



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxlvii.

An Act for supplying the Township of *Stourbridge* and the Neighbourhood thereof with Water.

[10th *July* 1854.]

WHEREAS the Inhabitants of the Township of *Stourbridge* and the Neighbourhood thereof are inadequately supplied with Water, and the Construction of Waterworks for affording a better Supply would be of great public Advantage: And whereas the several Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution; but the same 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,

I. That "The Companies Clauses Consolidation Act, 1845," 8 & 9 Vict. cc. 16. & 18. "The Lands Clauses Consolidation Act, 1845," and "The Water-works Clauses Act, 1847," shall be incorporated with and form Part of this Act, and the Provisions of the said Acts shall be applicable to the Purposes of this Act, except so far as the same or any of them are expressly altered by this Act. and 10 & 11 Vict. c. 17. incorporated.

[*Local.*]

26 S

II. That

The Stourbridge Waterworks Act, 1854.

Short Title. II. That in citing this Act in other Acts of Parliament, and in legal Instruments, Notices, and Proceedings, it shall be sufficient to use the Expression “The *Stourbridge Waterworks Act, 1854.*”

Limits of Act. III. That the Limits of this Act for the Supply of Water shall be deemed and taken to extend to and shall comprise and include the Township of *Stourbridge*, and the adjacent Townships or Hamlets of *Upper Swinford*, *Lower Swinford*, the *Lye*, *Wollaston*, *Wollescote*, in the Parish of *Old Swinford* in the County of *Worcester*, the Hamlet of *Amblecote* in that Part of the Parish of *Old Swinford* in the County of *Stafford*, and Part of the Parish of *Kingswinford* called *Wordsley* in the said County of *Stafford*.

Incorporation of Company. IV. That the Right Honourable *George Harry* Earl of *Stamford and Warrington*, *John Amery*, *John Farmer*, *James Fisher*, *Thomas Hughes*, *Alfred Keep*, *William Francis Price*, *William Watkin*, *George Hackett*, *Joseph Pitman*, and *Thomas Fawell*, Esquires, and all other Persons and Corporations who have already subscribed or who shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be and they are hereby united into a Company for the Purpose of supplying with Water the Inhabitants, Buildings, and Lands within the said Limits, and for making Waterworks for that Purpose, together with all proper Works and Conveniences connected therewith, according to the Provisions of the said incorporated Acts and of this Act, and for other the Purposes herein and in the said incorporated Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of “The *Stourbridge Waterworks Company*,” and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, subject to the Restrictions and Provisions herein and in the said incorporated Acts contained.

Capital. V. That the Capital of the Company shall be Twenty thousand Pounds.

Shares. VI. That the Number of Shares into which the said Capital shall be divided shall be Two thousand, and the Amount of each Share shall be Ten Pounds.

Calls. VII. That Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and that Two Months at the least shall intervene between the making of any Two successive Calls, and no more than Three Fourths of the Amount of a Share shall be called up in any One Year.

VIII. That

The Stourbridge Waterworks Act, 1854.

VIII. That it shall be lawful for the Company from Time to Time to borrow, for the Purposes of the Undertaking, on Mortgage or Bond, any Sums of Money which shall be from Time to Time authorized to be borrowed by a General Meeting of the Company; but the aggregate Amount of such Sums of Money so to be borrowed shall not at any Time exceed One Fourth of the Capital for the Time being of the Company in Shares or Stock, and no Part of such Sums shall be borrowed until the whole of the said Capital or Sum of Twenty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up.

Power to borrow Money on Mortgage.

IX. That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Monies not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Two thousand Pounds in the whole.

Arrears may be enforced by Appointment of a Receiver.

X. That the First General Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Month of *August* in each Year, or at such other stated Periods as shall be appointed for that Purpose by an Order of a General Meeting; and such Meetings shall be held at such Place within the Township of *Stourbridge* as the Directors shall from Time to Time appoint.

First and other Meetings.

XI. That, subject to the Provisions herein contained for increasing or reducing the Number of Directors, the Number of Directors shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking; and a Quorum of a Meeting of Directors and of a Committee of Directors shall be Three.

Number and Qualification of Directors.

XII. That the Company may from Time to Time decrease the Number of Directors, so that after such Reduction the Directors be not less than Six.

Power to vary the Number of Directors.

XIII. That the said *John Amery, William Watkin, George Hackett, John Farmer, Alfred Keep, William Francis Price, and Jacob Stokes*, Esquires, shall be the First Directors of the Company.

First Directors.

XIV. That the prescribed Amount of Dividend to be divided annually among the Shareholders of the Company under the Provisions of the "Waterworks Clauses Act, 1847," shall not exceed the Sum of Eight Pounds on every One hundred Pounds of the Capital for the Time being paid up.

Declaration of Dividends.

XV. That

The Stourbridge Waterworks Act, 1854.

Appoint-
ment of
Auditor.

XV. That the Company shall annually elect an Auditor for the Purpose of auditing the Accounts of the Company, and in case the Office of Auditor shall, before such Accounts have been audited by him, be vacant by Death or from any other Cause, the Company shall from Time to Time appoint an Auditor to supply such Vacancy.

Newspapers
for Insertion
of Advertise-
ments.

XVI. That the Newspaper or Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper or Newspapers printed in the County of *Worcester* or in the County of *Stafford*, and if no Newspaper shall be printed within those Counties, then in some Newspaper or Newspapers usually circulated in the said County of *Worcester*.

Power to
make Water-
works ac-
cording to
deposited
Plans.

XVII. And whereas Plans and Sections showing the Line and Levels of the proposed Works, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands and Streams in or through which the same are intended to be made or to pass, or which are required for the Purposes of the said Waterworks, have been deposited with the Clerks of the Peace for the Counties of *Worcester* and *Stafford*: Be it enacted, That it shall be lawful for the Company, subject to the Provisions and Restrictions in this and the said incorporated Acts contained, to make and maintain the said Waterworks, Reservoirs, and other Works and Conveniences connected therewith in the Line and on the Levels and upon the Lands delineated on the said Plans and described in the said Book of Reference, and to enter upon, take, and use such of the Lands and Streams delineated on the said Plans and referred to in the said Book of Reference as the Company shall deem necessary for that Purpose, and to take therefrom such Water as the Company may require for the Purposes of this and the said incorporated Acts.

Power to
deviate from
Plans in
certain
Cases.

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

Works.

XIX. That the Works by this Act authorized comprise the following; (to wit,)

First, a Reservoir or Reservoirs at, near to, or upon Lands belonging to *Alexander Brodie*, *Cochrane*, *Henry Bate*, and *William Francis Price*, or some or one of them, at or near a Place called the *Heath*, in the Township of *Stourbridge* in the County of *Worcester*, and to take, divert, intercept, impound, and use for the

The Stourbridge Waterworks Act, 1854.

the Purposes of the said Undertaking the Water or Stream, or some Part thereof, which runs down or through the said Lands commonly called or known as the *Gig Mill Stream* :

Second, a Reservoir in a certain Field or Fields in the Occupation of the Representatives of *Edward Hill* deceased, and being Part of the Estate known as the *Amblecote Hall* Estate, in the Hamlet of *Amblecote* in that Part of the Parish of *Old Swinford* which lies in the County of *Stafford* :

Third, the Aqueducts or Main Pipes following ; (that is to say,) an Aqueduct or Main Pipe, Aqueducts or Main Pipes, from the said first-mentioned Reservoir or Reservoirs, or one of them, at or near the *Heath* aforesaid, to the said secondly-described intended Reservoir at or near *Amblecote Hall* aforesaid, together with all necessary and proper Tunnels, Embankments, Cuttings, Bridges, Drains, Sewers, Weirs, Dams, Sluices, Filtering Beds, Engines, Pumps, Conduits, and Lines of Pipes, Reservoirs, and other Conveniences, to be made in and pass through and into the several Parishes, Townships, Hamlets, and other Places, (that is to say,) *Stourbridge, Upper Swinford, Lower Swinford, the Lye, Wolleston, Wollescote*, in the Parish of *Old Swinford* in the County of *Worcester*, and *Amblecote* in the said Parish of *Old Swinford* and *Wordsley* in the Parish of *Kingswinford* in the said County of *Stafford*.

XX. That, so far as may be necessary for the Purposes of this Act, it shall be lawful for the Company to cleanse, deepen, and otherwise improve the said *Gig Mill Stream*, and the Beds, Banks, and Water thereof, described upon the said Plans so deposited as aforesaid, and the Watercourse, Conduits, Pipes, and other Conveniences for conveying the Water into and through the said Township of *Stourbridge*, and the several adjacent Townships or Hamlets aforesaid, and to make, do, and execute all proper and necessary Works for protecting the said Water from Impurities, arising either from Bathing or the Drainage or Sewerage, or any other Cause whatsoever.

Company may cleanse Stream, and prevent Impurities to Water.

XXI. That, in addition to the Lands, Springs, and Streams authorized to be taken and purchased as aforesaid, it shall be lawful for the Company to contract with any Party willing to sell the same for the Purchase of any Streams or Springs of Water, or of any Land not exceeding in Quantity Twenty Acres, which shall be deemed proper or expedient for extraordinary Purposes, (that is to say,) for the Purpose of making and providing additional Banks, Aqueducts, Reservoirs, and other Buildings and Conveniences, or for making convenient Roads or Ways to the said Works, or for any other Purposes connected with the said Waterworks which the Company may think beneficial to the

Company may purchase Land not exceeding Twenty Acres for extraordinary Purposes.

[Local.]

26 T

Undertaking ;

The Stourbridge Waterworks Act, 1854.

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

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

Where no Watercloset.

If there be no Watercloset or Bath in the Dwelling House or Part of the Dwelling House to be supplied with Water, the following Rates:

Where the annual Value of such House or Part of a House shall not exceed Five Pounds, at a Rate not exceeding Six Shillings *per Annum*:

Where such annual Value shall be Five Pounds but shall not exceed Fifty Pounds, at a Rate *per Centum per Annum* not exceeding Seven Pounds Ten Shillings:

Where such annual Value shall exceed Fifty Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds:

If there be a Watercloset.

If there be a Watercloset or Waterclosets, or Bath or Baths, in such Dwelling House, then, in addition to the Rates above specified, the following Rates shall be payable; (that is to say,)

Where the annual Value of such Dwelling House shall not amount to Forty Pounds *per Annum*, the Sum of Eight Shillings for each Watercloset or Bath, and the further Sum of Five Shillings for each additional Watercloset or Bath:

Where the annual Value of such Dwelling House shall be Forty Pounds and under One hundred Pounds, the Sum of Ten Shillings for each Watercloset or Bath, and the further Sum of Five Shillings for each additional Watercloset or Bath:

Where the annual Value of such Dwelling House shall be One hundred Pounds and upwards, the Sum of Twelve Shillings for each Watercloset or Bath, and the further Sum of Five Shillings for each additional Watercloset or Bath:

Provided always, that the Company shall not be compelled to supply any Watercloset or Bath, or the Apparatus or Pipes connected therewith, unless the same shall be so constructed and used as to prevent the Waste or undue Consumption of the Water of the Company, and the Return of foul Air and other noisome or impure Matter into the Mains or other Pipes belonging to or connected with the Mains or Pipes of the Company.

Supply of Water not to include Supply for Trade.

XXV. That a Supply of Water for domestic Purposes as aforesaid shall not include a Supply of Water for Railway Purposes, or for Baths, Wash-houses, or public Purposes, or for Cattle, or for Horses, or for washing Carriages, where such Horses and Carriages are kept for Hire, or for ornamental Purposes, or for any Steam Engine, or for any Brewery,

The Stourbridge Waterworks Act, 1854.

Brewery, Warehouse, Counting-house, Office, Shop, Coach-house, Stable, Store, Cellar, Vault, Workshop, Mill, Manufactory, or for any Trade, Manufacture, or Business whatsoever.

XXVI. That it shall not be lawful for the Company to charge any annual Rent, or to make any Charge whatsoever in addition to the Water Rates herein-before mentioned, for so much of the Communication Pipes and other necessary Works for the Supply of any Dwelling House with Water as shall be laid under any Ground dedicated to Public Use, except in Situations and under Circumstances where the Company are not required to furnish a Supply of Water under the Provisions of this Act or any Act incorporated herewith.

Company to lay Service Pipes free of Charge under all Ground dedicated to the Public.

XXVII. That it shall be lawful for the Company to supply any Person with Water at such Rent and upon such Terms and Conditions as shall from Time to Time be agreed upon between the Company and the Persons desirous of having such Supply of Water.

Company may supply any Person with Water by Agreement.

XXVIII. That every Person supplied with Water under the Provisions of this Act shall, when required by the Company, or the Company may, at the Request of any Person, provide and affix such proper Tap, Stopcock, or other Approaches to the Pipe conducting the Water from the Works of the Company as the Company shall direct, and such Tap, Stopcock, or Apparatus shall be kept in good Repair, so as effectually to prevent the Water from running to Waste; and in case any such Person shall neglect to provide, when required by the Company, such Tap, Stopcock, or other Apparatus, or to keep the same in good Repair, or shall neglect or refuse to pay the Company the Cost of doing the same, it shall be lawful for the Company, or for any Person acting under their Authority, to cut off the Pipe or turn off the Water from the Premises of such Person, until such Tap, Stopcock, or other Apparatus shall be provided or repaired, or the Cost thereof paid, as the Case may require.

Persons using Water to provide Stopcock.

XXIX. That if any Person supplied with Water by the Company, or drawing Water from the Main, shall wilfully or negligently do or suffer any Act, or permit or suffer any Pipe or Apparatus to be out of repair, so that the Water of the Company shall be wasted or the Supply thereof improperly increased, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings, together with the Value of the Water so wasted or improperly increased.

Penalty for suffering Waste of Water.

XXX. That it shall be lawful for the Company to repair any Place for Water, Pipe, Cock, or other Apparatus that shall be out of
[Local.] 26 U repair

Company may repair and, recover

The Stourbridge Waterworks Act, 1854.

the Ex-
penses.

repair in any Dwelling House or other Building, and the Expenses of such Repair shall be payable by the Persons occupying or using the same, and shall or may be recovered in manner by the said "Waterworks Clauses Act, 1847," provided for the Recovery of the Water Rate.

Company
not exempt
from Pro-
visions of
11 & 12 Vict.,
c. 63.

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

Expenses of
Act.

XXXII. That the Costs and Expenses of promoting and passing of this Act, and of and incidental thereto, shall be borne by the Company.

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