



CHAPTER xxx.

An Act for re-arranging the capital of the Stroud Water Company and empowering them to raise additional capital for increasing the charges of the Company and for other purposes. A.D. 1924.
[14th July 1924.]

WHEREAS by the Stroud Water Act 1882 (hereinafter called "the Act of 1882") the Stroud Water Company (hereinafter called "the Company") were incorporated and were authorised to construct water-works and to supply water within limits in the said Act more particularly mentioned :

And whereas by the said Act it was declared that the capital of the Company should be eighty thousand pounds in eight thousand shares of ten pounds each and that the Company might borrow on mortgage of the undertaking any sum or sums not exceeding in the whole twenty thousand pounds :

And whereas by the Stroud Water (Capital Issues) Consent 1923 the Board of Trade acting under the Public Utility Companies (Capital Issues) Act 1920 consented to the creation and issue of debenture stock or the borrowing of money by the Company to an extent not exceeding one half of their capital for the time being issued and paid up :

And whereas the whole of the said eight thousand shares were issued as ordinary shares and seventy-four of the said shares were forfeited through non-payment

A.D. 1924. — of calls and the share capital of the Company now consists of seven thousand nine hundred and twenty-six ordinary shares of ten pounds each all of which are fully paid up :

And whereas the Company have for many years past paid no dividend on the said ordinary shares and the capital of the Company is not fully represented by available assets :

And whereas the Company have also issued and there are now outstanding first mortgage debentures for twenty thousand pounds carrying interest at the rate of four pounds ten shillings per centum per annum and interest on the said debentures is now in arrear to an amount exceeding twenty-two thousand pounds :

And whereas the Company have also borrowed on mortgage or other securities various other sums amounting in all to four thousand seven hundred pounds at rates of interest varying from four and a half to eight pounds per centum per annum and which said sums are repayable by instalments payable over short terms of years and the Company are indebted to their bankers in a sum of one thousand two hundred and two pounds :

And whereas the gross annual revenue of the Company is upwards of seven thousand pounds and the demand for the supply of water in the limits of supply of the Company is increasing and further capital is needed to enable the Company to give the supply which the Company are now affording and to enable the Company to afford such further supplies :

And whereas it is expedient that the ordinary shares of the Company should be reduced and converted into stock and that the debentures of the Company should be reduced and converted into preference and debenture stock as provided by this Act and that the rights of the holders of such capital and debentures should be modified in manner by this Act provided and that the Company should be authorised to raise further capital and to borrow further moneys for the purposes of this Act and their undertaking :

And whereas the Company have recently acquired new lands and sources of supply and have constructed works at Clarks Mill and Spring Mills Chalford within the limits of supply of the Company and it is expedient

that the acquisition of such lands and sources of supply and the construction of the said works and the expenditure of capital by the Company thereon should be confirmed : A.D. 1924.

And whereas by the Stroud Water Company (Modification of Charges) Order 1923 the Minister of Health acting under the Water Undertakings (Modification of Charges) Act 1921 modified the provisions of sections 34 35 37 and 48 of the Act of 1882 which relate to the cost of water supplied by the Company so as to authorise the Company to charge in respect of the matters in those sections mentioned rates sums and prices not exceeding by more than sixty-six and two-thirds per centum the rates sums and prices chargeable under the said sections and it is expedient that provision should be made as to such rates sums and prices as are in this Act hereinafter contained :

And whereas it is expedient that further powers should be conferred upon the Company as provided by this Act :

And whereas the proposals contained in the Bill for this Act have been approved by resolutions passed at separate meetings of the holders of the ordinary capital and of the debentures of the Company and have been consented to by the lenders of the said moneys amounting to four thousand seven hundred pounds :

And whereas the objects 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 King'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 :—

PRELIMINARY.

1. This Act may be cited as the Stroud Water Act 1924 and the Stroud Water Act 1882 and this Act may be cited together as the Stroud Water Acts 1882 and 1924. Short and collective titles.

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Incorporation of Acts.

2. There are hereby incorporated with this Act :—

(1) The provisions of the Companies, Clauses Consolidation Act 1845 with respect to the following matters (namely) :—

The distribution of the capital of the Company into shares ;

The transfer and transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for non-payment of calls ;

The remedies of creditors of the Company against the shareholders ;

The borrowing of money by the Company on mortgage or bonds ;

The making of dividends ;

The giving of notices ; and

The provision to be made for affording access to the special Act by all parties interested ;

and the said provisions shall so far as the same are respectively applicable apply to any ordinary and preference stock to be issued under the powers of this Act ; and

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital except the provisions thereof which limit the rate of dividend on preference capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts

so far as such provisions and parts are applicable for the purposes of and are not inconsistent with this Act ; and

(2) The Waterworks Clauses Acts 1847 and 1863 (except the words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” in section 44 of the Waterworks Clauses Act 1847) so far as the same are applicable for the purposes of this Act and are not inconsistent with the Stroud Water Acts 1882 and 1924.

3. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings And--

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—
Interpreta-
tion.

“The Company” means the Stroud Water Company;

“The Act of 1882” means the Stroud Water Act 1882;

“The date of conversion” means the first day of January one thousand nine hundred and twenty-five;

“The limits of supply” means the limits for the time being of the Company for the supply of water;

“The undertaking” means the undertaking for the time being of the Company;

“The directors” means the directors of the Company.

CONVERSION OF CAPITAL.

4.—(1) On the date of conversion the ordinary capital of the Company shall be reduced to seven thousand nine hundred and twenty-six pounds such reduction being effected by cancelling seventy-one thousand three hundred and thirty-four pounds of such capital and the said ordinary capital as so reduced shall be converted into seven thousand nine hundred and twenty-six pounds “A” ordinary stock.

Conversion
of ordinary
shares.

(2) The seven thousand nine hundred and twenty-six pounds “A” ordinary stock resulting from the conversion provided for by this section shall subject to the provisions of this Act belong to and be vested in and registered in the names of the persons who are at the date of conversion the holders of the said ordinary shares in the proportion of one pound of such stock for each such ordinary share held by them respectively.

(3) As from the date of conversion there shall be created by virtue of this Act such nominal amount of “A” ordinary stock as shall be necessary for the purpose of carrying into effect the conversion provided for by this section.

(4) The powers of the Company to issue any ordinary shares authorised by the Act of 1882 and unissued at the passing of this Act are hereby repealed.

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Conversion of debentures.

5.—(1) On the date of conversion the twenty thousand pounds debentures of the Company shall be converted into fifteen thousand pounds debenture stock and ten thousand pounds preference stock.

(2) The said preference stock shall confer a right to a fixed preferential dividend at the rate of five pounds per centum per annum and shall rank as regards return of capital in priority to any ordinary capital of the Company created under or by virtue of this Act but shall not confer the right of any further participation in profits or assets of the Company other than the rights hereinbefore mentioned in this section.

(3) The said fifteen thousand pounds debenture stock shall carry interest at the rate of five pounds per centum per annum.

(4) The said fifteen thousand pounds debenture stock and the said ten thousand pounds preference stock shall subject to the provisions of this Act belong to and be vested in and registered in the names of the persons who are on the date of conversion the holders of the said debentures in the proportions of one pound and ten shillings of such debenture stock and one pound of such preference stock for each two pounds of such debentures.

(5) All interest in arrear on the said debentures at the date of the passing of this Act shall be deemed to be cancelled and shall cease to be payable.

(6) On the date of conversion there shall be created by virtue of this Act such nominal amount of preference and debenture stock as shall be necessary for the purpose of carrying into effect the conversion provided for by this section.

Redemption of loans.

6.—(1) The borrowing by the Company of the said sums amounting to four thousand seven hundred pounds is hereby confirmed.

(2) The directors shall on or so soon as practicable after the date of conversion create and issue to, and register in the names of the persons being the lenders to the Company of the said sums or their legal representatives four thousand seven hundred pounds of the redeemable stock which they are authorised to create under the powers of the section of this Act of which the marginal note is "Power to create redeemable debenture stock" in the proportion of one pound of such stock

for each one pound owing by the Company to such lenders respectively or their said representatives. A.D. 1924.

(3) The said lenders or their said representatives shall so soon as the said debenture stock shall have been issued to them as aforesaid deliver up to the Company all securities held by such lenders or their said representatives in respect of their loans to the Company and shall if and whenever required by the Company so to do but at the expense of the Company execute any transfers reconveyances assignments or acknowledgements which the Company may require.

(4) The Company may apply revenue up to an extent not exceeding five hundred pounds in any one year in or towards the redemption of debenture stock issued under the provisions of this section.

7. All "A" ordinary stock preference stock and debenture stock created and vested under or by virtue of the foregoing provisions of this Act shall be deemed to be fully paid up and all such stock shall be held in the same rights on the same trusts and be subject and liable to the same powers provisions declarations agreements charges liens incumbrances and liabilities as immediately before the date of conversion affected the existing capital debentures or mortgages of the Company in respect of which the stock so created is so vested and shall be dealt with applied and disposed of accordingly and so as to give effect to and not revoke any agreement deed or other instrument or any testamentary disposition disposing of or affecting any such existing capital debentures or mortgages and every such agreement deed or other instrument or testamentary disposition shall take effect with reference to the whole or a proportionate part as the case may be of the stock so created and substituted for such existing capital debentures or mortgages and trustees executors or administrators and all other holders in any representative or fiduciary capacity of any such existing capital debentures or mortgages of the Company are hereby expressly authorised and required to accept "A" ordinary stock preference stock or debenture stock allotted to and vested in them pursuant to the provisions of this Act and to hold dispose of or otherwise deal with the same as they might have held disposed of or otherwise dealt with the existing capital

Rights in substituted stock.

A.D. 1924. debentures or mortgages for which such stock created under or by virtue of this Act is substituted and are hereby indemnified in respect of all acts bona fide done by them in pursuance of the provisions of this Act.

Exchange of certificates.

8. The Company shall call in and cancel the certificates of the existing capital and debentures of the Company for which stock created under or by virtue of this Act is substituted as aforesaid and issue in lieu thereof certificates of the stock to which the holders of such existing capital or debentures are by this Act respectively entitled but no holder of any such existing capital or debentures shall be entitled to any such certificate of proprietorship under this Act until he shall have delivered up to the Company to be cancelled the certificate of proprietorship of such existing capital or debentures or shall have proved to the reasonable satisfaction of the directors the loss or destruction thereof but if any holder of any such existing capital or debentures of the Company neglect or omit to send or deliver to the Company his certificate or certificates thereof for the period of one year after notice in writing sent by post to the address of such holder appearing in the stockholders' or debenture holders' address book of the Company the Company may retain any dividend or interest declared or payable upon or in respect of the stock substituted under the provisions of this Act for the existing capital or debentures so held by him until such certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and an indemnity is given against any claim in respect of such lost or destroyed certificate or certificates to the satisfaction of the directors.

ADDITIONAL CAPITAL AND BORROWING POWERS.

Additional capital.

9. The Company may from time to time raise additional capital to such amount as shall be sufficient to produce after taking into account the premiums or discounts (if any) which there may be on the issue thereof an amount not exceeding in the whole twenty-five thousand pounds by the creation and issue of "B" ordinary stock. Provided that it shall not be lawful for the Company to create and issue under the powers

of this section any greater amount of "B" ordinary stock than shall be sufficient after taking into account premiums and discounts (if any) as aforesaid to produce the sum of twenty-five thousand pounds. A.D. 1924.

10.—(1) All stock created under the powers of the section of this Act of which the marginal note is "Additional capital" shall be issued in accordance with the provisions of this section. New stock to be sold by auction or tender.

(2) All stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided as follows:—

(a) Notice of the intended sale shall be given in writing to the clerk to the district council of every district wholly or partly within the limits of supply and to the secretary of the London Stock Exchange at least seven days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply;

(b) A reserve price shall be fixed and notice thereof shall be sent by the Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be;

(c) No lot offered for sale shall comprise stock of greater nominal value than one hundred pounds;

(d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum and in the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid;

(e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

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(3) Any stock which has been so offered for sale and is not sold may be offered at the reserve price to the holders of ordinary and preference stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of water supplied by the Company in such proportions as the Company may think fit or to one or more of these classes of persons only. Provided in the case of an offer to holders of stock that if the aggregate amount of stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any stock which has been offered for sale in accordance with subsection (2) or with subsections (2) and (3) of this section and is not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such stock then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Company shall send a report thereof to the Board of Trade stating the total amount of the respective stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the respective stock.

Power to offer capital by subscription.

11. Notwithstanding anything in this Act the Company may with the consent of the Board of Trade and subject to such conditions as that Board may think fit to impose offer for subscription by the public the whole or any part of any "B" ordinary stock which the Company are authorised to issue by this Act.

Power to create redeemable debenture stock.

12.—(1) The directors may without any further or other authority than is given by this section and at such times in such manner and on such terms and conditions as they may think fit raise for the purpose of this Act and for the general purposes of the undertaking the sum of ten thousand pounds by the creation and issue of debenture stock bearing such rate of interest not exceeding six pounds per centum per annum and redeemable at

such date or dates (not being later than the thirty-first day of December one thousand nine hundred and forty) as the directors shall determine at the time or times of the creation thereof. A.D. 1924.

(2) Any debenture stock so created and issued shall rank *pari passu* both as to principal and interest and shall be a first charge (in priority to any debenture stock of the Company issued or to be issued under any powers of this Act and the interest thereon) upon the undertaking.

(3) No debenture stock created under the powers of this section shall operate as a charge on superfluous lands of the Company when sold or affect any specific charge on such lands.

(4) Save as far as is provided by the section of this Act of which the marginal note is "Redemption of loans" the Company shall not redeem out of revenue any debenture stock created under this section.

13. The Company may notwithstanding any other powers of raising money conferred upon the Company or the directors by this Act from time to time subject to the provisions of this Act borrow on mortgage of their undertaking any sum or sums not exceeding in the whole one-half of the amount of the "B" ordinary stock which at the time of borrowing has been created and issued by or under the powers of the section of this Act of which the marginal note is "Additional capital" but no sum shall be borrowed in respect of any capital so raised until the Company shall have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock at the time issued together with any premiums (if any) realised on the sale thereof has been fully paid up: Power to borrow.

Provided always that the Company shall not without the consent of the Ministry of Health pay interest at any higher rate than six per centum per annum on any moneys borrowed under the provisions of this section.

14. All moneys raised under this Act including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of stock under the provisions of this Act shall not be considered as part of the capital of the Company entitled to dividend: Application of money.

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Power to
create
debenture
stock.

15. 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 created and issued or granted by the Company under this Act or any subsequent Act shall subject to the provisions of the section of this Act of which the marginal note is "Power to create redeemable debenture stock" and subject to the provisions of any such 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. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Priority of
money due
on mortgage
or debenture
stock
over other
claims.

16. All money owing by the Company on mortgage or debenture stock created under or by virtue of this Act shall have priority against the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act. Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes of the Company's undertaking and works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

Appoint-
ment of
receiver.

17. Section 13 (Arrears may be enforced by appointment of a receiver) of the Act of 1882 is hereby repealed as from the passing of this Act but without prejudice to any appointment heretofore made or to the continuance of any proceedings then pending.

The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment

of a receiver and 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 four thousand pounds in the whole.

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18.—(1) Any “ A ” ordinary stock “ B ” ordinary stock or debenture stock of the Company may be issued in amounts of one pound or of any multiple of one pound and not otherwise.

Minimum amounts of holdings of stock.

(2) Notice of this enactment so far as applicable shall be stated in all certificates of “ A ” ordinary or “ B ” ordinary or preference stock or debenture stock of the Company as the case may be.

19. If any money is payable to a stockholder mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt in case of persons not sui juris.

20.—(1) The Company may create and issue all or any debenture stock which they are authorised to create and issue by the sections of this Act of which the marginal notes are “ Power to borrow ” and “ Power to create debenture stock ” so as to be redeemable on such terms and conditions as may be specified in a resolution of the Company passed by a special meeting convened for the purpose.

Issue of redeemable debenture stock.

(2) If it is so provided in the resolution the Company may—

- (A) Call in and pay off the stock or any part thereof at any time before the fixed date of redemption ; and
- (B) Redeem the stock or any part thereof by paying off the stock or by issuing to any stockholder subject to his consent other stock in substitution therefor and may for the purpose of providing money for paying off the stock or of providing substituted stock create and issue new stock (either redeemable or irredeemable) or re-issue stock originally created and issued under this section Provided that the creation and issue for the purpose of any such stock does not make the total nominal amount of such stock

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exceed the amount of stock which the Company are for the time being authorised to create save so far as such creation and issue is for the purpose of paying off stock created and issued under the provisions of this section or of providing stock substituted for the same thereunder.

(3) The Company shall not redeem out of revenue any debenture stock created under this section.

(4) The provisions of paragraph (B) of subsection (2) of this section shall so far as applicable extend and apply to any redeemable debenture stock created under the provisions of the section of this Act of which the marginal note is "Power to create redeemable debenture stock."

LIMITATION OF PROFITS.

Dividends.

21.—(1) The profits of the Company to be divided amongst the stockholders shall not exceed the following rates (that is to say):—

On the "A" ordinary stock the rate of ten pounds per centum per annum; and

On the "B" ordinary stock the rate of seven pounds per centum per annum;

in respect of every one hundred pounds paid up or credited as paid up on such stocks respectively which rates are in this Act referred to as "the maximum rates of dividend."

(2) If in any year the funds of the Company which in the opinion of the directors are available to the payment of dividends shall be insufficient to pay dividends on the said stocks at the maximum rates of dividend such funds shall be applied in the following order (that is to say):—

(a) In payment of dividend up to but not exceeding six pounds per centum on the "B" ordinary stock;

(b) In payment of dividend up to but not exceeding five pounds per centum on the "A" ordinary stock;

(c) In payment of a further dividend up to but not exceeding one pound per centum on the "B" ordinary stock; and

(d) In payment of a further dividend up to but not exceeding five pounds per centum on the "A" ordinary stock. A.D. 1924.

WORKS AND LANDS.

22. The construction by the Company of the works next hereinafter described is hereby sanctioned and confirmed and the Company may maintain and from time to time alter improve enlarge extend renew reconstruct or discontinue all or any of the same and may retain hold and use for the purposes and as part of the undertaking all or any of the lands or any interest in the lands in this section described which have been already acquired by the Company for the purposes of or in connection with the said works and the acquisition of such lands by the Company is hereby sanctioned and confirmed.

Confirma-
tion of
works.

The works and lands hereinbefore referred to are:—

Lands and premises two acres or thereabouts in extent known as Clarks Mill House together with the mill known as Clarks Mill and the millpond springs and stream pumping engines conduits and other waterworks thereon situate in the parishes of Chalford and Minchinhampton in the rural district of Stroud in the county of Gloucester bounded on the north by the public road leading from premises known as Bliss Mills to Ballingers Bridge at Chalford on the east by the public road leading from Minchinhampton to Chalford on the south by the Great Western Railway and on the west by lands and premises belonging or reputed to belong to David Walker and Lawrence Grist and Richard Lewis Grist;

Lands and premises one rood and thirty-three poles or thereabouts in extent known as Spring Mills (Chalford) situate in the said parish of Minchinhampton together with the water wheel and springs of water pumping engines conduits and other waterworks thereon bounded on the north and west by the said premises known as Bliss Mills on the east by premises belonging or reputed to belong to Messrs. Drew and Company Limited and on the south by the public footpath leading from the

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public road at Bliss Mills and joining the public road from Stroud to Cirencester at a point near the Great Western Railway Station at Chalford.

Power to
take waters.

23. Subject to the provisions of this Act the Company may collect impound take use divert and appropriate for the purposes of supply all such springs of water as rise on the lands the acquisition whereof is sanctioned and confirmed by this Act or may be intercepted by means of the works which are so sanctioned and confirmed. Nothing in this section shall prevent the Company using any waters of the River Frome or the stream known as the Black Gutter for the purposes of working their water-wheels or other waterworks and the Company may use the same accordingly.

Limiting
powers of
Company to
abstract
water.

24. The Company shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament.

Acquisition
of lands by
agreement.

25. In addition to any lands which the Company are by any other provisions of the Act of 1882 authorised to acquire and the lands the acquisition whereof is confirmed by this Act the Company may by agreement purchase or take leases of and hold further lands for the purposes of the undertaking or any easement (not being an easement of water in which persons other than the grantors have an interest) in over or under any such lands but the quantity of lands held by the Company in pursuance of this section shall not at any time exceed five acres. Provided that the Company shall not create or permit any nuisance on any such lands nor erect any buildings thereon except such as are required for or are connected with or incident to the purposes of the undertaking.

For protec-
tion of
millowners.

26. For the protection of the owners lessees and occupiers for the time being of the mills works and premises now being on or who may be interested in the flow of the portion of the River Frome which lies between Chalford and the River Severn (all of whom are in this section referred to as "the millowners") the following provisions shall unless otherwise agreed in writing

between the millowners and the Company apply and have effect (that is to say) :— A.D. 1924.

- (1) The Company shall not abstract from any springs arising in the valley of the River Frome at or above their works known as Spring Mills (Chalford) in the parish of Minchinhampton and Clarks Mill in the parishes of Chalford and Minchinhampton in the rural district of Stroud in the county of Gloucester referred to in the section of this Act of which the marginal note is "Confirmation of works" by means of their said works any greater quantity of water in any day of twenty-four hours than seven hundred and fifty thousand gallons :
- (2) If and so long as the Company shall abstract water from the said springs by means of their said works the Company shall set aside in the year one thousand nine hundred and twenty-four and in every subsequent year the sum of one hundred pounds and shall apply the same to the reasonable satisfaction of the Stroud Valley Millowners Association in carrying out improvements to the bed and banks of the River Frome for the purpose of increasing or conserving the water supply therein or in any necessary expense incurred by the said association in connection therewith :
- (3) The chairman and secretary or any person appointed as the representative of the millowners by writing under the hand of the said chairman on producing his authority if so required may at all reasonable times enter upon the said premises of the Company at Spring Mills or Clarks Mill for the purpose of inspecting and checking the quantity of water taken by the Company from the said springs and the Company shall afford to such chairman secretary or person all reasonable facilities for such purposes :
- (4) The Company shall if and whenever required by the said association provide and at all times thereafter maintain and keep in good and efficient working order and repair proper and suitable measuring gauges or meters over or

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through which all water so taken by the Company at their said premises at Spring Mills or Clarks Mill from the said springs shall flow and the provisions of the preceding subsection of this section as to inspection and facilities shall extend and apply to any gauge or meter provided by the Company as aforesaid:

- (5) Any dispute or difference which may arise between the millowners and the Company with reference to the provisions of this section shall be referred to and settled by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protection of
Thames and
Severn
Canal.

27. For the protection of the Gloucestershire County Council or other the owners for the time being of the Thames and Severn Canal (in this section called "the owners") the following provisions shall unless otherwise agreed in writing between the owners and the Company apply and have effect (that is to say):—

- (1) The Company shall not at any time abstract or take any water from the stream in the parish of Minchinhampton known as "the Black Gutter" except for the purposes of working the waterwheel at their said premises known as Spring Mills:
- (2) The Company shall not use any waters of the said stream for working the said waterwheel between the hours of twelve o'clock noon on any Saturday and six o'clock on the morning of the following Monday without the previous consent of the manager for the time being of the said canal except for the purpose of extinguishing fire at the premises known as Bliss Mills:
- (3) Except so far as the Company may in accordance with this section take water from the said stream for the purposes in this section mentioned the Company shall not do any act or thing to prevent or impede the passage of water from the said stream into the said canal during such hours as such flow would otherwise take place:

- (4) The manager of the said canal or any person duly authorised in writing by the clerk or chief officer of the owners on producing his authority if so required may at all reasonable times enter on the works of the Company at Spring Mills (Chalford) in the parish of Minchinhampton and Clarks Mill in the parishes of Chalford and Minchinhampton in the rural district of Stroud in the county of Gloucester for the purpose of inspecting and seeing that the foregoing provisions of this section are complied with and the Company shall afford to such manager or person all reasonable facilities for such purposes :
- (5) Any dispute or difference which may arise between the owners and the Company with reference to the provisions of this section shall be referred to and settled by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

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CHARGES.

28. From and after the quarter day next after the passing of this Act the following provisions shall have effect in lieu of section 34 (Rate at which water is to be supplied for domestic purposes) of the Act of 1882 (that is to say) :—

Rates for supply for domestic purposes.

The Company shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of the Acts for the time being relating to the Company to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at a rate not exceeding ten per centum per annum upon the gross estimated rental of the premises so supplied and so in proportion for any longer or shorter period than a year :

Provided that the Company shall not be required to afford a supply of water for domestic

A.D. 1924.

purposes to any premises at a less rate than fourpence a week;

For the purposes of this section the gross estimated rental of any such premises as aforesaid which were in existence on the first day of July nineteen hundred and twenty-three shall (except where any such gross estimated rental shall be increased by reason or in consequence of the premises being enlarged or improved) be deemed to mean the gross estimated rental as ascertained by the valuation list in force on the said first day of July or if no such list was then in force by the last rate made for the relief of the poor previously to the said first day of July and that in any case where the gross estimated rental of any such premises has since the said first day of July been increased or shall hereafter be increased by reason or in consequence of the premises having been enlarged or improved and in the case of any premises erected after the said first day of July the gross estimated rental of such premises shall be deemed to be the gross estimated rental thereof as ascertained by the valuation list in force at the commencement of the quarter for which the water rate accrues or if there is no such list in force by the last rate made for the relief of the poor. Provided that where the water rate is chargeable on the gross estimated rental of a part only of any hereditament entered in the valuation list such gross estimated rental shall be a fairly apportioned part of the gross estimated rental of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction.

Charges for
baths and
water-
closets.

29. In addition to the foregoing charges the Company may in cases where the gross estimated rental of a dwelling-house exceeds twenty pounds but not otherwise charge in respect of waterclosets and fixed baths sums not exceeding by more than sixty-six and two-thirds per centum the sums chargeable in respect thereof under section 35 of the Act of 1882.

30. The price to be charged by the Company to those owners or occupiers who under the provisions of section 37 of the Act of 1882 shall take a supply by agreement shall be as follows:—

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Rate for
supply by
meter.

Where the quantity taken in any quarter of a year shall not exceed fifty thousand gallons at a rate not exceeding two shillings and sixpence for every thousand gallons;

And where the quantity taken in any quarter of a year shall exceed fifty thousand gallons then at a rate not exceeding two shillings and sixpence for every thousand gallons up to the first fifty thousand gallons and at the rate of one shilling and eightpence for every thousand gallons in excess of the first fifty thousand gallons:

Provided that the Company may charge a minimum sum of one pound in any quarter of a year for the water supplied under this section.

Nothing in this section shall affect any existing agreement during the currency thereof.

31. As from the quarter day next after the passing of this Act the provisions of section 48 of the Act of 1882 shall be read and construed as if the words "one shilling and threepence for every thousand gallons" were inserted therein in place of the words "ninepence for every one thousand gallons."

Amendment
of section 48
of Act of
1882.

32.—(1) The Company shall not be bound to supply with water otherwise than by measure—

Supply to
houses
partly used
for trade &c.

(A) Any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required; or

(B) Any workhouse hospital asylum (whether public or private) sanatorium school club hotel public house or inn; or

(C) Any public institution which is habitually occupied by at least twelve persons.

(2) Where a supply of water to a farmhouse is used for farming purposes the Company may require that the supply for farming purposes shall be taken by meter but nothing in this section shall authorise the Company to

A.D. 1924. refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate.

(3) The minimum quarterly charge for a supply of water by meter to any of the premises in this section mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same gross estimated rental.

Revision of rates.

33. In the event of the Minister of Health being satisfied that the cost of labour and materials or other circumstances affecting the undertaking have substantially altered he may if he thinks fit on the application of the Company or of a local authority having jurisdiction within the limits of supply made at any time after the expiration of three years from the passing of this Act by order vary either by way of increase or decrease the rates and charges for the supply of water by this Act authorised.

In the event of the basis of rating of lands and premises within the limits of supply in force at the passing of this Act being substantially altered the Minister of Health may if he thinks fit on the application of the Company or of a local authority having jurisdiction within such limits made at any time after the expiration of fifteen months from the date when such altered basis first becomes effective by order vary either by way of increase or decrease the rates and charges for the supply of water for the time being in force under the provisions of this Act.

Provided that the rates and charges prescribed in any order made under this section shall be of such respective amounts as to provide (after paying all proper expenses of and in connection with the working management and maintenance of the undertaking and making good depreciation and paying all other costs charges and expenses (if any) properly chargeable to revenue) a reasonable return on the capital of the Company.

Provided also that the rates and charges for the time being in force under any such order may in the like event be varied in like manner at any time after the expiration of any or every period of five years after they were last varied.

Charges for hose pipes.

34. Where water supplied for domestic purposes is used for horses or washing carriages or motor cars or for

other purposes in stables or premises where horses carriages or motor cars are kept the Company may if a hose pipe or other similar apparatus is used charge such additional sum not exceeding twenty-five shillings per annum as they may prescribe for each such hose pipe or other apparatus and any sum charged under this section shall be recoverable in the same manner as water rates.

A.D. 1924.

SUPPLY OF WATER.

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

Company need not supply several houses by one pipe.

36. The provisions of section 35 of the Waterworks Clauses Act 1847 shall in their application to the Company be read and construed as if the one-tenth part of the expenses of providing and laying down pipes mentioned in that section were one-seventh part of such expense and as if the period of three years mentioned in that section were four years.

Amendment of section 35 of Waterworks Clauses Act 1847.

37. The Company may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply such premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation in the Stroud Water Acts 1882 and 1924. Provided that the local authority of the borough or district within which such street is situate shall for the purpose of this section be deemed in addition to any other person to be persons having the control or management of such street.

Pipes in non-dedicated streets.

38. The Company may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street in the limits of supply execute such works on behalf of such owner or occupier and any expenses incurred by the Company shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

As to communication pipes.

A.D. 1924.

Power to
Company to
repair com-
munication
pipes.

39. If in the opinion of the Company any waste of water or injury or risk of injury to person or property is caused or likely to be caused by reason of any injury to or defect in any communication pipe it shall be lawful for the Company to execute such repairs to the communication pipe as they may think necessary or expedient in the circumstances of the case without being requested so to do and if any injury to or defect in the communication pipe shall have been found the expenses incurred by the Company for the purpose of ascertaining the injury or defect and executing the repairs (including the expenses of breaking up filling in reinstating and making good any road pavement or soil for those purposes) shall be recoverable by the Company from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier in like manner as the water rates in respect of the premises are recoverable. Provided that except in case of emergency the Company shall not under the powers of this section enter into any house or private premises unless they shall have given to the owner and occupier of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

Company to
connect
communi-
cation pipes
with mains.

40. Notwithstanding anything contained in any Act relating to the Company the Company shall have the exclusive right of executing any works on any of the water mains of the Company for connecting any communication or service pipe therewith and the Company shall on the request of the owner or occupier of any premises who is entitled to be supplied with water by the Company execute on any such main any work which shall be necessary to connect the communication or service pipe of such owner or occupier therewith but subject to any obligations of such owner or occupier in relation to the execution of such work and any expenses incurred by the Company in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Maintenance
of common
pipe.

41. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred

by the Company in the maintenance and repair of such pipe and their respective proportions of contribution shall be settled by the engineer of the Company. A.D. 1924.
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42. Every person who shall wilfully (without the consent of the Company) or negligently close or shut off any valve cock or other work or apparatus belonging to the Company whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Company) be liable to a penalty not exceeding five pounds and the Company may in addition thereto recover the amount of any damage by them sustained. Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe. Penalty for closing valves and apparatus.

43.—(1) Subject to the provisions of the Waterworks Clauses Act 1847 the Company may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service-pipes and mains of the Company and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose stop break up and interfere temporarily with public and private streets roads lanes footways sewers courts passages tramways gas or water pipes electric lines wires and apparatus. Detection of waste.

(2) Provided always that the Company shall not interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the said Act.

44. Where the Company supply water by measure the register of the meter or other instrument for measuring water shall be prima facie evidence of the quantity of water consumed and in respect of which any water rate or rent is charged and sought to be recovered by the Company. Provided that if the Company and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties. Register of meter to be prima facie evidence.

A.D. 1924.

Injury to
meters.

45. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Company or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Company shall (without prejudice to any other right or remedy for the protection of the Company) be liable to a penalty not exceeding five pounds and the Company may in addition thereto recover the amount of any damage by them sustained.

In any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Company or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Company the Company may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registration by such meter of the quantity of water supplied by means thereof and the expenses of such repair and of all such works matters and things shall be paid to the Company by the person so offending and may be recovered by them as water rates are recoverable. The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Company when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be prima facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Rates
payable by
owners of
small
houses.

46. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Company so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by

him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate. A.D. 1924.

47. Before any person connects or disconnects any meter by means of 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 all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under the superintendence of any officer of or person authorised by the Company and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings. Notice to Company of connecting or disconnecting meters.

48. The Company may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the limits of supply to any such authority company or person respectively in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed to. Provided that such supply shall not be given except with the consent of any company or person supplying water under Parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for all purposes within the limits of supply. Provided also that nothing in this section shall authorise the Company to lay any mains or other pipes or to interfere with any street beyond the limits of supply. Supply in bulk.

49. The Company may enter into and carry into effect agreements made with any water authority company body or person supplying water under parliamentary authority for the purchase of water in bulk by the Company for such price and on such terms and conditions and for such period as may be agreed upon and any water so purchased may be used by the Company for the purposes of their undertaking. Purchase of water in bulk.

50.—(1) Any urban or rural district council whose district is in whole or in part within the limits of supply Guarantees by district councils.

A.D. 1924. may give and enter into any guarantee or contract for securing payment to the Company of such periodical or other sum or sums at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Company for the purpose of or with respect to the providing or laying down by the Company of any main pipe or works for the supply of water within any part of such district.

(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise in like manner as money may be raised under the provisions of any such general Act any money which may become payable to the Company under this section.

(3) Nothing in this section shall be deemed to authorise any such urban or rural district council to use any water supplied by the Company under any such guarantee or contract as aforesaid in any part of the district of such council which is beyond the limits of supply and within the limits for the supply of water of any other authority supplying water under Parliamentary authority without the consent of such other authority.

For protection of Great Western and London Midland and Scottish Railway Companies.

51. The Company shall not without the previous consent of the Great Western Railway Company or as the case may be the London Midland and Scottish Railway Company exercise the powers conferred on them by the sections of this Act of which the marginal notes are "Pipes in non-dedicated streets" and "Detection of waste" in respect to any street road land footway court or passage which is the property of or maintained by the Great Western Railway Company or the London Midland and Scottish Railway Company but such consent shall not be unreasonably withheld.

MISCELLANEOUS.

Application of profits over authorised dividend.

52. If the clear profits of the undertaking in any year (after appropriating and setting apart such sum or sums (if any) as may be determined under the Acts relating to the Company to any fund or purposes by those Acts authorised) amount to a larger sum than is

sufficient to pay the dividends on the preference stock and such dividends as the Company may declare in respect of that year on the ordinary stock of the Company the excess may be carried to the credit of the profit and loss net revenue account of the undertaking for the next following year: A.D. 1924.

Provided that the sum standing to the credit of such account shall not at any time exceed the amount required to pay one year's dividends on such preference stock and one year's dividends at the maximum rates of dividend on the amount of ordinary stock of the Company for the time being issued and paid up.

53. It shall be lawful for the Company to make superannuation and other allowances and to pay pensions or gratuities to any officers servants or employees of the Company and for that purpose to apply the funds and revenues of the Company. Power to make superannuation and other allowances.

54. The directors may subscribe or make donations to infirmaries or hospitals and to convalescent homes and similar institutions and to any industrial exhibitions and to the benevolent and sick funds of the employees of the Company and may for any of those purposes apply the funds and revenues of the Company. Power to directors to make donations &c.

55. The prescribed number of auditors shall be two or the Company may at any time and from time to time appoint any firm to be the auditors of the Company The auditors or in the case of a firm being so appointed as auditors the members of such firm shall be persons who are members of the Institute of Chartered Accountants or the Society of Incorporated Accountants and Auditors or who are accountants approved by the Board of Trade and the auditors need not hold stock of the Company but nothing in this section shall prevent any person who at the date of the passing of this Act is an auditor of the Company continuing to act as such auditor If and so long as a firm appointed under the provisions of this section are the auditors of the Company the provisions of this Act and of any Act incorporated therewith relating to the prescribed number of auditors shall not apply to the Company. Auditors.

56. At all meetings of the Company every holder of "A" and "B" ordinary stock or of preference stock Voting rights,

A.D. 1924. — created by or under this Act of the nominal value of one pound shall be entitled to one vote in respect of every sum of one pound of the nominal value of such stock.

Interim dividends.

57. The directors may in any year without calling a meeting of the Company for the purpose declare and pay an interim half-yearly dividend out of the then ascertained profits of the Company. Provided that the amount of any interim half-yearly dividend shall not as the case may be exceed in any half-year one-half of the amount of the maximum rates of dividend on the ordinary stock or one-half of the annual dividend assigned to the preference stock of the Company in respect of which such interim dividend is declared.

Closing of transfer books.

58. The directors may close the register of transfers of stock and the register of debenture stockholders for a period not exceeding fourteen days previous to a declaration of any interim dividend or to the payment of any interest on such debenture stock as the case may be and they may fix a day for closing the same of which seven days' notice shall be given by advertisement in some newspaper published or circulating in the district within which the Company's principal place of business is situate and any transfer made during the time when the registers are so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend or payment of any such interest.

Qualification of directors.

59. The qualification of a director of the Company shall be the possession in his own right of "A" ordinary stock "B" ordinary stock and preference stock or either of them of the nominal value of at least one hundred pounds.

Contracts by directors.

60. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Company by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract.

Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined or if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and also in the next annual report of the Company and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity. A.D. 1924.

61. From and after the passing of this Act no person not being a retiring director of the Company shall be eligible to be elected at any general meeting of the Company a director of the Company unless notice in writing is given to the secretary or left at the principal office of the Company fourteen days at least before the day of election that such person will be proposed for election as a director of the Company and the secretary of the Company shall during such fourteen days and on the day of election fix a copy of every such notice so delivered in some conspicuous place in such office Any such person must have been the holder of the qualifying amount of stock for at least three months prior to his election In the case of a retiring director or directors notice of opposition to his or their re-election shall be given in like manner. Notice of candidature of or opposition to re-election of director.

62. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1880 they may from time to time determine the remuneration of the secretary and auditors of the Company. Directors may determine remuneration of secretary and auditors.

63. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the attorney of any stockholder duly authorised in writing may appoint a proxy to vote for and on behalf of the stockholder and for that purpose may execute on behalf of the stockholder the necessary form of proxy. Provided that the instrument appointing the attorney shall be transmitted. As to appointment of proxies.

A.D. 1924. — to the secretary of the Company at the same time as the instrument appointing the proxy.

Joint holders.

64. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any stock any one of those persons may vote at any meeting either personally or by proxy in respect of the stock as if he were solely entitled thereto but if more than one of the joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the stock shall alone be entitled to vote in respect thereof. Several executors or administrators of a deceased member in whose name any stock stands shall for the purposes of this section be deemed joint holders thereof.

Fittings on hire to remain property of Company.

65. All engines fittings apparatus and appliances (in this section referred to as "fittings") let by the Company on hire or under hire purchase agreements under any statutory powers shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Company. Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Company as the actual owners thereof. Provided also that nothing in this section shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

Authentic-
cation and
service of
notices by
Company.

66. Any notice to be served by the Company on a person supplied with water shall be sufficiently authenticated by the signature of the secretary or other officer of the Company for the time being authorised in writing by the directors being affixed thereto in writing or in print or by a stamp or if it be a notice to pay any charge in respect of a supply of water by the name either of the secretary or of such other officer as aforesaid being affixed thereto as aforesaid and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same

to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises. A.D. 1924.
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67. 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 signed by or on behalf of the consumer and be left at or sent by post to the office of the Company or be given by the consumer personally at the office of the Company. Notice of discontinuance.

68. Where the payment of more than one sum by any person is due under any Act or Order for the time being relating to the Company any summons or warrant issued for the purposes of any of those Acts in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him. Several sums in one summons.

69. A judge of any court or a justice shall not be disqualified from acting in the execution of any Act or Order for the time being relating to the Company by reason of his being liable to any rate. Liability to water rate not to disqualify justices.

70. Penalties imposed under any Act or Order for the time being relating to the Company for one and the same offence shall not be cumulative. Penalties not cumulative.

71. Save as otherwise by this Act expressly provided all offences against any Act or Order for the time being relating to the Company and all penalties forfeitures costs and expenses imposed or recoverable under those Acts or any bye-law made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts. Recovery of penalties &c.

72. Proceedings for the recovery of any demand made under the authority of any Act or Order for the time being relating to the Company whether provision Recovery of demands.

A.D. 1924. — is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Repeal.

73.—(1) The following sections of the Act of 1882 are hereby repealed (that is to say):—

- Section 14 (Debenture stock).
- Section 19 (Qualification of directors).
- Section 22 (Contracts not to disqualify for office of director).
- Section 36 (For preventing fouling of water).
- Section 37 (Supply of water by meter).
- Section 39 (Regulations for preventing waste of water).
- Section 40 (Confirmation of regulations).
- Section 41 (Publication of regulations).
- Section 42 (Evidence of regulations).
- Section 43 (For enforcing regulations).
- Section 44 (Disputes to be determined by justices).
- Section 47 (Power to Company to agree for supplies for water for other than domestic purposes).
- Section 50 (Entry on premises to cut off supply in certain cases).
- Section 51 (Mode of giving notice).
- Section 52 (Service pipes).
- Section 53 (Power to remove meters and fittings).
- Section 54 (Notice to Company of putting up meters &c.).
- Section 56 (Register of meter to be prima facie evidence).
- Section 57 (Fraudulently injuring meters &c.).
- Section 58 (For preventing frauds and waste of water).
- Section 59 (Incoming tenant not liable for arrears).
- Section 60 (Company not bound to supply several houses by one pipe).
- Section 61 (Recovery of sums due).
- Section 62 (Notice of discontinuance).
- Section 63 (Liability to water rent not to disqualify justices &c.).

Section 64 (Contents of summons &c.).

Section 65 (Costs of distress).

Section 66 (Penalties not cumulative).

A.D. 1924.

(2) Section 34 (Rate at which water is to be supplied for domestic purposes) and section 35 (Rates for water-closets and baths) of the Act of 1882 shall be repealed as from the date when the section of this Act of which the marginal note is "Rates for supply for domestic purposes" comes into operation provided that the repeal of the said sections shall be without prejudice to the right of the Company to recover rates or charges or arrears of rates or charges due or accruing due to the Company at such date.

(3) The Stroud Water (Capital Issues) Consent 1923 is hereby annulled.

(4) The Stroud Water Company (Modifications of Charges) Order 1923 is hereby annulled as from the quarter day next after the passing of this Act.

74. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Costs of Act.

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