ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. lxvi.

An Act for supplying with Water the Town of *Weston-super-Mare* in the County of *Somerset*.

[28th *June* 1853.]

WHEREAS the Inhabitants of the Town of *Weston-super-Mare* in the County of *Somerset* are not at present well or sufficiently supplied with wholesome Water, and it is expedient that a better Supply should be afforded them: And whereas such a Supply may be obtained from the Parish of *Banwell* in the said County: And whereas the several Persons herein-after named, with others, are willing, at their own Expense, to afford such Supply, and to make and maintain all 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 Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict. cc. 16. and 18., and 10 & 11 Vict. c. 17. incorporated with this Act.

I. That the several Provisions of "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Waterworks Clauses Act, 1847," shall be incorporated with this Act, and shall be held to apply to the Company hereby incorporated, and to the Waterworks, Lands, Credits, and Effects authorized to be made by and vested in the Company hereby incorporated.

Short Title.

II. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *Weston-super-Mare* Waterworks Act, 1853."

Limits of Act.

III. That the Limits of this Act within which the Company may break up Streets for the Purpose of laying Pipes shall comprise and include the said Town of *Weston-super-Mare*.

Incorporation of Company.

IV. That *Alfred Hill*, *Thomas Rennie Hutton*, Reverend *Henry Law*, *Robert Parker Pelly*, *Sampson Ramforth*, *Matthew Boulton Rennie*, *Joseph Anthony Simons*, *Francis Hutchinson Synge*, *George Seally*, *Joseph Whereat*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns, respectively, shall be united into a Company, and such Company shall be incorporated by the Name of "The *Weston-super-Mare* Waterworks Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions in this Act and in the Acts incorporated therewith contained.

Purposes of the Company.

V. That the Company shall be established for the Purpose of making Reservoirs, Aqueducts, and Conduits, and for laying down Pipes, erecting and working Steam Engines, and executing all other Works necessary and convenient for supplying the Inhabitants of the said Town of *Weston-super-Mare* with wholesome Water, and for other the Purposes in this Act and in the Acts incorporated therewith contained.

Amount of Capital.

VI. That the Capital of the Company shall be Eighteen thousand Pounds, and the Money to be raised shall be applied to the Purposes of this Act, and to no other Purpose whatsoever.

Number and Amount of Shares.

VII. That the Number of Shares into which the Capital shall be divided shall be Nine hundred, and the Amount of each Share shall be Twenty Pounds.

Calls.

VIII. That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at least shall intervene between the making of any Two successive Calls.

Power to borrow Money on Mortgage.

IX. That after the whole of the Capital of the Company shall have been subscribed for, and One Half of the same shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Company, not exceeding in the whole the Sum of Three thousand six hundred Pounds, and the Money to be borrowed shall be applied to the Purposes of this Act.

X. That

X. That the First General Meeting of the Company shall be held within Nine Months after the passing of this Act. First General Meeting.

XI. That the Quorum of every General Meeting shall be Ten Shareholders, holding in the aggregate not less than One hundred Shares in the Capital of the Company. Quorum of Meetings.

XII. That Five Shareholders in the least, holding in the aggregate not less than Two hundred Shares, may require the Directors to call an Extraordinary Meeting. Requisition for Extraordinary Meetings.

XIII. That the Number of Directors of the Company shall be Five, and the Qualification of a Director shall be the Possession by him in his own Right of Five Shares at the least in the Undertaking. Number and Qualification of Directors.

XIV. That *Alfred Hill*, *Robert Parker Pelly*, *Joseph Anthony Simons*, *Francis Hutchinson Synge*, and *Joseph Whereat* shall be the First Directors of the Company. First Directors.

XV. That a Quorum of a Meeting of Directors shall be Three. Quorum of Directors.

XVI. That any Committee appointed by the Directors shall consist of not less than Three Directors, and the Quorum of every Committee shall be Two, and a Committee shall not make any Call. Committee of Directors.

XVII. That it shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Four. Power to vary Number of Directors.

XVIII. And whereas Plans and Sections showing the Line, Situation, and Levels of the intended Works, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands in or through which the same are intended to be made or to pass, have been deposited with the Clerk of the Peace for the County of *Somerset*, at his Office at *Wells*: Be it enacted, That it shall be lawful for the Company, subject to the Provisions and Restrictions in this Act and in the Acts incorporated therewith contained, to make and maintain the Works requisite for such Supply in the Lines or Situation, and on the Levels, and upon the Lands, and within the Limits of Deviation delineated on the said Plans and Sections and described in the said Book of Reference, and to enter upon, take, and use such of the Lands mentioned in the said Plans and Book of Reference as shall be necessary for that Purpose, and also to divert, impound, and take for Six Months in every Year, commencing on the Fifteenth Day of *December* and terminating on the Fifteenth Day of *June*, the Power to make Waterworks according to deposited Plans.

Waters

Waters of the *West Moor Rhine*, subject to the following Regulations and Restrictions:

The Water shall be taken from the said Rhine where the said Rhine intersects the Fields numbered 8 and 10 on the said Plans, or in One of such Fields:

The Pipe or Aqueduct for collecting and conveying the Water shall not be Bell-mouthed, and shall, at the before-mentioned Point, and for Fifty Feet at least therefrom in a straight horizontal Line from such Rhine, be of not more than Four Inches Diameter; and the Waters of the said Rhine shall not be taken at any other Place or in any other Way than through such Pipe or Aqueduct:

The Pipe or Aqueduct shall be at no greater Depth than One Foot below the ordinary Level of the said Rhine, such ordinary Level being deemed to be, for the Purpose of this Provision, Two Feet and Five Inches below the Soffit of the Arch of the Foot Bridge over the said Rhine connecting the public Road with the Footpath numbered 7 on the said Plan, in the Parish of *Banwell*:

The Company shall not, by the Construction of any Dam or other Work, raise the Level of the Waters of the said Rhine:

The Company may from Time to Time, by and with the Consent in Writing of the Owners of Two Thirds in Quantity of the Land in the Parishes of *Yatton*, *Congresbury*, *Puxton*, *Kewstoke*, *Worle*, and *Banwell*, (now claimed to belong to the Bishop of *Bath and Wells*, *William Wyndham* of *Dinton*, *Wilts*, Esquire, *Robert Phippen* of *Bristol*, Esquire, *William Hicks Townsend* of *Bristol*, Esquire, and *Samuel Baker* of *Burrington*, *Somerset*, Esquire,) divert, impound, and take the Waters of the said Rhine at other Periods than those herein-before specified, subject nevertheless to the before-mentioned Terms, Conditions, and Restrictions, and to such other Terms, Conditions, and Restrictions as may be set forth in any such Consent.

Not to enter upon certain Lands without Consent.

XIX. That it shall not be lawful for the Company, except with the Consent of the Owner thereof, to purchase or enter upon any Part of the Lands in the Parish of *Weston-super-Mare* in the County of *Somerset*, numbered 12, 13, and 15 on the said Plans, and so much of the Land numbered 14 on such Plans as lies South of the Footpath leading from *Thomas Taylor*'s Nursery Ground to *Ashcombe* across such last-mentioned Land.

Company to construct a Sewer in Banwell, and not to take certain Land, except for Sewer.

XX. Provided always, That before taking any Water from the said Rhine the Company shall construct a Sewer or Drain for the Owners of the Mills commonly called or known as *Banwell Mills*, and the Lands and Premises connected therewith, being the Lands in the Parish of *Banwell*, numbered 1, 2, 3, 4, and 5 on the said Plans; which said Sewer or Drain shall be constructed of such Form, Size,

Size, and Materials, and in such Direction, and generally in such Manner as may be reasonably required by the Engineer of the Owners of the said Mills, Premises, and Lands; and such Sewer or Drain shall for ever afterwards be maintained by the Company at their own Cost and Expense, to the Satisfaction of the Engineer for the Time being of the Owners of the said Mills, Premises, and Lands; and, except with the Consent of the Owners thereof, it shall not be lawful for the Company to purchase any Part of the Lands in the said Parish of *Banwell*, numbered 1, 2, 3, 4, and 5 on the said Plans, nor to enter thereon, save and except so far as may be necessary in making and maintaining the said Sewer or Drain; and the Company shall from Time to Time reimburse the Owners of the said Mills, Premises, and Lands, all Costs and Expenses which they may reasonably sustain or incur in the Employment of an Engineer to superintend the Construction and Maintenance of the said Sewer or Drain.

Company not to divert Water until Clyses are placed in River.

XXI. That before the Company shall divert, impound, or take any Water from such Rhine as herein-before authorized, there shall be formed and provided, and from Time to Time thereafter kept in proper Repair, sufficient and effectual self-acting Clyses or Hatches and Dams in the *Banwell* River at the following Points: One within Fifty Feet below *Balls yeo Rhine*, so as to raise the Water in the River at such Point One Foot and no more above its present Level, such Level, for the Purpose of this Provision, being Three Feet Two Inches and One Quarter of an Inch below the Top of the highest Sill of *Balls yeo Clyse;* a Second within Fifty Feet of *Haybow Bridge*, so as to raise the Water in the River at such Point One Foot and no more above its present Level, such Level, for the Purpose of this Provision, being Four Feet below a Beach Mark on a Stone on the North-west Side of *Haybow Bridge;* a Third within Fifty Yards of Midway between the said Second Clyse or Hatch and Dam, and the Clyse or Hatch and Dam next herein-after mentioned, so as to raise the Water in the River at such Point One Foot and Six Inches and no more above its present Level, such Level, for the Purpose of this Provision, being Three Feet below a Stone near to the Position of such intended Clyse or Hatch; and a Fourth within Three hundred Yards from the Outlet of such River into the Sea, so as to raise the Water in the River at such Point One Foot and Eight Inches and no more above its present Level, such Level, for the Purpose of this Provision, being Eight Feet and Eight Inches below a Beach Mark on the Wall of the Tide Sluice of such River at Sea: Provided always, that there shall be kept and continued in the said Clyses or Hatches the respective Openings herein-after specified; (that is to say,) in the Clyse or Hatch firstly herein-before described, an Opening of not less than Two Inches and Three Quarters in Diameter; in the Clyse or Hatch secondly herein-before described, an Opening of not less than Two Inches and a Half in Diameter; in the Clyse

or Hatch thirdly herein-before described, an Opening of not less than Two Inches and a Quarter in Diameter; and in the Clyse or Hatch fourthly herein-before described, an Opening of not less than Two Inches in Diameter; such Openings to be made within Three Inches of the Top of the said several Clyses or Hatches respectively.

If Clyses or Hatches impede working of Mill, same to be removed.

XXII. Provided always, That if the Waters of the said River shall be so kept back by the said Clyses or Hatches, or any of them, as to impede or interfere with the working of the said Mills, then such of the said Clyses or Hatches as shall be required by the Owners for the Time being of the said Mills to be removed shall be from Time to Time forthwith removed by the respective Persons under whose Control the said Clyses or Hatches may be.

Pipe and Clyses to be laid down to the Satisfaction of Engineer.

XXIII. That the Pipe to be laid down for the Purpose of taking Water from such Rhine as herein-before authorized, and the Clyses or Hatches and Dams herein-before described, shall be laid down to the Satisfaction of *John Combes* of *Chicksgrove* in the County of *Wilts*, Engineer, or of such other Engineer as shall from Time to Time be appointed in that Behalf by the Owners of Two Thirds in Quantity of the Land within the several Parishes of *Yatton*, *Congresbury*, *Puxton*, *Kewstoke*, *Worle*, and *Banwell*, now claimed to belong to the Bishop of *Bath and Wells* for the Time being, *William Wyndham* of *Dinton* in the County of *Wilts*, Esquire, *Robert Phippen* of the City of *Bristol*, Esquire, *William Hicks Townsend* of the said City of *Bristol*, Esquire, and *Samuel Baker* of *Burrington* in the County of *Somerset*, Esquire, the Cost and Expense of the said *John Combes* or of such other Engineer being paid by the Company.

Company to cause Clyses to be opened and shut.

XXIV. That the Company shall and they are hereby required at their own Expense to cause such Clyses or Hatches to be from Time to Time opened and shut as the same may be necessary for regulating the Passage of the Water down such River, under a Penalty of Five Pounds for any Neglect or Refusal of the Company to make effectual Provision for the opening and shutting of such Clyses or Hatches.

Power to deviate from Plans in certain Cases.

XXV. That, subject to the Restrictions in the incorporated Acts contained, it shall be lawful for the Company, in making the Works by this Act authorized, where Limits of Deviation are marked on the Plans deposited with the Clerk of the Peace as aforesaid, to deviate from the Lines delineated on such Plans to the Extent of the Limits of Deviation marked on such Plans.

Power to deviate from Section.

XXVI. That it shall be lawful for the Company, in making the Reservoirs and Aqueducts, to deviate from the Levels shown on the Sections deposited with the Clerk of the Peace as aforesaid, to the Extent of Five Feet only.

XXVII And

Saving Rights of Bristol and Exeter Railway Company.

XXVII. And whereas it is intended that the Line of Works of the Company shall be carried under the *Bristol and Exeter* Railway in the Parish of *Kewstoke*, and it is expedient to provide against Injury or Obstructions being occasioned to the said Railway or any Part thereof by the said Works of the said Water Company being so carried under the said Railway, and that any Interference with the said Railway should be subject to the Control of the *Bristol and Exeter* Railway Company: Be it enacted, That any Aqueduct, Works, Arch, or Culvert to be constructed under the said *Bristol and Exeter* Railway, or any Branch thereof, shall be of such Form and Dimensions as shall be approved of by the Engineer for the Time being of the said *Bristol and Exeter* Railway Company, and generally that the Line of Works of the said Waterworks Company shall be carried under or across the said Railway in such Manner only as the Engineer for the Time being of the said *Bristol and Exeter* Railway Company shall determine; and that nothing in this Act contained shall diminish, alter, prejudice, affect, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Bristol and Exeter* Railway Company, or authorize or empower the said Waterworks Company to alter the Line or Level of the said Railway, or of the Works or Conveniences connected therewith, or of either or any of them, or any Part thereof, or in any Manner to obstruct or impede the Traffic of the said Railway or any Part thereof, or to interfere with or injure the Drainage or any of the Works of the said Railway, or to take or use any of the Lands or Property belonging to the said *Bristol and Exeter* Railway Company, except as aforesaid; and the said Waterworks Company shall, at their own Expense, at all Times when requisite, erect and make, and repair and maintain all Aqueducts, Arches, and Culverts, with their respective Appurtenances, and every Work connected therewith, made necessary by the crossing of the said Railway by the Line of Works of the said Waterworks Company, such Repairs to be from Time to Time made under the Direction and Superintendence in all things of the Engineer of the said Railway Company for the Time being.

Saving Rights of Commissioners of Sewers for Somerset.

XXVIII. That nothing herein contained shall extend, or be construed to extend to prejudice, lessen, alter, or take away any of the Rights, Privileges, Powers, or Authorities of the Commissioners of Sewers for the County of *Somerset*, by virtue of the general Laws relating to Sewers, or the Powers or Provisions of any Act or Acts of Parliament heretofore passed for the better Drainage of any Lands within the County of *Somerset* or otherwise; but such Rights, Privileges, Powers, and Authorities of the Commissioners shall remain, continue, and be in full Force and Effect; and all Works which shall be built, erected, or executed under the Provisions of this Act in, over, under, upon, or across any River, Rhine, Drain, or Public Watercourse, under the Jurisdiction of the Commissioners of Sewers,

and

and all Works which shall be made under the Provisions of this Act for preventing the Sewage or Drainage of any Lands from being impeded or for preventing the said Lands from being injured by the Influx of the Sea, shall in every respect be built, erected, and executed, if not previously agreed upon or consented to by the Commissioners of Sewers, as the same shall be determined on, at the Expense of the Company, by Two Engineers, or their Umpire, to be appointed in manner directed by the "Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Notice of Commencement of Works to be given.

XXIX. That the Company shall give Fourteen Days Notice to the Commissioners, their Clerk, Agent, or Surveyor, before they begin to build, erect, make, do, and execute such Works, or any of them respectively.

Company to invest a Sum of Money in the Funds before interfering with Rivers or Drains under Jurisdiction of Commissioners of Sewers.

XXX. That the Company shall, before they shall construct any Work across any of the Rivers or Drains under the Jurisdiction of the Commissioners of Sewers, invest in the Purchase of Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, or in other Government Stocks or Funds, in the Name of the Treasurer of the County of *Somerset* for the Time being, upon trust to pay the Dividends or Interest arising therefrom to the Company, as and when the same shall accrue due and be received, subject to the Provision herein-after contained, the Sum of Two hundred Pounds, which Stock or Funds when so purchased, and all other Stock or Funds which shall be purchased under the Provisions herein-after contained for that Purpose, shall be under and be subject to the Order of the Commissioners of Sewers at any Court or Session of Sewers, and shall under such Order and Direction be from Time to Time sold and disposed of, either in whole or in part, as Occasion shall require; and the Monies arising from every such Sale shall from Time to Time be applied and disposed of by the Commissioners of Sewers in and towards the Repair or Alteration of any of the Works hereby authorized to be made which in the Judgment of such Commissioners shall or may in any way affect the Drainage or Sewerage of the County or the Defences thereof against the Influx of the Sea, and which shall or may in their Opinion require such Repair or Alteration; and also in Payment of such Satisfaction or Compensation as the Company or the Directors thereof may from Time to Time agree to make, or as at any Assessment of Damages before the Sheriff of the County of *Somerset*, under the Provisions herein contained, may be assessed to any Owner or Occupier of or Person interested in any Lands, for any Damage which may be sustained by such Owner or Occupier or Person interested by reason of such Influx of the Waters of the Sea, or of the Overflow of Waters from the Drains, arising from the Failure or Insufficiency of any of the Works which shall be executed by the Company under the Provisions of this Act.

XXXI. That

If Stock sold, Company to replace the same.

XXXI. That if the whole or any Part of the said Bank Annuities, Stocks, or Funds shall at any Time be sold under the Direction of the Commissioners, in manner herein-before mentioned, the Company shall and they are hereby required within Thirty Days to replace the said Sum of Two hundred Pounds, or such a Sum as with the like Annuities, Stocks, or Funds then remaining in the Name of the Treasurer of the County of *Somerset* shall make up the said Sum of Two hundred Pounds, to be applied and disposed of as herein-before mentioned.

Power for Commissioners of Sewers to call Special Meetings.

XXXII. And whereas it may be necessary and expedient for the Purpose of this Act from Time to Time to convene Special Courts or Sessions of Sewers in and for the County of *Somerset:* Be it therefore enacted, That it shall be lawful for the Clerk of the Commissioners of Sewers and he is hereby required, at any Time, upon Application in Writing for that Purpose made to him under the Hand of the Clerk or Secretary for the Time being of the Company, to appoint a Time and Place for holding such Special Court or Session of Sewers; and such Special Court or Session of Sewers so to be appointed as aforesaid shall be a lawful Court or Session of Sewers, and shall be competent to execute all or any of the Powers vested in the Commissioners of Sewers by this Act: Provided always, that no such Special Court of Sewers shall be held as aforesaid until Fourteen Days public Notice thereof shall have been inserted by the Clerk of the Commissioners of Sewers in Two Newspapers printed or generally circulated in the County of *Somerset.*

Company may purchase certain Land, for additional Purposes.

XXXIII. That in addition to the Lands authorized to be purchased as aforesaid it shall be lawful for the Company to contract with any Party willing to sell or lease the same, for the Purchase or Lease of any Lands other than what they are herein-before authorized to purchase or take, not exceeding in Quantity Three Acres, which shall be deemed proper or expedient for the Purposes of the Undertaking; and it shall be lawful for all Parties who under the Provisions herein-before or in the incorporated Acts contained would be enabled to sell or convey Lands required for the Undertaking to sell and convey Lands required for any such additional Purposes as aforesaid.

Power to purchase or lease Lands.

XXXIV. That it shall be lawful for the Company to agree with the Owners of any Lands or Buildings which they may require for the Purposes of this Act, either for the absolute Purchase of such Lands or Buildings, or for a Grant in Perpetuity of any such Lands, or of any Easement, Power, or Authority in or over the same, for a Consideration in Money, on such Terms as may be agreed on, of any of such Lands or Buildings, or such Part thereof as they shall think proper; and it shall be lawful for all or any of the Parties who by "The Lands Clauses Consolidation Act, 1845," are empowered to

sell and convey or release, to agree for and execute any such Grant as aforesaid: Provided always, that the Consideration for the Grant of any such Lands, or of any Easement, Power, or Authority in or over the same, in which any Person under Disability shall be interested, shall be a Sum in gross or the best yearly Rent, payable half-yearly or oftener, that can be reasonably obtained, without taking any Money by way of Fine or Premium.

Owners may grant Easements.

XXXV. That the Persons empowered by "The Lands Clauses Consolidation Act, 1845," to convey Lands shall, for the Purposes of this Act, have full Power to grant any Easement, Power, or Authority in or over such Lands.

Limitation of Time for completing Works.

XXXVI. That after the Expiration of Five Years from the passing of this Act all the Powers by this Act granted for completing the Works for supplying with Water the Town of *Weston-super-Mare* shall cease to be exercised, except as to so much of the same as shall then be completed; provided, that nothing in this Act contained shall be construed so as to restrain the Company from extending and enlarging their Works, Mains, and Pipes from Time to Time whenever it shall be necessary for the Purpose of supplying with Water the Inhabitants of such last-mentioned Town, but, nevertheless, such Powers of extending and enlarging Works, Mains, and Pipes shall not authorize any Alteration whatsoever in the said Pipe herein-before authorized to be laid down in communication with the said Rhine, or in the Position or Formation of any of the Clyses or Hatches herein-before mentioned or referred to.

Certain Provisions of 10 & 11 Vict. c. 17. extended to the Mill Head, &c. in Banwell.

XXXVII. That from the Time the Company commence taking Water from the said Rhine as herein-before authorized the Sections with respect to the Provision for guarding against fouling the Water of the Undertakers in the "Waterworks Clauses Act, 1847," shall be extended and apply to the Mill Head or Mill Pond situate in the said Parish of *Banwell*, and to the Waters flowing between such Mill Head or Mill Pond and the said Pieces of Land in the Parish of *Banwell*, referred to on such Plans by the Numbers 8 and 10: Provided always, that nothing in this Act or the said "Waterworks Clauses Act, 1847," contained shall hinder or prevent the Owners, Lessees, and Occupiers of the said Mills, Lands, and Premises from opening and carrying on thereon any Trade or Business which they might lawfully have done before the passing of this Act; but the said Owners, Lessees, and Occupiers shall and they are hereby compelled to cause all the offensive Matter or Refuse which may arise from the working of the said Mills, or carrying on of such Trade or Business, to pass into and through the before-mentioned Sewer or Drain.

XXXVIII. That

Provisions of 10 & 11 Vict. c. 17. extended to Compensation to be given in respect of Injury to Mill in Banwell.

XXXVIII. That the Provisions of the "Waterworks Clauses Act, 1847," shall extend to enable and require full Compensation to be claimed by and to be paid to the Owners, Lessees, and Occupiers for the Time being of the said Mills, Lands, and Premises, being the Lands numbered on the said Plans 1, 2, 3, 4, and 5, in the Parish of *Banwell*, for the Value of any Easement, Right, or Privilege, if any, appendant, appurtenant, or attached to, or lawfully enjoyed or claimed by the said Owners, Lessees, or Occupiers, which may be taken away or injuriously affected by any of the Powers of this Act.

Rate at which Water is to be supplied for domestic Purposes.

XXXIX. That the Company shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Pipe of the Company shall be laid, or if any Person who, under the Provisions of this Act or any Act incorporated therewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person, a sufficient Supply of Water for their domestic Uses, at the Rates herein-after specified; (that is to say,)

Where no Watercloset or Bath.

XL. If there be no Watercloset or Bath in or appurtenant to the Dwelling House or Part of the Dwelling House, to be supplied Water, then at the following Rates:

Where the annual Value of such House shall not amount to Seven Pounds, at a Rate not exceeding Ten Shillings *per Annum*:

Where the annual Value of such Dwelling House shall be Seven Pounds and under Twenty Pounds, at a Rate *per Centum per Annum* not exceeding Eight Pounds:

Where the annual Value of such Dwelling House shall be Twenty Pounds and upwards, at a Rate *per Centum per Annum* not exceeding Seven Pounds.

If there be a Watercloset or Bath.

XLI. If there be a Watercloset or Waterclosets, or Bath or Baths, in any Dwelling House or Part of a Dwelling House, where the annual Value of such Dwelling House or Part of a Dwelling House shall amount to Seven Pounds *per Annum* and upwards, then, in addition to the Rates above specified, the following Rates shall be payable; (that is to say,)

Where the annual Value of such Dwelling House or Part of a Dwelling House shall be under Twenty Pounds, the Sum of Ten Shillings for One or more Watercloset or Waterclosets, and the further Sum of Ten Shillings for One or more Bath or Baths:

Where the annual Value of such Dwelling House shall be Twenty Pounds and upwards, the Sum of Fourteen Shillings for One or more Watercloset or Waterclosets, and the further Sum of Fourteen Shillings for One or more Bath or Baths.

XLII. Pro-

Waterclosets and Baths to be constructed to prevent Waste of Water.

XLII. Provided always, That the Company shall not be compelled to supply any Watercloset or Bath, or the Apparatus or Pipes connected therewith, unless the same shall 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 and other noisome or impure Matter into the Mains or other Pipes belonging to or connected with the Mains or Pipes of the Company, nor any private Bath which shall be so constructed as to contain, when filled for Use, more than Fifty Gallons of Water.

Water for other than domestic Purposes to be supplied by Agreement.

XLIII. That it shall be lawful for the Company to supply any Person with Water for other than domestic Purposes at such Rate and upon such Terms and Conditions as shall be agreed upon between the Company and the Persons desirous of having such Supply of Water.

What shall be domestic Purposes.

XLIV. That a Supply of Water for domestic Purposes shall not include a Supply of Water for public Baths, Horses kept for Hire, Cattle, or for any Trade or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purpose whatsoever.

Power to lease the Water Rates.

XLV. That it shall be lawful for the Company to lease the whole or any of the Water Rates or Rents payable to the Company by virtue of this Act or otherwise for any Term not exceeding Three Years, and upon such Rents, Covenants, and Conditions as the Company shall think fit.

Arrears may be enforced by Appointment of a Receiver.

XLVI. That the Mortgagees of the Company may enforce the Payment of Arrears of Principal and Interest by the Appointment of a Receiver, and the Amount of Debts necessary to authorize a Requisition for a Receiver shall be Two thousand Pounds.

Fixing maximum Rate of Dividend.

XLVII. That the maximum Rate of Dividend which the Company may divide within the Meaning of the Seventy-sixth Section of "The Waterworks Clauses Act, 1847," shall be Seven and a Half *per Centum* upon the Capital paid up for the Time being.

Expenses of Act.

XLVIII. That all Costs, Charges, and Expenses of and attending the passing of this Act, and incidental thereto, shall be paid by the Company.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1853.