

The Leicester Waterworks Act, 1866.

Company have raised and expended for the Purposes of their Undertaking the whole of their authorized Share Capital and the whole of their authorized Loan Capital except the Sum of Six thousand Pounds: And whereas the Demand for Water within the Limits of the Company's former Acts is increasing: And whereas it is expedient that the Limits of the District within which the Company may supply Water be extended to other Places in the Neighbourhood of the Town of *Leicester*: And whereas it is expedient that to meet the increasing Demand aforesaid, and to furnish a Supply of Water within such extended Limits, the Company be authorized to construct further Works, and for that Purpose to take by Compulsion and otherwise Lands and Waters: And whereas it is expedient that for the Purposes aforesaid the Company be authorized to raise additional Share and Loan Capital to the Extent in this Act expressed: And whereas it is expedient that in various respects further Powers be conferred on the Company, and that better Provision be made for the Conduct of their Undertaking in manner in this Act expressed: And whereas certain Premises in *Leicester* have been purchased on behalf of the Company in the Names of Trustees for Offices and other Purposes of the Company, and it is expedient that those Purchases be confirmed, and that those Lands be conveyed to the Company: And whereas the Mayor, Aldermen, and Burgesses of the Borough of *Leicester* (in this Act called the Borough) are, by the Council of the Borough, the Local Board of Health for the Borough (in this Act called the Local Board): And whereas, under the Authority of the Company's Act of 1851, the Local Board hold Shares in the Capital of the Company to the Amount of Seventeen thousand Pounds, and on the Company obtaining Power, as in this Act provided, to raise additional Capital, a considerable Number of Shares will be allotted to the Local Board as such Shareholders, and it is expedient that the Local Board be empowered to take and hold the Shares so allotted: And whereas, under the Company's Act of 1851, the Local Board in manner and to the Extent therein provided guarantee Payment of Dividend and Interest on the Share and Loan Capital of the Company, and are entitled (beyond their Interest as Shareholders) to participate in the Profits of the Company when more than sufficient to pay such Dividend and Interest as therein provided: And whereas it is expedient that a Right to participate in the Profits of the Company, when more than sufficient to pay in respect of the additional Share and Loan Capital authorized by this Act such Dividend and Interest as in this Act expressed, be conferred on the Local Board (beyond their Interest as Shareholders): And whereas it is expedient that for the Purposes of this Act the Local Board be authorized to borrow Money: And whereas Plans and Sections of the intended Works of the Company showing the Lines and Levels thereof, and the Lands and Streams in or through which the same are intended to be made or pass or to be taken under the Powers
of

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of this Act, and a Book of Reference to those Plans, have been deposited with the Clerk of the Peace for the County of *Leicester* (which are in this Act referred to as the deposited Plans, Sections, and Book of Reference): And whereas the Objects of this Act 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,)

1. This Act may be cited as "The *Leicester Waterworks Act*, Short Title. 1866."

2. The following Enactments (as far as the same respectively are applicable for the Purposes and are not inconsistent with the Provisions of this Act) are hereby incorporated with this Act; namely,

The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860:

The Provisions of The Companies Clauses Consolidation Act, 1845, with respect to the Matters following; (that is to say,) the Distribution of the Capital of the Company into Shares, the Transfer or Transmission of Shares, the Payment of Subscriptions and the Means of enforcing the Payment of Calls, the Forfeiture of Shares for Nonpayment of Calls, the Remedies of Creditors of the Company against the Shareholders, the borrowing of Money by the Company on Mortgage or Bond, the Conversion of the borrowed Money into Capital, and the Consolidation of the Shares into Stock so as to apply respectively to Shares or Stock created, and Mortgages granted, and Money borrowed under this Act:

Parts I., II., and III. of The Companies Clauses Act, 1863:

The Waterworks Clauses Acts, 1847 and 1863 (except Section 12 of the latter Act), so as to apply as well to the Works authorized and Powers conferred by the Company's Act of 1847 as to the Works authorized and Powers conferred by this Act:

The Provisions of The Railways Clauses Consolidation Act, 1845, with respect to the temporary Occupation of Lands near the Railway during the Construction thereof, but so as to apply only to the Reservoirs by this Act authorized, and as if those Reservoirs were therein referred to instead of the Railway, and the Centre of those Reservoirs was the Centre of the Railway.

3. With respect to the Interpretation of Terms in and for the Purposes of this Act the following Provisions shall have Effect; namely,

(1.) In this Act and in any Act incorporated wholly or in part with this Act the Term "Quarter Sessions" or "Court of Quarter

8 & 9 Vict.
cc. 16. 18.
& 20.,
10 & 11 Vict.
c. 17.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
cc. 93. and
118. incor-
porated.

Interpre-
tation of
Terms.

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Quarter Sessions” means the Court of General or Quarter Sessions of the Peace for the Borough of *Leicester*, the Expression “Superior Courts” or “Court of competent Jurisdiction” or any other like Expression shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used was an ordinary Simple Contract Debt, and not a Debt or Demand created by Statute :

Subject to the foregoing Interpretations, the several Terms to which Meanings are assigned by the Acts incorporated wholly or in part with this Act have in this Act the same respective Meanings.

Limits of
Company's
Acts ex-
tended.

4. The Limits of the Company's former Acts are hereby extended so as to include the Parishes, Townships, and Extra-parochial and other Places following ; namely, *Bradgate, Newtown Linford, Thurcaston, Cropston, Anstey, Beaumont Leys, Anstey Pastures, Sherman's Grounds*, otherwise *Leicester Frith, Gilroes, Leicester Abbey, Glenfield, Glenfield Frith, Kirby Frith, Braunstone Frith, New Parks, Thornton, Ratby, Kirby, Muxloe, Braunstone, Aylestone, Wigston Magna, Oadby, Humberstone, Birstall, Freak's Ground*, and *New Found Pool*, all in the County of *Leicester* ; and the Company's former Acts shall (subject to the Provisions of this Act) have Effect as if the Parishes, Townships, Extra-parochial and other Places in this Section named had been by Name comprised in Section 4 of the Company's Act of 1847.

Power to
make Works
according to
deposited
Plans, &c.

5. Subject to the Provisions of this Act, the Company may make and maintain their said intended Works on the Lands shown on and described in the deposited Plans and Book of Reference, and in the Lines and according to the Levels shown on the deposited Plans and Sections, and may enter on, purchase, take, and use such of the Lands aforesaid as may be requisite for the Purposes of their Undertaking.

Limits of
lateral
Deviation.

6. Wherever and as far as the Line of any Work shown on the deposited Plans passes along any Road, and any Limits of lateral Deviation are not marked thereon, the Company may in constructing the Work deviate laterally from the Line thereof as laid down on those Plans to the Extent of the Boundaries of the Road, and elsewhere the Company may in constructing the Works by this Act authorized deviate laterally from the Lines thereof as laid down on the deposited Plans to the Extent of the Limits of lateral Deviation shown thereon.

Limits of
vertical
Deviation.

7. In constructing the Works by this Act authorized the Company may deviate vertically from the Levels of the Reservoirs as shown on the deposited Sections to any Extent if downwards not exceeding Five Feet, and if upwards not exceeding Three Feet, and from the Levels of any other Works as shown on those Sections to any Extent not exceeding Five Feet.

8. So

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8. So much of any of the Works authorized by this Act as shall be under or across any Part of the Line of the *Midland* Railway, or any Line of Railway belonging to the *Midland* Railway Company, shall from Time to Time be made, constructed, maintained, and repaired in such Manner as shall be approved of by the Engineer for the Time being of the said Railway Company, and in all respects to his Satisfaction, and so as not to alter, vary, use, or interfere with any such Line of Railway as aforesaid, or any of the Works thereof, or to obstruct, interfere with, or impede the Conveyance of Passengers and Goods along the said Railway, and the Company making full Compensation for the Damage which may accrue to the said Railway Company from the doing of such Acts as aforesaid, such Compensation to be ascertained and settled in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to Questions of disputed Compensation.

Protection of
the Midland
Railway.

9. If the Company shall at any Time hereafter, contrary to the Provisions of this Act, alter, vary, use, or interfere with any of the said Lines of Railway or any of the Works thereof, or shall in the Construction, Maintenance, or Repair of any Works by this Act authorized do or cause to be done any Act, Matter, or Thing whereby the Conveyance of Passengers or Goods along the said Railway shall be obstructed, interfered with, or impeded, contrary to the Provisions of this Act, then and in every such Case they shall forfeit and pay as and by way of Penalty, and in addition to any Damages which the *Midland* Railway Company may be entitled to recover from them either under the said "Lands Clauses Consolidation Act, 1845," or otherwise, the Sum of Twenty Pounds, and also a further Penalty of Ten Pounds for each and every Day after the First Day during which any such Alteration, Variance, User, or Interference, or Obstruction, Interference, or Impediment as aforesaid shall continue, and such Penalties shall be recoverable in like Manner as other Penalties of the like Nature and Amount are by this Act recoverable, or by Action with full Costs of Suit in any Court of competent Jurisdiction.

Penalty in
case of
Default.

10. This Act or anything herein contained shall not, except as herein is provided, take away, lessen, alter, or prejudice any of the Rights, Privileges, or Authorities now vested in or used or exercised by the *Midland* Railway Company.

Saving
Rights of the
Midland
Railway
Company.

11. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Powers for
compulsory
Purchases
limited.

12. The Company may from Time to Time for the Purposes of their Undertaking purchase by Agreement, in addition to the Lands which they are authorized to take by Compulsion, any Lands, and may hold

Power to
take addi-
tional Lands
by Agree-
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hold the same, so as the Lands so purchased and held do not exceed in the whole at One Time Twenty Acres.

Reservation
of Water
Rights, &c.
on Sale by
Company.

13. On any Sale by the Company of any Lands the Company 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 the Use of Water, Exercise of noxious Trades, or Discharge or Deposit of Manure, Sewage, or other impure Matter, as they think fit.

Time for
Construction
of Works.

14. The Company shall commence the *Bradgate* Reservoir by this Act authorized as soon as practicable after the passing of this Act, and if the Works by this Act authorized, other than the following, namely, (first) the Conduit or Line of Pipes from a Field called *Eel Pool* to the Company's existing Service Reservoir at *New Parks*, and (secondly) the Service Reservoir at *Gilroes*, are not completed within Seven Years from the passing of this Act, or if the said Two excepted Works are not completed within Twelve Years from the passing of this Act, then on the Expiration of those respective Periods the Powers by this Act granted to the Company for constructing such of the respective Works by this Act authorized as are not completed within the said respective Periods, or in relation thereto respectively, shall cease to be exercised, except as to so much thereof respectively as is then completed; but nothing herein shall restrict the Company from extending, enlarging, altering, or removing any of their Engines, Machinery, Mains, or Pipes at any Time and from Time to Time as Occasion requires.

Rights of
fishing, &c.
in Reservoir
reserved to
Lord
Stamford.

15. Notwithstanding anything contained in or done under this Act or any Act incorporated herewith, the Right Honourable *George Harry* Earl of *Stamford and Warrington*, his Heirs, Appointees, and Assigns, shall have (for himself and themselves and all others by his or their Authority) the sole and exclusive Right of fishing and netting in and shooting over the *Bradgate* Reservoir by this Act authorized, and also the Right of erecting a Boat House or Boat Houses (not exceeding Two) on the Banks of such Reservoir, and of keeping a Boat or Boats (not exceeding Four) and using the same on such Reservoir for the Purposes aforesaid, and also the sole and exclusive Right of shooting over all Lands that shall be acquired by the said Company from the said Earl for the Purposes of this Act.

Rights of
Earl of
Stamford
and War-

16. Notwithstanding anything contained in or done under this Act or any Act incorporated herewith, the said Earl of *Stamford and Warrington*, his Heirs, Appointees, and Assigns, shall have the Right or
Power

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Power at any Time hereafter of diverting, taking, and using the Spring or Stream of Water arising in *Lea Wood* situate in the Extra-parochial Place of *Bradgate* aforesaid belonging to the said Earl for the Purpose of supplying *Bradgate House* in the Township of *Groby*, the Seat of the said Earl, with Water for domestic or other Purposes, and of impounding the said Spring or Stream, and raising and taking the Water thereof by such Engines, Pipes, and other Works as he or they shall deem necessary for conveying such Spring or Stream to *Bradgate House* aforesaid for the Purposes aforesaid: Provided always, that the said Company shall be entitled to the Overflow from such Spring or Stream beyond what may from Time to Time be required for *Bradgate House* as aforesaid.

rington to
use Lea
Wood Spring
reserved.

17. Any Furnaces or other Smoke-producing Works which the said Company shall set up in connexion with the said *Bradgate Reservoir* shall be constructed on the best and most approved Principle for Consumption of the Smoke to arise from such Furnaces or other Works, and so as to occasion as little Nuisance and Injury as may be to the adjoining Messuages, Lands, and Premises of the said Earl, and shall always be so maintained to the Satisfaction of the said Earl, his Heirs, Appointees, or Assigns.

Furnaces,
&c. to con-
sume their
own Smoke.

18. The Shares in the Capital of the Company issued under their former Acts shall be called A Shares.

Existing
Shares
called A.
Shares.

19. By virtue and for the Purposes of this Act the Company may from Time to Time raise such Amount of additional Share Capital as they think requisite, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds.

Power to
raise ad-
ditional
Share
Capital.

20. The Company may raise the said additional Share Capital by the Creation and Issue of ordinary Shares in Two Issues, one of Eighty thousand Pounds in Three thousand two hundred Shares of Twenty-five Pounds each, and the other of Forty thousand Pounds, the Shares of the former Issue being called B Shares and the Shares of the latter Issue being called C Shares.

Form and
Amount of
additional
Share
Capital.

21. B Shares shall be offered to the Holders of A Shares at the passing of this Act in proportion to the several Amounts held by them.

Allotment of
B Shares.

22. C Shares shall be offered to the Holders of A Shares or B Shares at the Time of the Issue of C Shares in proportion to the several Amounts held by them, and upon such Conditions as the Directors may think fit: Provided always, that not less than the full nominal Amount of any Share shall be payable or paid in respect thereof;

Allotment of
C Shares.

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thereof; provided also, that the C. Shares shall not be issued until the whole of the B. Shares are taken.

Shares not to issue until One Fifth paid up. **23.** The Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share shall have been paid up in respect thereof.

Calls. **24.** One Fifth 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.

Sect. 8 of Act of 1847 repealed. **25.** Section 8 of the Company's Act of 1847 prescribing a Limitation as to the Amount of Shares to be held by any One Person in the Undertaking of the Company is hereby repealed.

Provisions as to B Shares and C Shares. **26.** No Dividend or Interest shall be declared or paid or deemed to accrue on B Shares before the First Day of *January* One thousand eight hundred and sixty-eight, but subject thereto (and except as by or under the Authority of this Act or any Enactment incorporated with this Act is otherwise provided) B Shares and C Shares respectively shall confer and impose, and the Holders of those Shares respectively shall be entitled and subject to, the same Powers, Rights, Privileges, and Liabilities in all respects as A Shares and the Holders thereof.

Power to borrow with reference to B Shares. **27.** When all the B Shares are subscribed for, and the Sum of Forty thousand Pounds is actually paid up thereon (but not sooner), the Company, in addition to any Money which they are for the Time being independently of this Act authorized to borrow, may from Time to Time borrow on Mortgage any Sums not exceeding in the whole the Sum of Twenty thousand Pounds.

Power to borrow with reference to C Shares. **28.** When all the C Shares are subscribed for, and the Sum of Twenty thousand Pounds is actually paid up thereon (but not sooner), the Company, in addition to any Money which they are for the Time being independently of this Enactment authorized to borrow, may from Time to Time borrow on Mortgage any Sums not exceeding in the whole the Sum of Ten thousand Pounds.

Restriction on borrowing. **29.** The Company shall not borrow any Part of the said Sums of Twenty thousand Pounds and Ten thousand Pounds respectively until they prove to the Justice who is to certify under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all the B Shares or all the C Shares (as the Case may be) are issued and accepted, and that One Half of the Amount thereof respectively
has

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has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid up on account thereof before or at the Time of the Issue or Acceptance thereof, and that all such Shares were issued *bonâ fide*, and are held by the Subscribers or their Assigns, and that those Subscribers and their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

30. The Mortgagees of the Company may enforce Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall be not less than Two thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

31. All Mortgages granted by the Company before the passing of this Act shall during their respective Continuance have Priority over any Mortgage granted under this Act.

Priority of Mortgages.

32. The Company may create and issue Debenture Stock.

Debenture Stock.

33. The Company may from and after the First Day of *January* One thousand eight hundred and seventy set apart in each and every Half Year from and out the divisible Profits of their Undertaking the Sum of Two hundred Pounds as a Reserved Fund until the Sum so set apart shall amount to the Sum of Four thousand Pounds, and the Sums so set apart shall be applied from Time to Time to meet any extraordinary Claim or Demand which may at any Time arise against the said Company, and if such Fund be at any Time reduced it may thereafter be again restored to the said Sum, and so from Time to Time as often as such Reduction shall happen.

Provision for Reserve Fund.

34. All Money raised under this Act, either as additional Share Capital or by borrowing, shall be applied to the general Purposes of the Company's Undertaking and not otherwise.

Application of Money.

35. If in the Year 1868 or any subsequent Year the clear Profits of the Company amount to more than sufficient to pay all Interest on Money for the Time being borrowed by the Company under the Company's former Acts and under this Act, and a Dividend of Four Pounds Ten Shillings *per Centum per Annum* on the Class A Shares, and a Dividend of Five Pounds *per Centum per Annum* on the Amount for the Time being paid up on the B Shares and C Shares (if issued), then and in every such Year the Local Board shall be entitled to

Participation of Local Board in surplus Profits.

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receive One equal Half Part of those surplus Profits, and the Company shall account for and pay over the same to the Local Board accordingly.

Application of certain Provisions of Company's Act of 1851.

36. The Provisions of Sections 20, 21, 23, and 24 of the Company's Act of 1851 shall, *mutatis mutandis*, extend to and apply to and in respect of the Division of surplus Profits by this Act required.

Application of Money received by Local Boards.

37. All Money received by the Local Board under this Act on account of surplus Profits shall be carried to and form Part of the District Fund Account for the Borough.

Saving for Company's former Act.

38. Nothing in this Act shall alter the Provisions of the Company's Act of 1851 relative to the Guarantee by the Local Board and the Participation of the Local Board in surplus Profits respectively by that Act provided for.

Local Board to accept B Shares and C Shares.

39. The Local Board shall accept any B Shares allotted to them as Holders of A Shares, or any C Shares allotted to them as Holders of A Shares or B Shares.

Local Board to have Rights, &c. of Shareholders.

40. The Local Board shall be the Proprietors of any Shares so accepted by them, and shall be interested in the Capital of the Company and the Profits thereof accordingly, and shall have all such Rights, Privileges, and Liabilities as any other Shareholder of the Company, except as to any Power of selling such Shares.

Application of Dividends on Shares.

41. All Money received by the Local Board as Dividends or Profits on or in respect of any such Shares shall be carried by them to and shall form Part of the District Fund Account for the Borough.

Power for Local Board to borrow.

42. The Local Board may from Time to Time borrow at Interest on Mortgage of any Property of the Local Board, or on Mortgage of the general District Rates authorized to be levied by the Local Board, any Money necessary for the Purpose of taking any such Shares, or for the Payment of any Calls, or Money payable in respect thereof, not exceeding in the whole the aggregate nominal Value of such Shares, and all Money so borrowed shall be applied accordingly.

Parts of 10 & 11 Vict. c. 16. as to Mortgages by Local Board incorporated.

43. For the Purposes of such borrowing on Mortgage as aforesaid by the Local Board the Provisions of The Commissioners Clauses Act, 1847, with respect to the Mortgages to be executed by the Commissioners, (as far as the same are applicable for the Purposes and are not inconsistent with the Provisions of this Act,) are hereby incorporated

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corporated with this Act, and for the Purposes of the present Enactment the Term "the Commissioners" used in those Provisions shall be taken to mean the Local Board.

44. The Local Board may from Time to Time borrow at Interest on Mortgage as aforesaid any Money necessary for repaying any Principal Money borrowed as aforesaid on the same becoming repayable, and so *toties quoties*.

Power to Local Board to borrow for paying off.

45. All Money borrowed by the Local Board under the Authority of this Act, and the Interest thereof, and all Money payable by the Local Board in respect of any Shares in the Capital of the Company accepted as aforesaid, or of any Calls or Deposits in respect thereof, and all Expenses incurred by the Local Board in carrying this Act into execution, are hereby charged on the general District Rates for the Borough as if the same were Expenses charged on and payable out of the Money levied by means of such Rates under "The Public Health Act, 1848," and may be lawfully advanced and paid thereout.

Money borrowed by Local Board charged on general District Rate.

46. The Local Board in estimating the Amount required to be raised by means of general District Rates for the Purposes of the Borough, and in making such Rates, shall include the Money required for the Purposes of this Act, as far as it relates to the Local Board, in one and the same Rate and Assessment, as the Money authorized to be levied by The Public Health Act, 1848, by means of general District Rates, and shall collect the same as Part thereof as if the same were expressly charged by that Act on those Rates.

Power to include Money required in general District Rates.

47. For the Purpose of paying off the Money borrowed by the Local Board under the Authority of this Act the Local Board shall every Year from and after the Expiration of Five Years next after the passing of this Act, or sooner if they think fit, pay off and discharge such Amount as they think proper, not being less than Two and a Half *per Centum* of the Money so borrowed, or otherwise appropriate and set apart the like Amount as a Sinking Fund for that Purpose in manner prescribed by The Commissioners Clauses Act, 1847.

Payment off by Sinking Fund, &c.

48. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-six so much of Section 15 of the Company's Act of 1847 as enacts that the Ordinary Meetings of the Company subsequent to the First Ordinary Meeting shall be held yearly in the Month of *May* is hereby repealed, and in lieu thereof Section 66 of The Companies Clauses Consolidation Act, 1845, shall operate in relation to the Company, and the Directors who would otherwise respectively go out of Office and be elected or re-elected in the Month of *May* One thousand eight hundred and sixty-

General Meetings of Company.

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seven shall respectively go out of Office and be elected or re-elected, as the Case may be, in the Month of *February* in that Year.

Purchases of
Lands in
Names of
Trustees.

49. Any Purchases of Premises in *Leicester* made by or on behalf of the Company for Offices and other Purposes of the Company in the Names of Trustees are hereby confirmed, and those Trustees, their Heirs or Assigns respectively, shall convey to the Company the Premises so purchased, and the same shall be deemed Lands acquired by the Company under their former Acts, and the Company may sell or otherwise dispose of such Parts of those Premises as may not be required by them.

As to
Pressure.

50. The Water supplied by the Company shall be constantly laid on under the Pressure afforded by the Pipes of the Company from their Service Reservoirs, unless the Company shall be prevented from so doing by Accident, necessary Repairs, connecting of Services, Frost, Drought, or other sufficient Cause; and if the Water shall not be so laid on as aforesaid (unless as herein-before provided) the Company shall be liable to a Penalty not exceeding One hundred Pounds for each Day during any Part of which Default shall be made by the said Company, and the Company shall not be subject to any other or further Liability to any Person or Persons whomsoever in respect of the Obligation aforesaid; every such Penalty to be recovered in the Manner in which the Penalties not otherwise provided for are directed to be recovered by "The Waterworks Clauses Act, 1847," and to be applied to the Use of Her Majesty, and every Information for any Offence under this Section shall be laid within Seven Days after the Commission thereof.

Company not
compellable
to supply
Water in
certain
Cases.

51. The Company shall not be compellable to supply or to continue the Supply of Water to any Group of Dwelling Houses belonging to the same Owner, or to any Court where the Supply may be or is afforded by any common Pipe accessible to all the Occupiers of such Group of Dwelling Houses or Court, unless and until the Owner or Occupiers thereof respectively shall have agreed with the Company to pay the Water Rent payable in respect of the Water supplied to the whole or each of the Dwelling Houses forming such Group or Court, as the Case may be.

Occupiers of
Houses not
exceeding
10*l.* Rent
to be liable
to Water
Rents in
certain
Cases.

52. Except where the Owner of a Dwelling House, or of a Part of a Dwelling House occupied as a separate Tenement, the annual Value of which House or separate Tenement does not exceed Ten Pounds, has agreed to pay the Water Rent for the Supply of Water to the same, the Water Rent due or accruing in respect of such Supply shall be payable by and may be recovered from the Occupier of such Dwelling

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Dwelling House or Part of a Dwelling House occupied as a separate Tenement.

53. The Company for preventing Waste, Misuse, undue Consumption, or Contamination of their Water may from Time to Time make Regulations to be observed by Persons supplied with Water, and by any such Regulations the Company may direct the Use, and prescribe the Size, Nature, Strength, and Materials, and the Mode of Arrangement, Alteration, and Repair, of the Pipes, Valves, Cocks, Cisterns, Baths, Soil Pans, Waterclosets, and other Apparatus or Receptacles, or any of them, to be used by such Persons respectively for conveying, delivering, and receiving Water, and may interdict any Arrangement and the Use of any Pipe, Valve, Cock, Cistern, Bath, Soil Pan, Watercloset, or other Apparatus or Receptacle which in their Judgment will be likely to occasion Waste, Misuse, undue Consumption, or Contamination of the Water, and which Regulations before being acted upon shall be inserted for Two successive Weeks in any Two Newspapers published in *Leicester*.

Regulations for preventing Waste, &c. of Water.

54. The Company shall not be bound under any Agreement or otherwise to supply or to continue to supply Water to any Person unless their Regulations are duly observed by him.

Company not bound to supply otherwise.

55. If any Person or Persons shall feel aggrieved by the Refusal of the Company to supply or to continue to supply Water by reason of his or their alleged Nonobservance of the said Regulations or any of them, such Person or Persons may appeal against such Refusal to Two Justices on his or their giving to the Company Three clear Days Notice of his or their Intention so to do within Fourteen Days after such Refusal, and the Order or Adjudication of such Justices as to the Observance or Nonobservance of such Regulations shall be final and conclusive on all Parties, and the Costs of such Appeal shall be paid in such Manner as the Justices may direct.

Appeal against Refusal by Company to supply Water.

56. The Local Board shall be entitled to take Water for public Purposes other than for watering Streets from any Hydrant through Meters to be provided by the Company, and the Company shall, at the Request of the Local Board or their Surveyor, provide such a Number of Meters for the Local Board as they may from Time to Time require at the cost Price thereof, and the Local Board shall be liable to pay to the Company the Value of any Water which shall be lost or wasted by negligently or carelessly taking the same, and the Amount payable in respect of such Loss or Waste, to be estimated at the Rate payable by the Corporation as the Local Board for Water taken by them for public Purposes, shall be recoverable for the Use of the Company in like Manner as Penalties are recoverable under

Local Board to have Supply of Water by Meter for certain Purposes.

[*Local.*]

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“ The

The Leicester Waterworks Act, 1866.

“The Waterworks Clauses Act, 1847,” and the Local Board shall on the Complaint of the Company forthwith discharge any Person who shall be found to be negligent or careless in taking the Water in manner aforesaid.

Power to
Company to
enter and
repair, &c.

57. If any Person fails to observe the Regulations of the Company they may after Six Hours Notice in Writing, and by or under the Direction of their authorized Officer, repair, replace, or alter any Pipe, Valve, Cock, Cistern, Bath, Soil Pan, Watercloset, or other Apparatus or Receptacle belonging to or used by that Person, 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 as Damages for the Recovery of which no special Provision is made.

Power to
Company
to supply
Materials.
&c.

58. The Company may, if requested by any Person supplied or about to be supplied by them with Water, furnish to him and from Time to Time repair or alter any such Pipes, Valves, Cocks, Cisterns, Baths, Soil Pans, Waterclosets, Apparatus, and Receptacles as are required or permitted by their Regulations, and may provide all Materials and do all Work necessary or proper in that Behalf.

Expenses of
Act.

59. The Costs, Charges, and Expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Company.

The Leicester Waterworks Act, 1866.

The SCHEDULE to which the foregoing Act refers.

The Company's former Acts.

Session and Chapter.	Short Title.	Short Description of Act used in foregoing Act.
10 & 11 Vict. Cap. cclxxxii.	The Leicester Waterworks Act, 1847.	The Company's Act of 1847.
14 Vict. Cap. xxxiii.	The Leicester Waterworks Amendment Act, 1851.	The Company's Act of 1851.

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