ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

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the said Company; but the several Purposes aforesaid cannot be accomplished without the Aid and 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, That "The Lands Clauses Consolidation Act, 1845," the Clauses in "The Waterworks Clauses Act, 1847," with respect to the Construction of the Waterworks, and the several Provisions contained in the said recited Act relating to the Correction of the deposited Plans and Books of Reference, the breaking up of Streets, the laying down of Pipes, the Supply of Water, the Rates for such Supply, and the Protection against Fire, shall extend to this Act and to the several Matters hereby authorized, as fully and effectually as if such Powers and Provisions were repeated and re-enacted in this Act.

Certain Provisions of 8 & 9 Vict. c. 18. and 10 & 11 Vict. c. 17. incorporated with this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and other Documents and Proceedings, it shall be sufficient to use the Expression "The *Wolverhampton* Waterworks Amendment Act, 1850."

Limits of Act.

III. And be it enacted, That the Limits of this Act for the Supply of Water shall be deemed and taken to extend to and include the Townships of *Willenhall* and *Wednesfield* in the Parish of *Wolverhampton*, and the Parishes of *Tettenhall*, *Penn*, and *Sedgley*, all in the County of *Stafford*.

Power to make Waterworks according to deposited Plan.

IV. And whereas Plans and Sections showing the Line and Levels of the Waterworks by this Act authorized, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the 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 of the County of *Stafford*: Be it enacted, That it shall be lawful for the Company, subject to the Provisions and Restrictions in this Act contained, to make and maintain the said Waterworks in the Line and on the Levels and upon the Lands delineated on the said Plans 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, or to agree for a Lease of such Lands, and to take therefrom such Water as the Company may require for the Purposes of this Act.

For Protection of the Company of Proprietors

V. And be it enacted, That if and as often as at any Time hereafter the Company of Proprietors of the *Birmingham* Canal Navigations shall have Occasion to raise, rebuild, or alter any Bridge belonging to

the same Company, over which any Pipes may have been carried by the said Waterworks Company under the Powers of the said recited Act or of this Act, the Alteration of such Pipes made necessary by the raising, rebuilding, or altering of every such Bridge shall be made and the Pipes shall be replaced by and at the Expense of the said Waterworks Company, and the said Company of Proprietors shall not be liable to make Compensation for any Damage, Loss, or Injury occasioned thereby; but no such raising, rebuilding, or altering shall be commenced (except in Cases of Emergency) until Seven Days after Notice of an Intention to raise, rebuild, or alter (as the Case may be) shall have been given by the said Company of Proprietors to the said Waterworks Company: Provided always, that it shall not be lawful for the said Waterworks Company, in exercising any of the Powers of the said recited Act or of this Act, in any Manner to impede the Navigation of any of the Canals of the said Company of Proprietors; and that in laying down, altering, and maintaining any Pipes over, across, or by the Side of any of the Bridges of the said Company of Proprietors, the same shall be laid down, altered, and maintained by the said Waterworks Company so and in such Manner as not to injure the said Bridges, or intercept the free Passage under the same, and (save as aforesaid) the said Waterworks Company shall not take or in any Manner interfere with any of the Works or Property of the said Company of Proprietors, without their Consent in Writing under their Common Seal first had and obtained.

of the Birmingham Canal Navigations.

VI. And be it enacted, That the Pipes and Waterworks hereby authorized shall cross over the *Grand Junction* Line of the *London and North-western* Railway at the Two several Points where, and on the Levels which, according to the Plan and Section deposited as in this Act mentioned, such Pipes and Waterworks appear to cross the said Railway, and not otherwise, without the previous Consent in Writing of the *London and North-western* Railway Company under their Common Seal, and that such Pipes and Waterworks shall be carried across the said Railway at the said Points in a safe and substantial Manner, and so as not to injure or endanger the Line or Works of the said Railway, and that such Pipes and Waterworks shall be laid and at all Times maintained to the Satisfaction of the Engineer for the Time being of the *London and North-western* Railway Company.

As to Mode of crossing the London and North-western Railway.

VII. And be it enacted, That the Expense of carrying the said Pipes and Waterworks across the said Railway, and of any Alterations in the Works of the said Railway which may be rendered necessary by the laying down, altering, and maintaining such Pipes and Waterworks, shall be borne and paid by the Waterworks Company.

Expense of laying Works across Railway to be borne by Waterworks Company.

VIII. And

Waterworks Company not to interfere with Property of London and North-western Railway Company, &c.

VIII. And be it enacted, That, notwithstanding anything in this Act contained to the contrary, it shall not be lawful for the said Waterworks Company, or for any other Corporation or Person under or in execution of this Act, either permanently or temporarily to enter upon, take, or use any of the Land or Property of the *London and North-western* Railway Company, or any Land or Property which at the Time of the passing of this Act the said last-mentioned Company may have Power to acquire, or in any Manner to alter, vary, or interfere with the said *London and North-western* Railway, or any of the Works appertaining thereto, save only for the Purpose of carrying the Pipes and Waterworks across the said Railway at the Points and in manner aforesaid.

Saving Rights of the London and North-western Railway Company.

IX. And be it enacted, That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities of, or vested in or belonging to, the said *London and North-western* Railway Company, but all their Rights, Privileges, Powers, Franchises, and Authorities under their several Acts of Parliament and otherwise are hereby saved and reserved, except so far as the same are hereby expressly varied or affected.

Power to Company to construct Works at Tettenhall more than 18 Feet below the Level of the Staffordshire and Worcestershire Canal.

X. And whereas by the said recited Act it was provided that the said Company should not excavate, sink, bore, tunnel, or pump, or carry on any Works whatever, at a greater Depth than Eighteen Feet below the Top-water Level of the *Staffordshire and Worcestershire* Canal at or near *Tettenhall Bridge*: And whereas such Restriction is found to deprive the said Company of the Means of obtaining a considerable Quantity of Water requisite for the Supply of the said Town of *Wolverhampton*, and the said Company are of opinion that their Works may be carried to a greater Depth than the Depth limited by the said Act without Injury to the Interests of any Company or Persons whose Interests were sought to be secured or protected by the aforesaid Provisions: Be it therefore enacted, That notwithstanding anything in the said Act, but subject to the Provisions herein-after contained, the said Company may excavate, sink, bore, tunnel, and pump, and carry on any Works at *Tettenhall* at a greater Depth than the Depth of Eighteen Feet below the Top-water Level of the said Canal, but not so as to abstract any Water from the said Canal, or from a certain Brook near to the same called *Tettenhall Brook*, to the Prejudice of any Company or Person whose Interests were sought to be protected as aforesaid.

Works near Goldthorn Hill to be proceeded with, &c.

XI. And be it enacted, That the Works by this Act authorized to be constructed for procuring Water at or near *Goldthorn Hill* shall be proceeded with, and no further Excavations or deepening of the Works

Works at *Tettenhall* shall be made unless with the Consent of the *Staffordshire and Worcestershire* Canal Company.

Period for compulsory Purchase of Lands limited.

XII. And be it enacted, That 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 within which Works are to be completed.

XIII. And be it enacted, That the Works hereby authorized shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Waterworks as shall then be completed.

Power to raise 26,000*l.* by the Creation of new Shares.

XIV. And be it enacted, That it shall be lawful for the Directors of the Company from Time to Time to raise by the Creation of new Shares, in addition to any Sums which have been already raised under and by virtue of the said recited Act, any further Sum and Sums of Money not exceeding in the whole the Sum of Twenty-six thousand Pounds: Provided always, that the said Directors shall not raise more than the Sum of Six thousand Pounds by such new Shares, except with the previous Consent of the Company in General Meeting assembled.

New Shares to be considered the same as original Shares.

XV. And be it enacted, That the Capital so to be raised by the Creation of new Shares shall be considered as Part of the general Capital; and such new Shares shall be of the same Amount respectively, and subject to the same Provisions in all respects, whether with reference to the Payment of Calls or otherwise, as if such new Shares had been Part of the original Capital of the Company.

New Shares to be offered to original Shareholders.

XVI. And be it enacted, That when any Augmentation of Capital shall take place by the Creation of new Shares, such new Shares shall be apportioned among the then Shareholders in proportion to the existing Shares held by them respectively; and an Offer of such new Shares shall be made by Letter under the Hand of the Secretary of the Company, given to or sent by Post addressed to each Shareholder, or left at his usual or last Place of Abode; and the said new Shares shall vest in and belong to the Shareholders who shall accept the same, and pay the Deposit or Call thereon to the Company at the Time which shall be fixed by the Directors; and if any Shareholder fail for One Month after such Offer of new Shares to accept the same, and pay the Deposit or Call to be paid in respect thereof, it shall be lawful for the Directors of the said Company to dispose of such Shares in

such Manner as they shall deem most for the Advantage of the Company.

Power to borrow Money on Mortgage.

XVII. And be it enacted, That after the whole of the additional Capital of Twenty-six thousand Pounds shall have been subscribed, and One Half of the Money by this and the said recited Act authorized to be raised by Shares 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 Order of any Ordinary or Extraordinary Meeting of the Company, not exceeding in the whole the Sum of Nine thousand three hundred Pounds, in addition to the Sum which they are at present authorized to borrow; and all the Powers and Provisions contained in "The Companies Clauses Consolidation Act, 1845," with reference to the borrowing of Money, and the Conversion of borrowed Money into Capital, shall extend and apply to the said Money hereby authorized to be borrowed.

Former Mortgages and Bonds to have Priority.

XVIII. Provided always, and be it enacted, That all Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over any Mortgage or Bond to be created by virtue of this Act.

Notice of Meeting to authorize further Increase of Capital, &c. to be sent to each Shareholder.

XIX. And be it enacted, That, in addition to the Notice required by "The Companies Clauses Consolidation Act, 1845," Notice of every Meeting of the Company (at which it is intended to obtain Authority to increase the Capital of the Company beyond the said Sum of Six thousand Pounds, or to exercise the before-mentioned Powers of borrowing) shall be sent by Circular to every Shareholder Seven clear Days at least before the holding of any such Meeting.

Application of Monies under this Act.

XX. And be it enacted, That the Monies to be raised by virtue of this Act shall be applied in the first place, and in preference to any other Payment, in paying and discharging all Costs and Expenses incurred in passing this Act, and all Expenses incident thereto, and secondly in carrying the Purposes of the said recited Act and this Act into execution in such Manner as the Directors of the Company shall think fit.

Company not exempt from Provisions of 11 & 12 Vict. c. 63.

XXI. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Company from the Provisions of "The Public Health Act, 1848," or of any general Act relating thereto, or to the Subject Matter thereof, which may pass during the present or any future Session of Parliament.

XXII. And

XXII. And be it enacted, That the Term "the Company" or "the said Company" in this Act shall mean "The *Wolverhampton* Waterworks Company." Interpretation of Terms.

XXIII. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such. Public Act.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1850.