



CHAP. cii.

An Act for conferring additional powers upon the Company of Proprietors of the Skipton Waterworks with reference to their undertaking, and the raising of money ; and for other purposes. A.D. 1870.  
[4th July 1870.]

**W**HEREAS by an Act of the fourth year of George the Fourth, intituled "An Act for better supplying with water the town of Skipton in the west riding of the county of York" (in this Act called "the recited Act"), the Company of proprietors of the Skipton Waterworks (in this Act called "the Company") were incorporated, and were authorised to make and maintain works for supplying the said town of Skipton with water, and to raise a capital or joint stock of two thousand pounds in one hundred shares of twenty pounds each, and to borrow on mortgage not exceeding five hundred pounds : 4 G. 4.  
c. cxciii.

And whereas the Company under the powers of the recited Act constructed works for supplying the town of Skipton with water, and raised and expended thereon the whole of the share and loan capital authorised by that Act, and an additional sum of eight hundred pounds, which was advanced from time to time by the shareholders in the Company by way of voluntary loan in the proportion of eight pounds for every share :

And whereas in consequence of the great increase in the population of the town of Skipton since the construction of the works under the powers of the recited Act, it became necessary from time to time to provide further supplies of water to meet the increasing wants of the town, and for this purpose the Company have from time to time purchased lands and constructed additional reservoirs and works ; and, to meet the outlay thereby occasioned, the Company, in the year one thousand eight hundred and fifty-nine, raised the sum of one thousand two hundred and fifty pounds by the creation and issue of one hundred new shares of twelve pounds ten shillings each, the whole of which sum of one thousand two hundred and fifty pounds and also the sum of two thousand two

[Ch. cii.] *The Skipton Waterworks Act, 1870.* [33 & 34 VICT.]

A.D. 1870. — hundred and twenty-four pounds which the Company might have divided as profits on the original share capital have been expended in the construction of such additional works :

And whereas it is expedient that the past proceedings of the Company with reference to the construction of such last-mentioned works and the raising of capital for the purpose should be sanctioned and confirmed, and that they should be empowered to maintain those works as part of their undertaking :

And whereas the amount which the Company have expended on capital account now consists of the following sums ; viz.,

Original share capital under the recited Act, divided into 100 shares of 20 <i>l.</i> each	- - - - -	£2,000	0	0
Money advanced by way of voluntary loan at the rate of 8 <i>l.</i> per share	- - - - -	800	0	0
New share capital, divided into 100 shares of 12 <i>l.</i> 10 <i>s.</i> each	- - - - -	1,250	0	0
Money expended out of undivided profits	- - - - -	2,224	0	0
		<hr/>		
		£6,274	0	0
Money borrowed on mortgage under the recited Act	- - - - -	500	0	0
		<hr/>		
		£6,774	0	0
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and it is expedient that the Company should be empowered to increase the nominal amount of the shares in the existing share capital to the amount of a portion of the money so advanced by way of voluntary loan and expended out of profits, and that they should be empowered to raise further money for the purposes of this Act :

And whereas the local board of health for the district of Skipton (in this Act called "the local board") are desirous, and the Company are willing, and it is expedient that provision be made for enabling the Company and the local board to enter into agreements with respect to the supply of water in bulk or otherwise by the Company to the local board, and with respect to the acquisition by the local board, by way of purchase, of the undertaking of the Company :

And whereas plans and sections of the existing works, showing the lines and levels thereof, have been deposited with the clerk of the peace for the west riding of the county of York, and those plans and sections are in this Act referred to as "the deposited plans and sections :"

And whereas the objects of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: A.D. 1870.

1. This Act may be cited for all purposes as "The Skipton Waterworks Act, 1870." Short title.

2. This Act shall commence and have effect on and from the first day of August one thousand eight hundred and seventy. Commencement of Act.

3. "The Companies Clauses Consolidation Act, 1845," "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Act, 1845" (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement), "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Waterworks Clauses Acts, 1847 and 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act. Provisions of general Acts herein named incorporated.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the recited Act" shall mean the Act of the 4th year of George the Fourth, intituled "An Act for better supplying with water the town of Skipton in the west riding of the county of York;" the expression "the Company," or "the promoters of the undertaking," or "the undertakers," shall respectively mean the Company incorporated by the recited Act, and continued by this Act; the expression "the works," or "the waterworks," or "the undertaking," shall mean the waterworks and works connected therewith by this Act authorised to be made or maintained by the Company, including the works which immediately before the commencement of this Act are vested in them under the recited Act; the word "share" shall include "stock;" the expression "the local board" shall mean the local board of health for the district of Skipton; the expression "superior courts," or "court of competent jurisdiction," or any like expression in this Act, or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute; and the expression "the special Act" in the incorporated Acts shall mean this Act. Interpretation of terms.

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Limits of  
Act.

5. The limits of this Act for the supply of water comprise the township of Skipton in the parish of Skipton in the west riding of the county of York.

Repeal of  
existing  
Act.

6. On the commencement of this Act the recited Act is by this Act repealed.

Company  
continued.

7. Notwithstanding the repeal of the recited Act, the Company shall for the purposes of this Act be and continue one body corporate, but henceforth under the name of "the Skipton Water Company," with perpetual succession and a common seal, and with power (subject to the other provisions of this Act) to make, maintain, alter, discontinue, and remove waterworks, and to supply water, and to carry on the business of a water company, and to purchase, take on lease, or rent, and hold lands and other property for the purposes of their undertaking.

Saving pre-  
vious rights  
and liabili-  
ties.

8. Notwithstanding the repeal of the recited Act and the change of the name of the Company, and excepting as is by this Act otherwise expressly provided, everything before the commencement of this Act done or suffered under the recited Act shall be as valid as if this Act were not passed, and such repeal and change of name, and this Act shall accordingly be subject and without prejudice to anything so done or suffered respectively, and to all rights, liabilities, claims, and demands, both present and future, which if such repeal had not taken place, and this Act were not passed, would be incidental to or consequent on any and every thing so done or suffered respectively, and with respect to all such rights, liabilities, claims, and demands the Company as by this Act continued shall, to all intents and purposes, represent the Company as incorporated by the recited Act: Provided always, that the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Company to  
continue  
entitled to  
property.

9. Notwithstanding the repeal of the recited Act and the change of the name of the Company, the Company shall be and remain seised and possessed of and entitled to all the waterworks, reservoirs, aqueducts, conduits, main pipes, gauges, meters, engines, works, and conveniences, and all lands, tenements, streams, springs, waters, hereditaments, buildings, easements, appurtenances, prospective and other rights, powers, privileges, goods, chattels, choses in action, moneys, effects, bonds, deeds, books, writings, papers, maps, plans, and personal estate and property, claims and demands whatsoever, of or to which the Company, or any person in trust for them, is or are under or by virtue of the recited Act or otherwise howsoever, immediately before the commencement of this Act, seised,

possessed, or in anywise entitled at law or in equity, or otherwise howsoever, and that as fully and effectually, to all intents and purposes whatsoever, as if the recited Act were not repealed and the name of the Company were unchanged. A.D. 1870.

**10.** Notwithstanding the repeal of the recited Act and the change of the name of the Company, all deeds, conveyances, contracts, mortgages, bonds, covenants, liabilities, securities, orders, resolutions, proceedings, arrangements or agreements, rules, bye-laws, regulations, and other acts and things, before the commencement of this Act made, done, entered into, executed, or instituted under or by virtue or with reference to the purposes of the recited Act, shall be as good, valid, and effectual, to all intents and purposes whatsoever, for, against, with reference to, or in favour of the Company, as if the recited Act were not repealed and the name of the Company were unchanged, and may be proceeded on and enforced accordingly. Conveyances, leases, &c. to remain in force.

**11.** Notwithstanding the repeal of the recited Act and the change of the name of the Company, all persons who immediately before the commencement of this Act owe any sum of money to the Company, or to any person on their behalf, shall pay the same with all interest (if any) due or to accrue due for the same to the Company, and all debts and moneys which immediately before the commencement of this Act are due or owing by or recoverable from the Company, or for the payment of which the Company are or but for the passing of this Act would have been liable, shall be paid with all interest (if any) due or to accrue thereon by or be recoverable from the Company. Debts due to or by the Company to be paid to or by them.

**12.** Notwithstanding the repeal of the recited Act and the change of the name of the Company, all rates, rents, and sums of money which immediately before the commencement of this Act are due and payable to the Company shall be payable to the Company, and shall be recoverable as rents and rates under this Act. Rates and rents to be recovered.

**13.** Notwithstanding the repeal of the recited Act and the change of the name of the Company, any action, suit, prosecution, or other proceeding commenced by or against the Company previous to the commencement of this Act shall not abate or be discontinued or prejudicially affected by this Act or the change of name, but the same shall continue and take effect in favour of or against the Company in the same manner in all respects as the same would have continued and taken effect if the recited Act were not repealed and the name of the Company were unchanged, and all penalties incurred for any offence against the provisions of the recited Act previously to the commencement of this Act may be sued for, and Actions, &c. not to abate.

A.D. 1870. — all offences which may have been committed before the commencement of this Act against the provisions of the recited Act may be prosecuted in the like manner as the same might have been sued for and prosecuted respectively if the recited Act were not repealed and the name of the Company were unchanged.

Transfer of shares to remain in force.

**14.** Notwithstanding the repeal of the recited Act and the change of the name of the Company, all certificates, sales, transfers, and dispositions heretofore made or executed under that Act of any share in the capital of the Company shall remain in full force, and continue and be available in all respects as if that Act were not repealed and the name of the Company were unchanged.

Books, &c. made evidence by previous Act to continue.

**15.** Notwithstanding the repeal of the recited Act and the change of the name of the Company, all books and other documents by that Act authorised or directed to be kept, and which would have been evidence if that Act had not been repealed and the name of the Company were unchanged, shall be admitted as evidence in all courts whatsoever.

Officers to continue until removed.

**16.** Notwithstanding the repeal of the recited Act and the change of the name of the Company, all clerks, officers, and persons appointed by virtue of or acting under the authority of that Act shall hold their respective offices and employments, together with the salaries or emoluments thereunto annexed, until they shall resign the same or be removed therefrom, and all such clerks, officers, and persons shall have the like powers and authorities for the purposes of this Act and for carrying the same into execution, and all such clerks, officers, and persons, and their respective sureties, shall be subject and liable to the like conditions, obligations, pains, and penalties, and to the like powers of removal and to the like rules and regulations in all respects whatsoever, as if they had been appointed and such sureties had become bound respectively under this Act.

Capital of the Company.

**17.** The capital of the Company shall (subject to the future increase thereof under the authority of this Act) be six thousand pounds, divided into one hundred shares of forty-eight pounds each, and one hundred shares of twelve pounds each.

Appropriation thereof.

**18.** The said shares shall be appropriated and belong to the several persons and corporations who immediately before the commencement of this Act are the registered shareholders in the Company, in the proportions of one share of forty-eight pounds for every then existing share of twenty pounds, and one share of twelve pounds for every then existing share of twelve pounds ten shillings in the capital of the Company as then existing, and in substitution for the said existing shares.

19. Every share of forty-eight pounds or of twelve pounds so appropriated shall be deemed fully paid up.

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Shares to be deemed fully paid up.

20. Every share so appropriated shall be subject and liable to the same trusts, powers, provisoes, declarations, agreements, charges, liens, and incumbrances as immediately before the commencement of this Act affected the then existing share in the Company for which it is substituted, and so as to give effect to and not to revoke any testamentary disposition of or affecting such existing share.

New shares to be subject to the same trusts, &c. as old shares.

21. The Company shall call in and cancel the existing certificates of the shares of the Company created under the recited Act, and issue in lieu thereof certificates of proprietorship under this Act in the form and under the conditions prescribed by "The Companies Clauses Consolidation Act, 1845;" but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship under this Act until they shall have delivered up to the Company to be cancelled the certificates of shares issued to them before the commencement of this Act, or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction thereof.

Company to call in and cancel existing share certificates, and issue new certificates in lieu thereof.

22. It shall be lawful for the Company from time to time, with the consent of three fourths of the votes of the shareholders present, in person or by proxy, at any general meeting or meetings specially convened for the purpose, to raise by the creation and issue of new ordinary and preference shares or stock in their capital, or (at the option of the Company) by either of those modes, such further sum or sums as they may think proper, not exceeding in the whole the sum of ten thousand pounds.

Power to raise additional capital by new shares.

23. The Company shall not issue any share or portion of stock created under the authority of this Act, nor shall any share or portion of stock vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share or portion of stock shall have been paid in respect thereof.

Shares not to issue until one fifth paid up.

24. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Calls.

25. The Company shall not in any year make out of their profits any larger dividend on the existing capital of six thousand pounds, and on the additional share capital of ten thousand pounds to be raised under the powers of this Act, than seven pounds in respect of every one hundred pounds actually paid of such capital on ordinary

Limits of dividends on new capital.

A.D. 1870. shares or stock, or six pounds in respect of every one hundred pounds actually paid of such capital on preference shares or stock.

Power to borrow on mortgage.

**26.** The Company from time to time may borrow on mortgage, in addition to the sum of five hundred pounds authorised to be borrowed under the recited Act, in respect of every five thousand pounds of the additional capital by this Act authorised any sums not exceeding in the whole one thousand two hundred and fifty pounds.

Restriction on borrowing.

**27.** Provided that no part of any such sum of one thousand two hundred and fifty pounds to be so borrowed shall be borrowed until the whole of the respective five thousand pounds of capital in respect of which it is to be borrowed is subscribed for and one half thereof is paid up, and the Company prove to the justice who is to certify under section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the respective five thousand pounds of capital has been subscribed for, issued, and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share or portion of stock in such five thousand pounds has been paid on account thereof before or at the time of issue or acceptance thereof, and that the respective five thousand pounds of capital was issued bonâ fide, and is held by the subscribers or their assigns, and that the subscribers or their assigns are legally liable for so much thereof as remains unpaid, and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears may be enforced by appointment of a receiver.

**28.** The mortgagees of the Company 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 principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less than one thousand pounds in the whole.

Application of moneys.

**29.** All moneys raised under this Act, whether by shares or borrowing, shall be applied for the purposes of this Act only.

Ordinary meetings.

**30.** The first ordinary meeting of the Company held after the commencement of this Act shall be held in the month of August one thousand eight hundred and seventy, and the subsequent ordinary meetings of the Company shall be held yearly in the month of August, or at such other stated periods as shall be appointed for that purpose by an order of a general meeting, and the quorum to constitute a meeting (whether ordinary or extraordinary) shall be



eight shareholders, holding in the aggregate not less than one thousand five hundred pounds in the capital of the Company. A.D. 1870.

**31.** The prescribed scale of voting at all meetings of the Company shall be one vote for every entire sum of ten pounds in the capital of the Company held by the same person at the same time. Scale of voting.

**32.** It shall not be necessary for the auditors appointed by the Company to hold stock or shares in the capital of the Company. Auditors need not hold shares.

**33.** The number of the directors shall be ten, but at the first ordinary meeting held after the passing of this Act the number shall be reduced to seven, and it shall be lawful for the Company from time to time to further reduce the number, provided the number be not less than three. Number of directors.

**34.** The qualification of a director shall be the possession in his own right of shares in the capital of the Company of not less aggregate amount than one hundred pounds. Qualification of directors.

**35.** The quorum of a meeting of directors shall be three, until the number is reduced to three, and then the quorum shall be two. Quorum.

**36.** The persons who immediately before the commencement of this Act are the committee of management of the Company shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act, and at that meeting the shareholders present, in person or by proxy, may either continue in office the directors appointed by this Act or any of them, or may elect a new body of directors or directors to supply the place of those not continued in office, the directors appointed by this Act being (if qualified) eligible for re-election; and at the ordinary meeting to be held every year after the first ordinary meeting the shareholders present, in person or by proxy, shall elect persons to supply the places of the directors then retiring from office agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained, and the several persons elected at any such meeting, being neither removed, nor disqualified, nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act. First directors.

**37.** Subject to the provisions of this Act, the Company may maintain, alter, and extend in the lines and situations and according to the levels shown on the deposited plans and sections, the works next herein-after described, with all other works and conveniences connected therewith respectively; the works herein-before referred to and hereby authorised are the following; (that is to say,) Election of directors.

A reservoir and works connected therewith, situate in the township of Skipton and parish of Skipton in the west riding of the county of York, in certain fields or inclosures numbered

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853 and 854 respectively on the tithe commutation map of the said township of Skipton :

An aqueduct, conduit, or line of pipes, situate in the said township and parish of Skipton, commencing in or out of a certain stream in or near the field numbered 915 on the tithe commutation map of the said township of Skipton, and terminating in the reservoir above described :

A reservoir and works connected therewith, situate in the said township and parish of Skipton, in certain fields or inclosures numbered 842 and 846 respectively on the tithe commutation map of the said township of Skipton :

A reservoir and filter beds, and works connected therewith, situate in the said township and parish of Skipton, in certain fields or inclosures numbered 852 and 891 respectively on the tithe commutation map of the said township of Skipton, and near to the reservoir firstly above described.

Power to acquire additional lands by agreement.

**38.** The Company may from time to time, by agreement, purchase in fee, either absolutely or in consideration of any yearly or other rent, or take on lease or otherwise acquire, any additional quantity of land not exceeding in the whole twenty acres, or any easement or right (not being an easement or right of water) in or over such additional lands which they may from time to time think requisite for any of the purposes of the undertaking : Provided that, notwithstanding the exception aforesaid, the Company may acquire a right to take the water of any spring in any case in which they would be entitled to the exclusive use of the whole water of such spring on purchasing the land in which the same arises.

Power to take easements, &c. by agreement.

**39.** Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," grant to the Company any lease or leases of any lands, or any easement, right, or privilege in, over, or affecting any lands, not being an easement, right, or privilege of water, and the provisions of the last-mentioned Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges, as aforesaid.

Reservation of water rights, &c. on sale.

**40.** On the sale by the Company of any lands, they may reserve to themselves all or any part of the water or water rights or other easements belonging thereto, and may make the sale subject to such reservations accordingly, and may also make any such sale subject to such other reservations, special conditions, restrictions, and provisions with respect to use of water, exercise of noxious trades,

or discharge or deposit of manure, sewage, or other impure matter, as they think fit. A.D. 1870.

41. The Company shall not be bound to supply water to any place within the limits of this Act which is not at the passing of this Act supplied by the Company, and shall not by supplying water to any such place diminish the supply to any place which is at the passing of this Act supplied by the Company. Provisions as to supply before new works are completed.

42. Water supplied under this Act need not be constantly laid under pressure or be continuously supplied, or be supplied in any case at a level above that at which water can be supplied by gravitation from the service reservoir from which the supply is taken. Constant pressure, &c.

43. The Company shall, at the request of the owner or occupier of any house or part of a house in any street in which any pipe of the Company shall be laid, or on the application of any person who under the provisions of this Act is entitled to demand a supply of water for domestic purposes, furnish to such owner or occupier a sufficient supply of water for domestic use, including one watercloset, at a rate not exceeding the rate of eight pounds per centum per annum upon the yearly value of such house or part of a house: Provided always, that the Company shall not be obliged to furnish such supply for any less sum than ten shillings in any one year. Rate at which water is to be supplied for domestic purposes.

44. The yearly value shall be the annual rackrent or gross annual value as shown by the assessment from time to time in force of the respective house to the poor rate. Ascertainment of yearly value.

45. In addition to the rates for the supply of water for domestic purposes, the Company may demand and receive for every water-closet more than one in any house any yearly sum not exceeding ten shillings, and for every private fixed bath in any house any yearly sum not exceeding ten shillings. Rates for waterclosets and baths.

46. Provided always, that the Company shall not be compelled to supply with water any watercloset or any private fixed bath, or the apparatus or pipes connected therewith respectively, unless the same 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 or noisome and impure matter into the mains or pipes belonging to or connected with the mains or pipes of the Company, nor any such bath which shall be capable of containing when filled for use more than fifty gallons of water. For preventing the fouling of water.

47. The water rates payable to the Company shall be paid in advance by equal quarterly payments on the first day of January, Rates to be paid quarterly.

A.D. 1870. the first day of April, the first day of July, and the first day of October.

Regulations for preventing waste of water.

48. For preventing waste, misuse, or contamination of the water of the Company, the following provisions shall have effect; namely,

- (1.) The Company may from time make such reasonable regulations as they think necessary for the objects aforesaid to be observed by persons supplied with water:
- (2.) By any such regulations the Company may direct the use and prescribe the size, nature, strength, and materials, and the mode of arrangement, alteration, and repair of the pipes, valves, cocks, cisterns, baths, soil-pans, water-closets, and other apparatus or receptacles, or any of them, to be used by such persons respectively for conveying, delivering, and receiving water, and may interdict any arrangement and the use of any pipe, valve, cock, cistern, bath, soil-pan, watercloset, or other apparatus or receptacle in their judgment likely to occasion waste, misuse, or contamination of water:
- (3.) The Company shall not be bound under any agreement or otherwise to supply or continue to supply water to any person unless such regulations as are for the time being in force are duly observed by him:
- (4.) In case of the failure of any such person to observe such regulations as are for the time being in force, the Company may if they think fit, after twelve hours notice in writing, and by or under the direction of their duly authorised officer, repair, replace, or alter any pipe, valve, cock, cistern, bath, soil-pan, watercloset, or other apparatus or receptacle belonging to or used by any person supplied by them, and the expense of every such repair, replacement, or alteration shall be repaid to the Company by the person on whose credit the water is supplied, and may be recovered by them as damages, for the recovery of which no special provision is made:
- (5.) If any dispute arises between the Company and any person as to whether any such regulations are reasonable or not, or whether such regulations have been complied with by such person, such dispute shall be referred, on the application of either party, to the determination of two justices, whose decision thereon shall be final and binding on both parties.

Power to Company to supply water for other than domestic purposes.

49. Subject to the provisions of this Act, the Company may supply water for other than domestic purposes on such terms, pecuniary or otherwise, and conditions as the Company think fit.

50. Every person using for other than domestic purposes any water supplied by the Company, and not having previously agreed with the Company for a supply for the other purposes, and every person having agreed with the Company for a supply of water for any other than domestic purposes, and using for any purposes other than the purposes so agreed on the water so supplied by the Company, shall respectively for every such offence forfeit and pay to the Company any sum not exceeding five pounds.

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Penalty for using water for other than domestic purposes without agreement.

51. In all cases in which the Company are by "The Waterworks Clauses Act, 1847," or "The Waterworks Clauses Act, 1863," or by this Act, authorised to cut off the pipe or to turn off water from any premises, the Company, their agents and workmen (after giving notice to the owner or occupier as herein-after provided), may enter into any such premises between the hours of nine in the forenoon and four in the afternoon for the purpose of cutting off any pipe by which the water of the Company shall be supplied to such premises.

Entry on premises to cut off supply in certain cases.

52. The notice to be given previously to such entry shall be in writing, and shall be served in manner following; (that is to say,)

Mode of giving notice.

If the premises intended to be entered be occupied, then by leaving the notice thereat, or by delivering the same to the occupier thereof, twenty-four hours at least previously to such entry :

If such premises be unoccupied, and the owner thereof and his usual place of abode be in England and be known to the Company, then by delivering the notice to such owner, or by leaving the same at his usual place of abode twenty-four hours, or by sending the same by post in a registered letter addressed to him at his usual place of abode forty-eight hours at least previously to such entry :

If such premises be unoccupied, and the owner thereof or his usual place of abode be not in England or be not known to the Company after due inquiry, then by affixing the notice on some conspicuous part of such premises three days at least previously to such entry :

And for the purposes of this section any person receiving the rents of any such premises, either on his own account or as agent for any other person, shall be deemed the owner of such premises.

53. The Company may, if they think fit, enter into agreements for the supply of water by measure to any consumer either for domestic or other purposes.

Water may be supplied by measure.

54. The Company's agent or other officer duly appointed for the purpose by the Company may, between the hours of nine of the

Company's officers to enter buildings.

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clock in the forenoon and four of the clock in the afternoon, enter any building or place supplied with water by the Company, in order to inspect the meters, pipes, fittings, and apparatus for regulating the supply of water, and to see whether the meters, pipes, fittings, cisterns, or other apparatus provided be in good repair, and if such agent or other officer at any such time be refused admittance into such premises for the purposes aforesaid, or be prevented from making such examination, the occupier of such premises shall for every such offence forfeit to the Company a sum not exceeding five pounds.

For preventing frauds and waste of water.

**55.** If and whenever any person supplied with water under this Act wilfully does, or causes or suffers to be done, anything in contravention of any of the provisions of this Act, or wilfully fails to do anything which under this Act ought to be done for the prevention of waste, misuse, or undue consumption of water, the Company may cut off or stop any pipe by or through which water is supplied to him, and may cease to supply him with water as long as the cause of injury remains or is not remedied, and also may recover in any court of competent jurisdiction from every person so offending the amount of all damage sustained by reason thereof, and the remedies of the Company under this enactment shall be in addition to their other remedies in this behalf.

Incoming tenant not liable for arrears.

**56.** The Company shall not be entitled to require from the incoming tenant of any property the payment of arrears of water rent or meter rent left unpaid by any former tenant, unless the incoming tenant has undertaken with such former tenant to pay or exonerate him from the payment of such arrears.

Power for Company and local board to enter into agreements.

**57.** The Company and the local board may from time to time enter into and carry into effect agreements and arrangements for or with reference to the following matters; (that is to say,)

First. The supply by the Company to the local board of water, in bulk or otherwise, for public, sanitary, and other purposes:

Secondly. The sale by the Company to the local board of the undertaking, works, property, and effects of the Company.

Power to local board to levy rates.

**58.** The local board may from time to time levy the rates requisite to enable them to pay the water rates made payable to the Company by the agreement with them, and to give full effect to the terms and conditions and proper incidents thereof.

Recovery of sums due.

**59.** If any person fails to pay any water rent, meter rent, rate, damages, costs, expenses, or other sum due to or recoverable by the Company under this Act or any Acts incorporated wholly or in part with this Act, they may recover the same by proceedings in any court of competent jurisdiction, or if the amount thereof is not boná

vide disputed the same may be levied by distress (the person in default being first duly summoned), and any justice may issue his warrant accordingly, and the remedies of the Company under this section shall be in addition to their other remedies for recovery of any such rent, rate, damages, costs, expenses, or other sum. A.D. 1870.

**60.** 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, and be left at the principal office for the time being of the Company. Notice of discontinuance.

**61.** A justice or a judge of any court shall not be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any water rent, meter rent, rate, or charge under this Act. Liability to water rent not to disqualify justice, &c.

**62.** Any summons or warrant issued for any of the purposes of this Act may contain in the body thereof or in a schedule thereto several names and several sums. Contents of summons, &c.

**63.** Any justice who issues a warrant of distress for any of the purposes of this Act may order that the costs of the proceedings for the recovery of the money to be levied be paid by the person liable to pay such money, and in that case such costs shall be ascertained by the justice, and shall be included in the warrant of distress. Costs of distress.

**64.** Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts. Penalties not cumulative.

**65.** 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. Expenses of Act.

