



CHAPTER xcii.

An Act to authorise the South Staffordshire Waterworks Company to construct New Reservoirs and other Works and to raise further Capital and for other purposes. A.D. 1893.

[29th June 1893.]

WHEREAS the South Staffordshire Waterworks Company (in this Act called "the Company") were incorporated by the South Staffordshire Waterworks Act 1853 and empowered to supply water within limits comprising Walsall Wednesbury Darlaston Tipton West Bromwich and other places in the counties of Stafford and Worcester :

And whereas the limits of supply of the Company have been extended and further powers have been conferred on the Company by the following Acts (namely) :—

The South Staffordshire Waterworks Amendment Act 1857 :

The South Staffordshire Waterworks Amendment Act 1864 :

The South Staffordshire Waterworks Act 1866 :

The South Staffordshire Waterworks Act 1875 :

The South Staffordshire Waterworks Act 1878 :

And whereas in order to enable the Company to meet the wants of the rapidly increasing population of portions of their area of supply it is expedient to authorise them to construct the new reservoirs and other works in this Act described :

And whereas for the purpose of the said reservoirs and works and also for the purpose of necessary extensions of mains and other works it is expedient to authorise the Company to raise further moneys :

And whereas it is expedient to provide for the conversion of the existing preference stocks of the Company into one uniform preference stock bearing a fixed preferential dividend ;

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And whereas by virtue of their respective Acts the Company and the Stourbridge Waterworks Company (herein-after called "the Stourbridge Company") have concurrent rights in relation to the supply of water in the district or place of Wordsley in the parish of Kingswinford in the county of Stafford :

And whereas it is desirable to embody in this Act the effect of an agreement which has been made between the Company and the Stourbridge Company with the view of obviating the inconveniences arising from the existence of the said concurrent rights :

And whereas a copy of the map referred to in such agreement and in this Act signed in triplicate by Sir Richard Temple Baronet the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred has been deposited in the Parliament Office of the House of Lords in the Private Bill Office of the House of Commons and with the clerk of the peace for the county of Stafford and is herein-after referred to as "the deposited map" :

And whereas the Company in or about the year one thousand eight hundred and sixty-two acquired the undertaking of the Dudley Waterworks Company and the charges for a domestic supply which the Company are authorised by the Dudley Waterworks Act 1834 to make in the borough and neighbourhood of Dudley are higher than those authorised for the rest of the Company's area and that fact has been a source of contention between the Company and the Corporation of the borough of Dudley and the local boards of Tipton Sedgley and Coseley :

And whereas the Company have now arranged with the said Corporation and the said local boards that subject to the sanction of Parliament the Dudley rates for domestic supply shall after a certain date be the same as those chargeable under section thirty-four of the South Staffordshire Waterworks Act 1853 and that section thirty-eight of the Company's Act of 1875 and section thirty-eight of their Act of 1878 shall be repealed :

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

And whereas plans and sections describing the lines situations and levels of the works authorised by this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of lands required or which may be taken for the purposes or under the powers of this Act have been deposited with the clerk of the peace for the county of Stafford and are in this Act respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :— A.D. 1893.

1. This Act may be cited as the South Staffordshire Waterworks Act 1893. Short title.

2. The Lands Clauses Acts and the Waterworks Clauses Acts 1847 and 1863 and Parts II. and III. of the Companies Clauses Act 1863 relating respectively to additional capital and to debenture stock are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act. Incorporation of general Acts.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other 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 simple contract debt and not a debt or demand created by statute. Interpretation.

4. The Company may subject to the provisions of this Act make and maintain the reservoirs lines of pipes and other works hereinafter described in the lines and situations and on the levels shown on the deposited plans and sections and may enter on take and use such of the lands delineated on the said plans and described in the deposited book of reference as the Company may deem necessary for the purposes aforesaid and of their undertaking and the Company may take use and appropriate for the purposes of the works authorised by this Act any of the waters which now flow into or which the Company have the right to use or appropriate for the purposes of their existing works. Power to construct reservoirs and other works.

5. The works which the Company may subject to the provisions of this Act make and maintain are the following :— Description of works.

Two service reservoirs (hereinafter respectively called "Service Reservoir No. 1" and "Service Reservoir No. 2") to be constructed in a field in the township of Great Barr in the parish of Aldridge in the county of Stafford numbered 282 on the ordnance map such field belonging or reputed to belong to Dame Mildred Anne Bateman Scott :

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A line of pipes (No. 1) commencing by a junction with the existing pipes of the Company in the road known as the Sutton Road leading from Walsall to Sutton Coldfield at a point therein thirty-three chains or thereabouts measured along the said road in an eastwardly direction from the cottages known as Moat Cottages and terminating in the Service Reservoir No. 1 on the western side thereof:

A line of pipes (No. 2) commencing by a junction with the line of pipes (No. 1) at a point therein two chains or thereabouts from its termination and terminating in the Service Reservoir No. 2 on the western side thereof:

Together with all such approaches roads cuts culverts pipes drains tunnels headways buildings and other works and conveniences as may be found proper or expedient.

Power to deviate.

6. In constructing the works by this Act authorised the Company may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any street or road no such limits are shown the boundaries of such street or road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of the reservoirs three feet upwards and five feet downwards and in the case of all other works to an extent not exceeding ten feet Provided always that the Company shall not construct any embankment or wall of the reservoirs of a greater height above the general surface of the ground than that shown in each case on the deposited sections Provided also that the Company shall not in exercise of the power of vertical deviation hereby given raise any pipe to a greater height above the surface of the ground than is shown in respect thereof on the deposited plans without the consent of all persons who may be injuriously affected by such raising.

Period for compulsory purchase of land.

7. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing thereof.

Period for completion of works.

8. If the works by this Act authorised are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as is then completed.

Power to take additional lands by agreement.

9. The Company may from time to time purchase by agreement and use for any of the purposes of their undertaking (in addition to all other lands which they are now authorised to hold or acquire)

any lands within their limits of supply not exceeding in the whole twenty acres Provided that the Company shall not create or knowingly permit the creation or continuance of any nuisance on such lands or use such lands for any building except buildings and works incident to or connected with their waterworks including dwellings and offices for persons in their employment. A.D. 1893.

10. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting any such lands and the provisions of the Lands Clauses Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants easements rights and privileges as aforesaid. Power to grant easements &c.

11. The Company shall not under the powers of this Act purchase or acquire in any city borough or urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or shall be or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers: Restriction on taking houses of labouring class.

For the purposes of this section the expression "labouring class" means and includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

12.—(1.) The Company shall only be entitled as regards the district or place of Wordsley in the parish of Kingswinford in the county of Stafford to exercise their statutory powers and rights within that portion of Wordsley which lies on the west and north-west sides of the red line A—B drawn on the deposited map and within that portion of Wordsley which lies on the east and north-east sides of the red line C—D drawn on the deposited map which portions are herein-after called "the South Staffordshire area." Definition of rights of supply of Company and Stourbridge Company in Wordsley.

(2.) The Stourbridge Company shall only be entitled as regards Wordsley aforesaid to exercise their statutory powers and rights within that portion of Wordsley which lies on the east and south-east

A.D. 1893. sides of the aforesaid line A—B and south and south-west of the aforesaid line C—D which portions are herein-after called “the Stourbridge area.”

(3.) Notwithstanding the provisions herein-before contained the Company shall be at liberty to exercise their statutory powers of laying and maintaining a water main or water mains through the Stourbridge area for the purpose of carrying or conveying water from one portion of the Company’s district to another but for no other purpose.

(4.) The proviso in section seventeen of the Stourbridge Water Order 1879 to the effect that no part of the moneys raised under that order should be applied to the construction maintenance or continuance of waterworks or works connected therewith or the supply of water within any part of the limits of the Stourbridge Waterworks Act 1854 within which the Company were empowered by Act of Parliament to supply water is hereby repealed so far as relates to the Stourbridge area.

For protection of Corporation of Wednesbury.

13. From and after the first day of July one thousand eight hundred and ninety-four the supply of water to be afforded to the borough of Wednesbury shall be provided in accordance with the thirty-fifth section of the Waterworks Clauses Act 1847 anything in this or in the recited Acts contained to the contrary notwithstanding.

Power to raise additional money by new stock.

14. The Company may from time to time raise by the creation of new stock in addition to any sums which they have raised and are authorised to raise under and by virtue of any other Act any sum or sums of money not exceeding in the whole one hundred and fifty thousand pounds.

Provisions as to issue of new stock.

15. Such additional capital may be raised by means of new ordinary stock or new preference stock or partly by one mode and partly by the other as the Company from time to time think fit Provided that no stock shall be issued by the Company or shall vest in the person accepting the same until the whole of the nominal amount of such stock shall have been paid thereon.

New stock to be considered part of the general capital.

16. Except as by or under the provisions of this Act otherwise provided the capital so to be raised by the creation of new stock shall be considered as part of the general capital of the Company and so much of the new capital as shall be raised by ordinary stock shall confer the like rights of voting and qualification as the existing ordinary stock of the Company :

All stock created under this Act shall be transferable and transmissible as and generally subject to the like provisions as the existing stock of the Company.

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17. The Company shall not in respect of any one year pay out of their profits any larger dividend on the additional capital to be raised by the creation of stock under the powers of this Act or on any part thereof than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary stock or six pounds in respect of every one hundred pounds of such capital as shall be issued as preference stock.

Limit of
dividend on
new capital.

18. Notwithstanding anything in this Act contained the Company shall when any stock created under this Act is to be issued and before offering the same to the holder of any other stock in the Company and whether the ordinary stock of the Company is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of stock and that the reserve price put on such stock shall not be less than the nominal amount thereof and notice of the amount of such reserve price shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner Provided also that no priority of bid or tender shall be allowed to any holder of stock in the Company except that if any bid or offer by tender of any holder or holders of stock in the Company be the same in amount as any bid or offer made by any other person the bid or offer of such holder or holders of stock shall be accepted in preference.

New stock to
be offered by
auction or
tender.

19. It shall be one of the conditions of any sale by auction or by tender of stock created under this Act that the whole nominal amount thereof together with any premiums given by any purchaser shall be paid to the Company within three months after such sale.

Purchase-
money of
stock sold by
auction or
tender to be
paid within
three months.

20. The intention to sell any such stock by auction or by tender shall be communicated in writing to the town clerks of the corporations and to the clerks of the local boards respectively mentioned in the schedule to this Act and to the secretary of the committee of the Birmingham Stock Exchange and to every shareholder of the Company at least twenty-eight days before the day of

Notice to be
given as to
sale &c. of
stock.

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—
auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the district of the Company.

Stock not sold by auction or tender to be offered to stockholders.

21. When any stock created under this Act has been offered for sale by auction or by tender and not sold the same shall be offered at the original reserve price to the holders of ordinary stock of the Company in the manner provided by the Companies Clauses Act 1863 with respect to new shares or stock. Provided always that any stock so offered and not accepted within the time prescribed by the said Act shall again be offered with a lower reserve price for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of stock created under this Act and so on from time to time in event of the failure of any sale or offer.

Application of premium arising on issue of stock.

22. Any sum of money which shall arise from the issue of any such stock by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending or improving the works of the Company or in purchasing and cancelling debenture stock or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend or as part of the money to be raised under this Act by creation of new stock.

Power to borrow on mortgage.

23. The Company may from time to time borrow on mortgage additional sums not exceeding in the whole thirty-seven thousand five hundred pounds in respect of the additional capital of one hundred and fifty thousand pounds by this Act authorised to be raised. Provided that in respect of every twenty thousand pounds of such additional capital issued and accepted the Company may borrow a sum or sums not exceeding in the whole five thousand pounds but no part of any of the said sums of five thousand pounds shall be borrowed until stock for one-half of the portion of the additional capital in respect whereof the borrowing powers are to be exercised has been issued and accepted and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that stock for one-half of such portion of additional capital has been issued and accepted and paid up bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and upon production to such justice of the books of the Company and of such other evidence as

he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

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24. Section thirty-five (For appointment of receiver) of the Company's Act of 1878 is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the passing of this Act and in lieu thereof 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 the amount owing to the mortgagees by whom the application for a receiver is made shall not be less in the whole than ten thousand pounds.

For appointment of a receiver.

25. The Company may subject to the provisions of Part III. of the Companies Clauses Act 1863 create and issue debenture stock charged on their undertaking but notwithstanding anything in that Act contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this Act or any subsequent Act shall subject to the provisions of any 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 and 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.

Power to issue debenture stock.

26. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage or by the issue of debenture stock or any part thereof by the creation of shares or stock instead of borrowing or to convert into share capital any money borrowed under the provisions of this Act unless in either case all dividends upon the shares or stock whether ordinary or preference are limited to a rate not exceeding five pounds per centum per annum.

As to conversion of borrowed money into capital.

27. All moneys raised by the Company under this Act shall be applied for the purposes of this Act and for the general purposes of the Company being in all cases purposes to which capital is properly applicable.

Application of moneys.

28.—(1.) The directors of the Company may at any time not later than the thirty-first day of December one thousand eight hundred and ninety-six prepare a scheme for the consolidation of the preference stocks of the Company then existing or of such of them

Scheme for consolidation of existing preference stocks.

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as they desire to consolidate and for the conversion of those stocks into a uniform preference stock bearing a preferential dividend of four pounds per centum per annum.

Scheme to be circulated.

(2.) They shall send a copy of the scheme to all the proprietors of the stocks to which the scheme relates accompanied by a notice that the scheme will be submitted to the consideration of a meeting of the proprietors of those stocks.

Meetings of proprietors to consider scheme.

(3.) Not sooner than one month nor later than two months after the circulation of the scheme the directors shall convene separate meetings of the proprietors of the several stocks to which the scheme relates or which may be affected thereby and the directors shall submit to each of such meetings such portion or portions of the scheme as relate to or affect the stock represented at that meeting:

If the proprietors present in person or by proxy at any such meeting and holding one-fourth in value of any stock to which the scheme relates object to that portion of the scheme which relates to the stock of which they are proprietors the scheme so far as it relates to that stock shall not be carried into effect but in respect of all the stocks to which the scheme relates and in the case of which no such objection is made the scheme shall be declared to be approved.

Meetings how to be convened.

(4.) Every meeting convened under the provisions of this section shall be convened in the manner prescribed for calling general meetings of the Company.

Confirmation of scheme.

(5.) The scheme so approved shall be submitted by the directors to a general meeting of the proprietors of the ordinary capital of the Company duly convened with special notice of the matter. If the scheme or any portion or portions thereof is or are approved by a majority of the votes of the proprietors present in person or by proxy it shall be carried into effect by the directors but if the whole or any portion thereof is disapproved of by such majority the scheme or the portion or portions thereof so disapproved of shall not be proceeded with.

Providing for future schemes.

(6.) In the event of the failure from any cause either wholly or in part of any scheme or schemes prepared by the directors under this section other than and except the disapproval thereof by the proprietors of the Company the directors may at any time before the thirty-first day of December one thousand eight hundred and ninety-eight prepare another scheme or other schemes which shall be dealt with in like manner under the foregoing provisions as if no antecedent scheme or schemes had been prepared.

29. For the purpose of carrying any scheme so approved of into effect the directors may create and issue new four per centum preference stock to an amount not exceeding the amount required for such conversion and the holder of any portion of an existing preference stock with respect to which the scheme has been approved shall receive in exchange so much of the new four per centum preference stock as shall have been determined by the scheme. Provided that the aggregate amount of the dividends on the new four per centum preference stock so created shall not exceed the aggregate amount of the dividends payable upon the stocks in substitution for or in respect of which such new preference stock is created.

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Execution
of scheme.

30. Forthwith upon the consolidation taking effect the directors shall issue to every holder of the new four per centum preference stock free of charge for so doing a certificate for and representing such an amount of new stock as such holder is entitled to :

Certificates
of new
stock.

Provided that until the issue of such new certificates the existing certificates and the holders thereof shall bear and possess the same rights and advantages as they would have had and possessed if this Act had not passed. But when such new certificates are issued the existing certificates shall be deemed to be cancelled :

Provided also that the Company shall not be required to issue any new certificate unless and until the existing certificate in substitution for which it is issued is given up to be cancelled or is proved to the satisfaction of the Company to have been lost or destroyed.

31. The directors of the Company shall close the registers of the existing preference stocks at such time or times and shall do all such other acts and things as shall be necessary or proper for carrying into effect the conversion if and when determined on in accordance with the provisions of this Act.

Directors to
carry into
effect con-
version.

32. Trustees executors administrators and all persons empowered under section seven of the Lands Clauses Consolidation Act 1845 to sell and convey lands are hereby expressly authorised to consent to such conversion as aforesaid and to accept and hold any new preference stock issued under the powers of this Act and are hereby indemnified for all acts bonâ fide done by them in pursuance of the foregoing provisions of this Act.

Power of
trustees &c.
to consent
to conversion
and to accept
new prefer-
ence stock.

33. The preference stock exchanged under the powers of this Act for any existing preference stock shall be held by the same persons for the same interests on the same trusts and subject to the same powers provisions charges and liabilities as those for on or to which such existing preference stock was held immediately before

New prefer-
ence stock
to be held
on same
trusts &c. as
existing
stock.

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the exchange and so as to give effect to and not to revoke any deed will or other disposition disposing of or affecting such existing preference stock and every such deed will or other disposition shall take effect with reference to the whole or a proportionate part as the case may be of the new stock received in exchange for such existing stock as aforesaid.

Stock not transferable in fractions of one pound.

34. Stock of the Company of any description shall not be transferable in any amount less than one pound.

Rate for supply of water for public purposes.

35. The rate for the supply of water for public purposes under and in the manner provided by section thirty-seven of the Waterworks Clauses Act 1847 shall not exceed sevenpence halfpenny per thousand gallons to each urban sanitary authority whose yearly consumption shall be equal to or exceed three million two hundred thousand gallons and such supply shall be furnished in such quantity at such places at or near some main of the Company as may be required by such urban sanitary authority and "public purposes" shall in addition to the purposes mentioned in the said section thirty-seven include public fountains drinking troughs for cattle and public urinals established by such urban sanitary authority for the free use of the inhabitants and also public baths wash-houses and waterclosets belonging to the urban sanitary authority notwithstanding a charge is made for their use.

Rates for domestic supply in Dudley districts.

36. On and after the twenty-fourth day of June one thousand eight hundred and ninety-seven a supply of water for domestic purposes in that part of the Company's area of supply which is comprised within the limits of the Dudley Waterworks Act 1834 shall be afforded by the Company at rates not exceeding those provided in section thirty-four of the South Staffordshire Waterworks Act 1853 or any amending Act for the time being in force and subject to the provisions of the said Act of 1853 and of any such amending Act and the rates charged within such limits from the date aforesaid shall be the same as those from time to time charged in the townships and places mentioned in section four of the South Staffordshire Waterworks Act 1853 other than the townships or parishes of Dudley Tipton and Sedgley.

Obligation of Company to lay enlarged mains in certain boroughs.

37. The Company shall within two years from the passing of this Act expend in the laying of enlarged mains* with proper junctions within the borough of Walsall a sum not exceeding three thousand pounds and in laying enlarged mains with proper junctions within the borough of West Bromwich a sum not exceeding three thousand five hundred pounds and such mains shall be laid in such streets or other places under the control of the urban sanitary authorities of those boroughs respectively as shall be agreed between the Company and

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the respective urban sanitary authorities and any difference as to the dimensions of such mains or as to the situations in which the same are to be laid or as to the junctions shall be determined by an arbitrator to be appointed by the President of the Institution of Civil Engineers Provided always that the said respective urban sanitary authorities shall at all reasonable times have free access to and may take copies of any map showing the lines and dimensions of mains and pipes belonging to the Company within such districts respectively.

38. With a view to ascertaining more easily and effectually whether the Company are complying with their statutory obligations respecting the pressure at which the supply of water is to be laid on the Company shall if required in writing by any urban sanitary authority whose district is supplied with water by the Company provide fix and maintain at their own expense proper pressure gauges at suitable sites to be provided by such urban sanitary authority The number of such pressure gauges shall be at the rate of one for each district with an additional gauge for every ten thousand of population in such district.

Company
to supply
pressure
gauges.

39. The Company shall on the request in writing of the urban sanitary authorities of Walsall West Bromwich Sutton Coldfield Burton-upon-Trent Dudley Wednesbury Oldbury and Smethwick respectively establish and maintain at their own expense means of communication by telegraph telephone or other equally efficient means between the head office of the fire brigade of each such authority and the residence of some officer or servant of the Company to be named by the Company and the respective urban sanitary authorities shall afford all reasonable facilities to the Company in establishing and maintaining such means of communication Provided that no communication by telegraph or telephone shall be established or maintained under this section without the license of the Postmaster-General :

Communi-
cation for
fire brigade
purposes in
districts of
certain
sanitary
authorities.

In this section the expression "telegraph" has the same meaning as in the Telegraph Acts 1863 to 1892.

40. The Company shall allow the fire brigades of the urban sanitary authorities of Walsall West Bromwich Sutton Coldfield Burton-upon-Trent Dudley Wednesbury Oldbury and Smethwick respectively to take and use reasonable quantities of water for fire brigade practice without making compensation for the same Provided that the Company shall not be required to allow such gratuitous use of water more frequently than once a month in any such sanitary district,

Gratuitous
supply of
water for
fire brigade
practice in
districts of
certain
sanitary
authorities.

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Penalty in
certain
cases.

41. In case the Company shall refuse or wilfully neglect to comply with the provisions of the sections of this Act with the following marginal notes:—

“ Company to supply pressure gauges : ”

“ Communication for fire brigade purposes in districts of certain sanitary authorities : ”

“ Gratuitous supply of water for fire brigade practice in districts of certain sanitary authorities ”—

the Company shall be liable to a penalty of five pounds and shall also forfeit to the sanitary authority the sum of ten shillings for every day during which such refusal or wilful neglect shall continue.

Existing
statutory
obligations
not to be
diminished.

42. Nothing in this Act contained shall be deemed to release the Company from or to diminish any existing statutory obligations of the Company.

Repeal of
certain
enactments.

43. Section thirty-eight of the Company's Act of 1875 whereof the marginal note is “ Company not to pay dividends exceeding six per cent. unless they charge rates under Act of 1853 for domestic purposes in former district of Dudley Waterworks Company ” and section thirty-eight of the Company's Act of 1878 the effect of which is to make applicable to the capital by that Act authorised the provisions of the said section of the said Act of 1875 are hereby respectively repealed.

Power to
apply cor-
porate funds
to purposes
of Act.

44. The Company may apply to the purposes of this Act to which capital is properly applicable any of the moneys which they have now in their hands or which they have power to raise by virtue of any Acts relating to the Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Costs of Act.

45. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Company and may be paid out of any moneys raised by them under the authority of this Act.

SCHEDULE referred to in the foregoing Act.

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CORPORATIONS.

Burton-upon-Trent.
Lichfield.
Dudley.
Sutton Coldfield.
Walsall.
Wednesbury.
West Bromwich.

LOCAL BOARDS.

Cannock.
Brownhills.
Darlaston.
Oldbury.
Upper Sedgley.
Coseley.
Smethwick.
Tipton.
Rowley.
Brierley Hill.
Quarry Bank.
Rural Sanitary Authority of Stourbridge Union.

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