



## CHAPTER liv.

An Act to authorise the Company of Proprietors of A.D. 1896.  
Lambeth Waterworks to execute further works and to  
raise further money and for other purposes.

[2nd July 1896.]

**W**HEREAS the Company of Proprietors of Lambeth Waterworks (in this Act called "the Company") are supplying water under the authority of divers Acts of Parliament in the parish of Lambeth and adjacent places in the counties of London Surrey and Kent :

And whereas by the Lambeth Waterworks Act 1848 the capital of the Company was fixed at three hundred and forty-three thousand eight hundred pounds in shares and one hundred and forty-eight thousand eight hundred and sixty-six pounds by loan :

And whereas by the Lambeth Waterworks Act 1856 the Company were authorised to raise an additional share capital of four hundred and six thousand two hundred pounds but express powers were given them (section 16) to raise one hundred thousand pounds thereof by loan but it was also provided that they should by the 5th day of June 1876 discharge the said loan either by payment or by conversion of borrowed money into capital and upon such discharge the Company were authorised to borrow and reborrow to an amount not exceeding two hundred thousand pounds :

And whereas by the Lambeth Waterworks Act 1869 the Company were authorised to raise an additional capital of five hundred thousand pounds in shares and in addition thereto after they should have paid off or satisfied all sums of money borrowed by them under section 16 of the Act of 1856 in respect of the sum of one hundred thousand pounds thereby authorised to be borrowed an amount equal to one-fourth part of the aggregate amount of the sums of money from time to time paid up on the share capital by that Act authorised and the Company were authorised to create and issue debenture stock bearing interest at a rate not exceeding four pounds ten shillings per centum per annum :

A.D. 1896.

And whereas by the Lambeth Waterworks Act 1883 the Company were authorised to raise a further capital of seventy-five thousand pounds by the creation and issue of debenture stock bearing interest at a rate not exceeding four pounds per centum per annum :

And whereas by the Lambeth Waterworks Act 1886 (in this Act referred to as "the Act of 1886") the Company were authorised to raise a further capital of one hundred and fifty thousand pounds by the creation and issue of debenture stock bearing interest at a rate not exceeding four pounds per centum per annum :

And whereas it was provided by section 9 of the Act of 1886 that from and after the expiration of three years from the issue from time to time of any debenture stock under the powers of that Act there should be carried to a sinking fund in each year a percentage on the amount of such debenture stock calculated as therein provided such sinking fund to be held and applied by the Chamberlain of the City of London as trustee for the purpose of purchasing and extinguishing the share capital of the Company or for such other purposes as Parliament might from time to time determine :

And whereas on the thirtieth day of September one thousand eight hundred and ninety-four the Company had issued capital to the following amount (that is to say) :—

One million two hundred and fifty thousand pounds in shares specifically authorised by the recited Acts all of which have been paid up ;

Two hundred thousand pounds in shares issued in lieu of raising money on loan all of which have been paid up ;

Three hundred and thirty thousand pounds in debenture stock bearing interest at the rate of four pounds per centum per annum of which debenture stock one hundred and thirty thousand pounds has been issued under the powers of the Act of 1886 and the balance under the powers of previous Acts :

And whereas the population in the Company's district of supply has largely increased and is still increasing and in order to enable the Company to supply the water necessarily required by such increased and increasing population and to comply with their statutory obligations as regards the supply of water it is necessary and expedient that they be empowered to construct the waterworks by this Act authorised and to raise further money by debenture stock for that and other purposes under the conditions herein-after expressed :

And whereas part of the Company's district of supply is outside the metropolis as defined by the Metropolis Management Act 1855 and the Company are willing and it is expedient that the provisions



of the Metropolis Water Acts 1852 and 1871 with respect to constant supply be made applicable to the whole of the Company's district of supply :

And whereas it is expedient that the provisions of the Act of 1886 in reference to a sinking fund be amended as in this Act provided :

And whereas it is expedient that such further powers be conferred upon the Company and such further provision be made with respect to the Company and their undertaking as are in this Act expressed and contained :

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

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

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

1. This Act may be cited as the *Lambeth Waterworks Act 1896.* Short title.

2. The following Acts and parts of Acts (so far as they are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely) :—

The Lands Clauses Acts :

The provisions of the Waterworks Clauses Act 1847—

With respect to the construction of the waterworks ;

With respect to the construction of works for the accommodation of lands adjoining the waterworks ;

With respect to mines ;

With respect to the provision for guarding against fouling the water of the undertakers ;

With respect to the recovery of damages not specially provided for and of penalties and to the determination of any other matter referred to justices ; and

With respect to access to the special Act :

The Waterworks Clauses Act 1863 except section 12 thereof (“ Supply for other than domestic purposes ”) :

A.D. 1896.

And Part III (debenture stock) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869.

Interpretation.

3. Terms to which meanings are assigned by Acts incorporated wholly or in part with this Act or which have therein special meanings have in this Act the same respective meanings and in this Act and (for the purposes of this Act) in Acts incorporated wholly or in part with this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression shall have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

Power to make works and to take lands &c.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the waterworks hereinafter described and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose.

The works herein-before referred to and authorised by this Act will be wholly situate in the parish of West Molesey in the county of Surrey and are—

(1) A Reservoir (No. 1) to be situate upon certain pieces of land bounded on the north by an existing reservoir of the Company on the south by the Hurst Road leading from Hampton Court to Walton-on-Thames on the east by the approach road from Hurst Road aforesaid to the Company's pumping station and on the west by lands belonging or reputed to belong to the governor and company of the Chelsea Waterworks :

(2) A Reservoir (No. 2) to be situate upon certain pieces of land bounded on the north in part by an existing reservoir of the Company and in other part by the towing path of the River Thames on the south by Hurst Road aforesaid on the east by lands and property in the occupation of Frederick Charles Arliss known as "the Cherry Orchard" and on the west by the approach road above mentioned to the Company's pumping station :

(3) The enlargement of the existing reservoirs of the Company adjoining on either side the Company's pumping station aforesaid by means of the raising of the embankments of those reservoirs respectively.

Limits of deviation.

5. In the construction of the works authorised by this Act and subject to the provisions thereof the Company may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such 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 five feet upwards and five feet downwards Provided always that if it be found necessary or expedient in the construction or enlargement of any reservoir to alter the situation of any embankment or wall thereof the Company shall not construct such embankment or wall of a greater height above the general surface of the ground than that shown on the deposited sections and five feet in addition Provided further that no part of any pipe line shall be above the surface of the ground unless so shown on the deposited sections.

A.D. 1896.

6. For the protection of the governor and company of Chelsea Waterworks (in this section called "the Chelsea Company") the following provisions shall have effect (that is to say):—

For protection of Chelsea Waterworks Company.

- (1) If in carrying out the works authorised by this Act it be found necessary to lay any pipes over under or across or in near proximity to the mains or pipes of the Chelsea Company which may be already laid or which may be laid before the time when the works authorised by this Act are commenced the Company shall give seven days previous notice to the Chelsea Company of the intention of the Company to lay such line of pipes and such line of pipes where they cross over or under or are in near proximity to the mains or pipes of the Chelsea Company shall only be laid to the reasonable satisfaction of the engineer of the Chelsea Company so as to ensure as little hindrance or obstruction or difficulty of access to the mains pipes and other appliances of the Chelsea Company as possible :
- (2) Nothing in this Act shall authorise the Company to take up divert remove or in any way interfere with the mains pipes and other appliances of the Chelsea Company without their consent in writing first obtained for the purpose and then only to the reasonable satisfaction of the engineer to the Chelsea Company :
- (3) The Company shall make good all damage which may be done by them to the mains pipes and other appliances of the Chelsea Company in the carrying out or by reason of the works or any of them authorised by this Act and the Company shall make full compensation for any loss or damage which the Chelsea Company may sustain in the carrying out or by reason of the works authorised by this Act and which the Company may not be able to make good and shall also pay all the expenses incurred by the Chelsea Company under this section :
- (4) Any difference which may arise between the Company and the Chelsea Company as to the laying down of pipes or constructing works or interference with the mains pipes or other appliances of the Chelsea Company shall on the application of the Company or the Chelsea Company be referred to and

A.D. 1896.

determined by an arbitrator to be agreed upon or failing agreement an engineer to be appointed by the President for the time being of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 except those relating to the appointment of an arbitrator or arbitrators shall apply in the case of every reference to an arbitrator under this section And this section shall be deemed to be a submission for the purposes and within the meaning of the said Act of all or any matters in difference as aforesaid between the Company and the Chelsea Company from time to time.

Company to cease taking water from River Thames at Long Ditton except in certain cases.

7. From and after the passing of this Act the Company shall cease to take water from the River Thames by means of their intake at Long Ditton in the county of Surrey except in the case of accident to or failure or the temporary disuser arising from the construction of the works by this Act authorised of either of their mains from West Molesey to their said works at Long Ditton or except in the case of emergency and if the Company at any time take water from the River Thames by means of their said intake at Long Ditton in either of the excepted cases they shall as soon as practicable give notice thereof to the Local Government Board with a statement of their reason for so taking water by means of the said intake.

Period for compulsory purchase of lands.

8. 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 of this Act.

Period for completion of works.

9. If the works authorised by this Act be not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for executing the same or in relation thereto shall cease except as to so much thereof as is then completed but nothing in this section shall restrict the Company from extending their works mains and pipes from time to time whenever it shall be necessary for the purpose of regulating increasing or distributing the supply of water within their existing limits of supply:

Provided always that the additional works for storage shall be commenced as soon as practicable after the passing of this Act and be prosecuted with all due diligence.

As to water used in sand-washing flowing into Thames.

10. The Company shall not allow any water used in their sand-washing operations to flow into the River Thames in such a state as unduly to discolour the river.

Power to take easements &c. by agreement.

11. 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 right or privilege of water



in which other than parties to the agreement have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively. A.D. 1896.

12. Nothing in this Act shall be construed to alter or vary any provision contained in Part V of the Thames Conservancy Act 1894. Saving Part V. of Thames Conservancy Act 1894.

13. Nothing contained in this Act shall extend to or be construed to extend to prejudice or derogate from the estates rights interests privileges liberties or franchises of the conservators or prohibit defeat alter or diminish any powers authority or jurisdiction which at the commencement of this Act the conservators did or might lawfully claim use or exercise. Saving rights &c. of Conservators of the River Thames.

14. The Company shall not under the powers of this Act purchase or acquire in any parish within the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses or beyond the metropolis in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or without the consent in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board twenty or ten houses as the case may be which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. Restriction on taking houses of labouring class.

The expression "labouring class" in this section 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 family of any such persons who may be residing with them.

15. The Company may subject to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands so far as such provisions are in each case applicable from time to time sell exchange demise or otherwise dispose of in such manner and to such persons as the Company think fit any lands houses or other property for the time being belonging to the Company which they do not require for the purposes of their undertaking and in any such sale exchange demise or disposition the Company may reserve to themselves all or any water or water rights or other Sale &c. of superfluous lands.



A.D. 1896.

easements belonging to the lands sold exchanged demised or disposed of and may make the sale exchange demise or disposition for such consideration and subject to such reservations conditions restrictions or provisions and generally upon such terms and conditions as the Company think fit.

Supply of water to new works.

**16.** The supply of water to the works by this Act authorised shall be deemed to be purposes for which the Company are authorised to take water from the River Thames.

Application of provisions of Metropolis Water Acts 1852 and 1871 to portion of Company's district outside the Metropolis.

**17.** From and after the expiration of twelve months after the passing of this Act the provisions of the Metropolis Water Act 1852 as amended by the Metropolis Water Act 1871 and the provisions of the last-mentioned Act shall extend and apply to and within that portion of the Company's district of supply which lies outside the metropolis as defined by the Metropolis Management Act 1855 subject to this modification that in construing those provisions for the purposes of this Act the expression "the metropolitan authority" as regards those parts of the Company's district of supply which are situate in the county of Kent shall mean the county council of that county and as regards those parts of the Company's district of supply which are situate in the administrative county of Surrey shall mean the county council of that county and as regards those parts of the Company's district of supply which are situate in the borough of Croydon shall mean the mayor aldermen and burgesses of the said borough acting by the council thereof.

Debenture stock.

**18.** The Company may from time to time raise by the creation and issue of debenture stock any sum or sums not exceeding in the whole four hundred and ninety thousand pounds and may create and issue debenture stock accordingly and the provisions of Part III of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 shall so far as applicable apply to the debenture stock so to be created and issued but notwithstanding anything contained in the said Acts the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages The Company shall attach to the debenture stock to be created under this Act interest at such uniform rate as in the opinion of the Governor for the time being of the Bank of England or of some person to be nominated by him shall be best calculated to secure the issue of such stock at par to be payable half-yearly at the same time and in the same manner as the interest on the existing debenture stock of the Company The Company shall not raise the money by this Act authorised to be raised by creating new shares of



the Company instead of borrowing or convert into share capital the debenture stock authorised to be raised under the powers of this Act Provided that fourteen days before applying for such opinion as above mentioned notice in writing of any application for that purpose shall be given to the clerks of the London County Council the Surrey County Council and the Kent County Council and to the town clerk of the City of London.

A.D. 1896.

**19.** All debenture stock created under the powers of this Act shall be issued subject to the condition (to be expressed on the certificate of such stock) that the stock may be redeemed at par by the Company at any time after the expiration of twenty-five years from the date at which it is issued the Company giving six months previous notice to the registered holder of such stock of the intention so to redeem the same.

Debenture stock to be redeemable at par after a certain period.

**20.** Notwithstanding anything in any Acts relating to the Company contained the Company shall when any stock created under the powers of this Act is to be issued offer the same subject to the power of redemption conferred by the last preceding section of this Act 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 by auction no single lot shall comprise more than one hundred pounds nominal value of such stock and that the Company shall at any such sale by auction or by tender fix the reserved price to be put upon such stock and notice of the amount of such reserved 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 and provided that no priority of tender shall be allowed to any holder of shares or stock in the Company.

New debenture stock to be offered by auction or tender.

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

Purchase money of capital sold by auction to be paid within three months.

**22.** The intention to sell any such stock by auction or by tender shall be communicated in writing to the clerks of the London County Council and the Surrey County Council and the Kent County Council and to the town clerk of the City of London and to the secretary of the committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised four times during such period in two or

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



A.D. 1896. — more London daily newspapers and one Surrey newspaper and one Kent newspaper.

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

**23.** When any stock created under the powers of this Act has been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same respectively for the purpose of sale by auction or tender to the holders of ordinary shares or ordinary stock in the Company in manner provided by the Companies Clauses Act 1863 with respect to new shares or stock and the provisions of sections 17 to 21 of that Act shall apply accordingly as if the debenture stock were new stock within the meaning of those sections. Provided always that any stock so offered and not accepted within the time prescribed by the said Act shall again be offered 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.

Application of premium arising on issue of stock.

**24.** Any sum of money which shall arise from the issue of any 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 and improving the works of the Company 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.

Limit to amount of stock to be created.

**25.** It shall not be lawful for the Company to create and issue any greater nominal amount of stock under the powers of this Act than will be sufficient to produce including any premiums which may be obtained on the sale thereof the total amount of four hundred and ninety thousand pounds but in the event of such stock being issued at less than par value and resulting in a deficiency in the nominal amount of the additional capital hereby authorised to be raised the Company may issue such additional amount of debenture stock as shall make good the deficiency so resulting.

Creation of sinking fund.

**26.** (1) From and after the expiration of three years from the issue from time to time of any debenture stock under the powers of this Act there shall be carried to a sinking fund in each year such percentage on such amount of debenture stock and any premiums received thereon as shall be equal to the excess of the average percentage of the dividend or interest paid for that year on all the capital of the Company whether shares stock or debenture stock with any premiums received thereon above the rate of interest at which the debenture stock under this Act was issued together with an additional one per centum per annum added thereto for management such sinking fund to be held and applied by the Chamberlain of the City of London as trustee for the purpose of purchasing and



holding shares or stock of the Company and of investing the dividends thereon with a view to ultimately extinguishing the capital of the Company or for such other purposes as Parliament may from time to time determine. No shares or stock so purchased and held shall confer any right of voting at any meeting of the Company. Provided that in the event of any debenture stock created under this Act being issued below par the percentage to be carried to the sinking fund shall in respect of such debenture stock so issued below par be calculated on the amount of money raised by such debenture stock instead of on the nominal amount of such debenture stock.

(2) In the event of the undertaking of the Company being acquired by a public authority the allowance of one per centum for management shall not be deemed to have increased the capital value of the undertaking or be the subject of compensation or purchase.

(3) As from the expiration of the current year ending the twenty-fifth day of December one thousand eight hundred and ninety-six section 9 of the Act of 1886 shall be read and have effect as if the amount to be paid to the sinking fund under that section at the expiration of the periods of three years from the issue of debenture stock under that Act from time to time were to be held and applied in manner provided in sub-section (1) of this section.

**27.** The moneys raised under the powers of this Act shall be applicable but shall be applicable only in not exceeding the under-mentioned respective amounts to the under-mentioned purposes but only so far as such purposes may be of a nature or character to which capital is properly applicable (that is to say) :—

Allocation of capital.

Amounts.	Purposes for or in connexion with which the Moneys mentioned in the preceding column are applicable.
£ 215,000	The purchase of land for and the construction of the reservoirs and the enlargement of existing reservoirs by this Act authorised.
71,000	The construction of two reservoirs at Brixton and one reservoir at Norwood under existing powers of the Company.
9,481	Engine power and machinery provided since the day of the deposit of the Bill for the Act.
20,000	Additional engine power and machinery.
143,000	Extensions of mains and services within ten years from the day of the deposit of the Bill for the Act.
31,519	Any of the above purposes or the general purposes of the Company including the erection of a stand pipe at Rockhill extension of offices costs of Act and incidental expenditure not specified above.

[Ch. liv.] *Lambeth Waterworks Act, 1896.* [59 & 60 Vict.]

A.D. 1896.  
Provision as  
to general  
Acts.

**28.** Nothing in this Act contained shall exempt the Company from the provisions of the Metropolis Water Act 1852 the Metropolis Water Act 1871 or any other general Act relating to the supply of water to the metropolis or the suburbs thereof now in force or which may hereafter pass during this or any future session of Parliament.

Costs of Act.

**29.** 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.

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