. Before any person connects or disconnects any meter through which any of the water of the Company is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Company of his intention to do so and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Repair of meters.

55. Every consumer of water of the Company shall at all times at his own expense keep all meters belonging to him whereby any water of the Company is registered in proper order for correctly registering such water in default whereof the Company may cease to supply water through such meters and the Company shall at all reasonable times have access to and be at liberty to take off remove test inspect and replace any meter belonging to a consumer such taking off removal testing and inspecting and replacing to be done at the expense of the Company if the meter be found in proper order but otherwise at the expense of the consumer.

Register of meter to be primâ facie evidence.

56. The register of the meter when in perfect working order snall be primâ facie evidence of the quantity of water consumed by any customer of the Company in respect of which any water rate or rent is charged and sought to be recovered by the Company.

Fraudulently injuring meters, &c.

57. If any person wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or fitting belonging to the Company or fraudulently alters the index to any meter or fraudulently prevents any such index from duly registering the quantity of water supplied he shall (without prejudice to any other right or remedy for the protection of the Company or the punishment of the offender) for every such offence be liable to a penalty not exceeding five pounds and the Company may in addition thereto recover the amount of any damages sustained by them and the Company may also discontinue the supply of water to the person so offending until the injury is remedied and the amount of the damages is paid notwithstanding any contract previously existing and the existence of artificial means for causing such alteration or prevention when such pipe meter or fitting is under the custody

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or control of the consumer shall be primâ facie evidence that the same has been fraudulently caused by the consumer using such pipe meter or fitting.

For preventing frauds and waste of water.

58. If and whenever any person supplied with water under this Act wilfully does or causes or suffers to be done anything in contravention of any of the provisions of this Act or wilfully fails to do anything which under this Act ought to be done for the prevention of waste misuse or undue consumption of water the Company may recover in any court of competent jurisdiction from every person so offending the amount of all damage sustained by reason thereof and the remedies of the Company under this enactment shall be in addition to their other remedies in such cases.

Incoming tenant not liable for arrears.

59. The Company shall not be entitled to require from the incoming tenant of any property the payment of arrears of water rate or rent or meter 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.

Company not bound to supply several houses by one pipe.

60. The Company shall not be bound to supply more than one house by means of the same pipe but they may if they think fit require that a separate pipe be laid into each house supplied by them with water.

Recovery of sums due.

61. If any person fails to pay any water rent meter rent rate damages costs expenses or other sum due to or recoverable by the Company under this Act then if the amount thereof is not bonâ fide disputed the same may be levied by distress (the person in default being first duly summoned) and any justice may issue his warrant accordingly and the remedies of the Company under this section shall be in addition to their other remedies for recovery of any such rent rate damages costs expenses or other sum.

Notice of discontinuance.

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

Liability to water rent not to disqualify justice &c.

63. A justice or a judge of any court shall not (except as in this Act expressly provided) be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any water rent meter rent rate or charge under this Act.

Contents of summons &c.

64. 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.

65. Any justice who issues a warrant of distress for any of the purposes of this Act may order that the cost of the proceedings for

recovery of the money to be levied be paid by the person liable to pay such money and in that case such costs shall be ascertained by the justice and shall be included in the warrant of distress.

Penalties not cumulative.

66. 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.

Expenses of Act.

67. All costs charges and expenses of and incidental 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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