



CHAPTER cvii.

An Act to dissolve the Sheringham Gas and Water Company Limited and to re-incorporate the proprietors therein as a new Company for the supply of Gas and Water in the parishes of Sheringham and Beeston Regis in the county of Norfolk. A.D. 1898.
[25th July 1898.]

WHEREAS in the year one thousand eight hundred and eighty-seven certain persons formed themselves into a company under the name of the Sheringham Gas and Water Company Limited (herein-after called "the Limited Company") for the purposes of supplying gas and water within the parishes of Sheringham and Beeston Regis in the county of Norfolk and for acquiring lands or rights in connexion with lands for those purposes and the Limited Company was duly registered as a company limited by shares under the Companies Acts 1862 and 1867 :

And whereas by the Sheringham Gas and Water Order 1888 (scheduled to and confirmed by the Gas and Water Orders Confirmation Act 1888) herein-after referred to as "the Order of 1888" the limits of the Limited Company for the supply of gas and water were defined to be the said parishes of Sheringham and Beeston and under the said Order the Limited Company were empowered to construct the works therein described and to acquire by agreement certain lands for the purposes of their gas undertaking and other powers were also conferred upon the Limited Company by the said Order with reference to their gas undertaking and water undertaking :

And whereas by the Order of 1888 it was provided that the capital of the Limited Company for the purposes of their gas undertaking should not exceed six thousand pounds and for the purposes of their water undertaking should not exceed six thousand pounds And it was also provided that the dividends on the capital should not be larger than ten pounds per centum per annum

A.D. 1898. subject as regards the gas capital to reduction or increase in accordance with any increase or diminution in the standard price of gas charged by the Limited Company and subject as regards the water capital to the provisions of the Waterworks Clauses Act 1847 enabling them at any time to make up the deficiency of any previous dividend which had fallen short of the said yearly rate :

And whereas the Limited Company have raised for the purposes of their gas undertaking and their water undertaking respectively the said two respective capitals of six thousand pounds by the creation and issue of six hundred shares of ten pounds each in respect of their water undertaking and six hundred shares of ten pounds each in respect of their gas undertaking and practically the whole thereof has been expended :

And whereas by the Order of 1888 the Limited Company were authorised to borrow on mortgage of the gas undertaking thereby authorised not exceeding one thousand five hundred pounds and on mortgage of the water undertaking thereby authorised not exceeding one thousand five hundred pounds And it was provided that no higher rate of interest than five pounds per centum per annum should be paid on any such borrowed moneys without the consent of the Board of Trade :

And whereas the Limited Company have constructed gasworks and waterworks and are now supplying gas and water within the said parishes of Sheringham and Beeston Regis :

And whereas it is expedient that the Limited Company should be dissolved and the proprietors therein incorporated into a new company (herein-after referred to as "the Company") with the powers and subject to the provisions in this Act contained :

And whereas in order to meet the increasing demands for water within the limits of supply it is expedient that the Company should be empowered to purchase additional lands adjoining the site of their present works with a view to the extension of those works and obtaining a better supply of water :

And whereas it is also expedient to confer on the Company further powers with respect to the gas undertaking :

And whereas it is expedient that provisions as in this Act contained should be made with respect to the capital of the Company and otherwise :

And whereas plans of the lands to be acquired under this Act and also books of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands which may be taken compulsorily under

the powers of this Act were duly deposited with the clerk of the peace for the county of Norfolk and are herein-after respectively referred to as "the deposited plans and books of reference":

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 for all purposes as the *Sheringham Gas and Water Act 1898.* Short title.

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

The Companies Clauses Consolidation Act 1845 (except the provisions thereof with respect to the conversion of borrowed money into capital):

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts:

The Gasworks Clauses Act 1847:

The Lands Clauses Acts:

The Waterworks Clauses Acts 1847 and 1863 except the words in section 44 of the former of those Acts "with the consent " in writing of the owner or reputed owner of any such " house or of the agent of such owner."

3. 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: Interpretation.

The expression "the Company" means the Company incorporated by this Act;

"The Limited Company" means the *Sheringham Gas and Water Company Limited*;

"The waterworks" means and includes the waterworks and works connected therewith by this Act vested in or authorised to be made or maintained by the Company;

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“The gasworks” means and includes the gasworks and works connected therewith by this Act vested in or authorised to be made or maintained by the Company.

Incorporation of
Company.

4. From and after the passing of this Act the Limited Company shall be dissolved and the several persons who immediately before the passing of this Act were members of the Limited Company and all other persons who shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and they are hereby united into a company for the purposes herein-after mentioned and shall be incorporated by the name of “The Sheringham Gas and Water Company” and by that name shall be a body corporate with perpetual succession and a common seal with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

Limits of
Act.

5. The limits of this Act for the supply of gas and water (herein-after referred to as “the limits of this Act”) shall be the parishes of Sheringham and Beeston Regis in the county of Norfolk.

Power to
local
authority &c.
to supply
water in case
Company
fails to
supply.

6. If at any time after the expiration of five years from the commencement of this Act the Company are not furnishing or prepared to furnish on demand a sufficient supply of water in accordance with the provisions of this Act in the whole or any part of the district of any local authority within the limits of this Act (such part not having a sufficient supply of water from some other source) the local authority of such district may provide a supply therein in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Company or from some other source as if in either case there were no company authorised by this Act to supply water therein :

If any difference shall arise between the Company and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

General
purposes
of the
Company.

7. The Company shall be established for the purposes of supplying gas and water within the limits of this Act and for other the purposes of this Act.

8. Subject to the provisions of this Act all the gasworks waterworks works and undertaking of the Limited Company including all the lands buildings stock plant leases rights powers privileges easements and authorities which immediately before the passing of this Act were vested in the Limited Company or any person or persons in trust for them or to which they were in anywise entitled and all moneys securities for money credits effects and other property whatsoever which immediately before the passing of this Act belonged to the Limited Company or to any trustee on their behalf and the benefit of all contracts and engagements entered into by or on behalf of the Limited Company and in force immediately before the passing of this Act shall be and the same are hereby vested in the Company to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the Limited Company or any trustee on their behalf respectively and may subject to and in accordance with the provisions of this Act be held and enjoyed sued for and recovered maintained altered discontinued removed dealt with and disposed of by the Company as they think fit.

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Present
property of
Limited
Company
vested in
Company.

9. Subject to the provisions of this Act the memorandum and articles of association of the Limited Company shall as to any prospective operation thereof be wholly void and the Company and the shareholders shall be exempted from all the provisions restrictions and requirements of any Act which applied to the Limited Company and the members thereof as such but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum or articles of association incurred before the passing of this Act but such liability or obligation in respect of any such breach shall continue and save as in this Act otherwise provided may be enforced by or on behalf of the Company as nearly as may be in like manner as the same might have been enforced by or on behalf of the Limited Company if this Act had not been passed.

Memo-
randum
and articles
of associa-
tion of
Limited
Company
to be void
without
prejudice to
remedies for
antecedent
breaches
thereof.

10. Except as is by this Act otherwise expressly provided everything before the passing of this Act done or suffered by or with reference to the Limited Company or the members thereof as such shall be as valid as if the Company had not been incorporated and the memorandum and articles of association had not been avoided by this Act and such incorporation and avoidance and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered and to all rights

Nothing
to affect
existing
rights and
liabilities.

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liabilities claims and demands both present and future which if the Company were not incorporated and the said memorandum and articles of association were not avoided by this Act and this Act were not passed would be incident to or consequent on any and every thing so done or suffered and with respect to all such rights liabilities claims and demands the Company and its shareholders and property shall to all intents and purposes as from the passing of this Act represent the Limited Company and the members thereof as such and the property of the Limited Company as the case may be and the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts
prior to Act
to be
binding.

11. Except as is by this Act otherwise specially provided all purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made before the passing of this Act by to or with the Limited Company or any trustees or persons acting on behalf of the Limited Company or by to or with any other person to whose rights and liabilities they have succeeded and now in force shall be as binding and of as full force and effect in every respect against or in favour of the Company and may be enforced as fully and effectually as if instead of the Limited Company or the trustees or persons acting on behalf of the Limited Company the Company had been a party thereto.

Actions &c.
not to abate.

12. Nothing in this Act contained shall release discharge or suspend any action suit or other proceeding which was pending by or against the Limited Company or any member thereof in relation to the affairs of that company or to which that company or any member thereof in relation to such affairs were parties immediately before the passing of this Act but such action suit or other proceeding may be maintained prosecuted or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or in favour of or against the Limited Company or any member thereof if this Act had not been passed the Company and the shareholders therein being in reference to the matters aforesaid in all respects substituted for the Limited Company and the members thereof respectively.

Trustees of
Limited
Company
to be
indemnified.

13. Every trustee or other person in whom or in whose name any lands works buildings easements rights property or effects belonging to the Limited Company were vested immediately before the passing of this Act and who (being authorised so to do) entered into any bond covenant contract or engagement in respect of the same or otherwise on behalf of the Limited Company shall be

indemnified out of the funds and property of the Company against all liability (including costs charges and expenses) which he may sustain or incur or be put to by reason of his having entered into such bond covenant contract or engagement. A.D. 1898.

14. From and after the passing of this Act and except as is by this Act otherwise expressly provided the Company shall in all respects be subject to and shall discharge all mortgages debts obligations and liabilities to which the Limited Company immediately before the passing of this Act was subject and shall indemnify the members directors officers and servants of the Limited Company and their respective representatives from all such obligations and liabilities and from all expenses and costs in that behalf. Company to satisfy liabilities of Limited Company.

15. All sums of money which immediately before the passing of this Act were due or accruing to the Limited Company in respect of the supply of gas or water or with reference thereto shall be payable to and may be collected and recovered by the Company in like manner as if they had become payable for the like matters supplied or done under this Act And all persons who immediately before the passing of this Act owed any money to the Limited Company or to any person on their behalf shall pay the same with all interest (if any) due or accruing upon the same to the Company and all debts and moneys which immediately before the passing of this Act were due or recoverable from the Limited Company or for the payment of which the Limited Company were or but for this Act would be liable shall be paid by or be recoverable from the Company with all interest (if any) due or accruing upon the same. As to payment of moneys owing before passing of Act.

16. Notwithstanding the avoidance of the said memorandum and articles of association all certificates (until cancelled under the powers of this Act) sales transfers and dispositions heretofore made or executed under them for and with respect to any shares in the Limited Company shall remain in full force and continue and be available in all respects as if they had not been avoided. Certificates &c. to remain in force.

17. All documents books and writings which if the said dissolution and avoidance had not taken place would have been receivable in evidence shall be admitted as evidence in all courts and elsewhere notwithstanding such dissolution and avoidance. Books &c. continued evidence.

18. All officers and servants of the Limited Company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments together with the Officers to continue until removed.

A.D. 1898. salaries and emoluments thereunto annexed until they shall resign the same or be removed therefrom by the Company or their period of service determined in accordance with notice duly given.

Present registers of members to be continued.

19. The books kept by the Limited Company for entering the names and designations of the members thereof with the numbers of their shares and the proper distinguishing number of each share shall until some other register of shareholders shall be provided by the Company continue to be kept by the Company and be taken and considered as the register of shareholders required to be kept by the Companies Clauses Consolidation Act 1845.

Capital.

20. The capital of the Company shall be thirty-six thousand pounds divided as follows:—

Six thousand pounds (original) gas stock ;

Twelve thousand pounds (additional) gas stock ;

Six thousand pounds (original) water stock ;

Twelve thousand pounds (additional) water stock :

Provided that for the purposes of section 75 of the Waterworks Clauses Act 1847 the original water stock shall be deemed to be substituted for the existing water capital of the Limited Company.

Vesting of original stock in present shareholders.

21. The original stock shall be vested in the several persons who immediately before the passing of this Act were the registered members of the Limited Company at the following rate For every share in the gas capital of the Limited Company ten pounds of the original gas stock and for every share in the water capital of the Limited Company ten pounds of original water stock :

And all stock so vested shall be subject to the same liability for calls (if any) and subject and liable to the same trusts powers provisions declarations agreements charges liens and incumbrances as immediately before the passing of this Act affected the share or shares for which the same is substituted and so as to give effect to and not revoke any deed or other instrument or any testamentary disposition of or affecting the same.

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

22. The Company shall call in and cancel the existing certificates of shares in the Limited Company and issue in lieu thereof to the holders thereof certificates of the stock to which they will be respectively entitled 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 stock under this Act until they shall have delivered up to the Company to be cancelled the certificates of shares issued to them before the passing of this Act or shall have

proved to the reasonable satisfaction of the Company the loss or destruction thereof. A.D. 1898.

23. The Company may from time to time raise additional capital not exceeding in the whole twelve thousand pounds additional gas stock and twelve thousand pounds additional water stock by the creation and issue of new ordinary gas or water stock as the case may be or new preference stock. Provided that no greater amount than six thousand pounds additional gas stock and six thousand pounds additional water stock shall be issued as preference stock. But no such stock shall vest in the person accepting the same unless and until the full price of such stock as herein-after provided including any premium obtained upon the sale thereof shall have been paid in respect thereof. Provided that the Company shall not create and issue under the powers of this Act any greater nominal amount of additional capital than shall be sufficient to produce including any premium which may be obtained on the sale thereof the sum of twelve thousand pounds applicable to gas purposes and twelve thousand pounds applicable to water purposes.

Power to
Company
to raise
additional
capital.

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

Receipt in
case of
persons not
sui juris.

25. Except as by this Act provided the Company shall not in any one year make out of their profits any larger dividend on the original water or gas stock than at the rate of ten pounds in respect of every one hundred pounds actually paid up of such stock and on the additional water or gas stock than at the rate of seven pounds in respect of every one hundred pounds actually paid up of such stock as shall be issued as ordinary capital or six pounds in respect of every one hundred pounds actually paid up of such stock as shall be issued as preference capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend on the water or gas stock which shall have fallen short of the said rates.

Profits of the
Company
limited.

26. Separate capital and revenue accounts shall be kept of the gas undertaking and the water undertaking of the Company.

Separate
accounts.

Each undertaking shall be duly credited and debited with receipts and payments exclusively attributable thereto.

The expenses of direction and management and any expenses common to both undertakings shall be from time to time apportioned between them as nearly as conveniently practicable in proportion to the amount of capital paid up and expended on the two undertakings.

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Dividends
on different
classes of
stock to be
paid pro-
portionately.

27. In case in any half-year after the Company shall have made up the deficiency of any previous dividends which shall have fallen short of the prescribed rate in respect of the original stock the funds of the Company applicable to dividend in respect of either the gas or water capital shall be insufficient to pay the full amount of dividend by this Act prescribed on each class of ordinary stock in that capital a proportionate diminution shall be made in the rate of dividend then to be paid in respect of each such class.

New stock to
be offered
by auction
or tender.

28. Notwithstanding anything in this Act contained the Company shall when any additional stock created under the powers of this Act is to be issued and before offering the same to the holder of 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 upon 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 No priority of tender shall be allowed to any holder of stock in the Company except that if any bidding or offer by tender of any holder or holders of stock be the same in amount as any bid or offer made by any other person the bidding or offer of such holder or holders of stock shall be accepted in preference.

Purchase
money to be
paid within
three
months.

29. It shall be one of the conditions of any sale of stock under this Act that the full price thereof including any premium given by any purchaser at such sale shall be paid to the Company within three months after such sale.

Notice to be
given as to
sale of
stock.

30. The intention to sell any such stock by auction or by tender shall be communicated in writing to the clerk of every district council whose district or any part of whose district is within the limits of supply 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 once in each of two consecutive weeks in one or more local newspapers circulating within the district of the said council.

31. 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 reserve price put upon the same respectively for the purpose of sale by auction or tender to the holders of ordinary stock of the Company in manner provided by the Companies Clauses Act 1863 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 created under the powers of this Act but at a lower reserve price than the price put upon the same at the preceding offer thereof for sale by auction or tender and the reserve put upon such stock may upon such second auction or tender if the directors of the Company think fit be less than the nominal amount thereof and any stock not then sold shall be again offered to the holders of ordinary stock at the last-mentioned reserve price and so from time to time until the whole of such stock is sold.

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

32. Any sum of money which shall arise by way of premium from the issue of any such stock 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 undertaking of the Company in respect of which the issue was made or in paying off money borrowed or owing on mortgage by the Company in respect of that undertaking and shall not be considered as part of the capital of the Company entitled to dividend.

Application
of premium
arising on
issue of
stock.

33. The Company may borrow on mortgage of the gas undertaking in respect of the original gas capital of six thousand pounds any sums not exceeding in the whole fifteen hundred pounds and on mortgage of the water undertaking in respect of the original water capital of six thousand pounds any sums not exceeding in the whole fifteen hundred pounds.

Power to
borrow in
respect of
original
capital.

34. The Company may subject to the provisions of this Act borrow on mortgage of the gas undertaking or the water undertaking any sum or sums not exceeding in the whole one-fourth part of the amount of the additional gas or water capital as the case may be by this Act authorised to be raised and at the time actually issued by stock But no part thereof shall be borrowed until the whole of the stock at the time issued together with the premium (if any) realised on the sale thereof shall have been fully paid up 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 such stock and premium (if any) have been issued

Power to
borrow in
respect of
additional
capital.

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As to conversion of borrowed money into capital.

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

For appointment of a receiver.

36. 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. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds.

Debenture stock.

37. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages 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* and shall have priority over all principal moneys secured by such mortgages and charged upon the same undertaking. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Priority of mortgages and debenture stock over other debts.

38. All moneys raised on mortgage by the Company under this Act and the interest due thereon and the interest due on debenture stock created and issued under this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of debts incurred or engagements entered into by the Company after the passing of this Act. But this priority shall not affect any claim against the Company in respect of any rentcharge to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease to be granted or made to the Company by any person in pursuance of any Act relating to the Company which is entitled to rank in priority to or *pari passu* with the interest or dividends on the mortgages or debenture stock nor shall it affect any mortgage or debenture of the Limited Company existing at the passing of this Act.

39. Any mortgages of the Company charged on the water undertaking or gas undertaking and any debts of the Company relating to the affairs of either of the said undertakings shall be charged upon and payable out of the assets of the Company.

Mortgages to be charged upon and payable out of assets of Company.

40. All moneys raised under this Act whether by stock shares debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable.

Application of moneys.

41. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

First ordinary meeting.

42. At all general meetings of the Company every shareholder shall have one vote for every ten pounds of stock (not being debenture stock) held by him.

Votes at meetings.

43. The number of directors shall be three but the Company may at the first or any subsequent meeting vary the number provided that the number be not less than three or more than seven.

Number of directors.

44. The qualification of a director shall be the possession in his own right of not less than five hundred pounds of stock not being debenture stock.

Qualification of directors.

45. The quorum of a meeting of directors shall be three.

Quorum of directors.

46. Robert Arthur Read George Franklin Browne and Francis Claughton Mathews shall be the first directors of the Company and shall continue in office until the first ordinary meeting held in the year next after the passing of this Act At that meeting the shareholders present in person or by proxy may (subject to the power herein-before contained for varying the number of directors) either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or may elect directors to supply the place of those not continued in office the directors appointed by this Act being (if they continue qualified) eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

First directors.

Election of directors.

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Contracts
not to
disqualify for
office of
director.

47. Any contract to be made under this Act with any public body shall not disqualify any of the members of such public body for the office of director of the Company but no director of the Company being a member of any such public body shall vote upon any question with reference to any contract with such public body.

Power to
maintain
waterworks.

48. Subject to the provisions of this Act the Company may continue and maintain the existing waterworks of the Limited Company and also on any lands now belonging to them or acquired under the powers of this Act maintain all such wells adits culverts drains tanks water-towers filters walls approaches engines machinery and appliances as may be necessary or expedient in connexion with the water undertaking or for obtaining and distributing water for the purposes of that undertaking.

Power to
take ease-
ments &c. by
agreement.

49. 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 persons other than the grantors 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.

As to
pressure.

50. The Company shall not be required to supply water in any case at a pressure greater than that to be afforded by gravitation from the existing works of the Company.

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

51. Subject to the provisions of this Act the Company may supply water for other than domestic purposes on such terms and conditions as the Company think fit and may enter into agreements for the supply of water by measure either for domestic or other purposes Provided that such supply for other than domestic purposes shall not at any time interfere with the supply for domestic purposes throughout the limits of supply of the Company.

Power to sell
or let meters.

52. The Company may sell and dispose of meters and meter fittings upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit and may let for hire any meters supplied and any fittings therefor for such remuneration in money and on such terms and conditions with respect to the repair maintenance and protection of such meters and meter fittings and for securing safe access to and the safety and return to the Company of such meters and meter fittings as the Company may

prescribe or as may be agreed upon between the hirer and the Company and such remuneration shall be recoverable in the same manner as rates rents or charges due to the Company in respect of water or gas as the case may be.

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53. Every consumer of water of the Company shall at all times at his own expense keep all meters belonging to him whereby any water of the Company is registered in proper order for correctly registering such water in default whereof the Company may cease to supply water through such meters and the Company shall at all reasonable times have access to and be at liberty to take off remove test inspect and replace any meter belonging to a consumer such taking off removal testing and inspecting and replacing to be done at the expense of the Company if the meter be found in proper order but otherwise at the expense of the consumer.

Repair of
meters.

54. The Company after forty-eight hours' notice in writing under the hand of the secretary or some other officer of the Company to the occupier or if there is no occupier then to the owner or lessee of any building or lands in which any pipe meter or fitting belonging to the Company is laid or fixed and through or in which the supply of water is from any cause other than the default of the Company discontinued for not less than forty-eight consecutive hours may enter such building or lands between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damages caused by such entry or removal.

Power to
remove
meters and
fittings.

55. The Company may if requested by any person supplied or about to be supplied or any of whose property or premises is supplied or is about to be supplied by them with water furnish to him and renew repair or alter any such cisterns pipes valves ferrules cocks baths soil-pans and water-closets apparatus receptacles fittings and appliances as are required or permitted by their byelaws in connexion with such supply and may provide all materials and do all work necessary or proper in that behalf and the reasonable charges of the Company in providing such materials and executing such work shall be paid by the person requiring the same.

Power for
Company to
supply
materials &c.

56. For preventing waste misuse undue consumption or contamination of the water of the Company the following provisions shall have effect (that is to say):—

Byelaws for
preventing
waste &c. of
water.

- (1) The Company may make byelaws for the purpose of preventing the waste undue consumption or misuse or contamination of

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water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connexion disconnexion alteration and repair of the pipes meters cocks ferrules valves soil-pans water-closets baths tanks cisterns and other apparatus fittings means contrivances receptacles or appliances whatsoever to be used and forbid any arrangements and the use of the several things before mentioned or any or either of them which may lead to such waste or undue consumption misuse erroneous measurement or contamination :

- (2) No such byelaws shall be of any force or effect except within such part or parts of the district which the Company for the time being are bound to supply and do in fact supply or are prepared on demand to supply with water under constant pressure :
- (3) All such byelaws shall be subject to the provisions contained in sections 182 183 184 and 186 of the Public Health Act 1875 and all penalties imposed for the breach of any such byelaws shall be recoverable in manner provided by that Act for the recovery of penalties and those sections shall for the purposes of this section be construed as if the Company were a local authority within the meaning of those sections and the secretary of the Company were the clerk of the local authority :
- (4) A copy of all such byelaws in force for the time being shall be kept at the office of the Company All persons may at all reasonable times inspect such copy without payment and the Company shall cause to be delivered a printed copy of all byelaws for the time being in force to every person applying for the same on payment of a sum not exceeding twopence for each copy :
- (5) In case of failure of any person to observe such byelaws as are for the time being in force the Company may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe meter valve cock ferrule tank cistern bath soil-pan water-closet or other apparatus means contrivance or receptacle fittings or appliances belonging to or used by such person 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 water rates are recoverable :
- (6) Any person who shall offend against any such byelaws shall (without prejudice to any other right or remedy for the protection of the Company) be liable to a penalty not exceeding

five pounds for each offence and to a further daily penalty not exceeding forty shillings for each day or part of a day such offence shall occur after conviction therefor and the Company may in addition thereto recover the amount of any damages sustained by them.

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57. Any byelaws which the Company submit to the Local Government Board for confirmation under the last preceding section shall specify the part or parts of the district to which such byelaws shall apply and after such byelaws (either in their original or in any modified form) have been confirmed by that Board the Company shall thenceforth be bound to supply with water under constant pressure the part or parts of the district specified in the byelaws so confirmed.

When byelaws confirmed Company bound to supply under constant pressure.

58. Subject to the provisions of this Act the Company may from time to time maintain alter improve enlarge extend and renew or discontinue the gasworks upon the lands on which the same are erected or any part thereof and which are firstly described in the schedule to this Act and also upon the other lands secondly described in such schedule if and when they are acquired by the Company and they may also erect lay down provide maintain alter improve enlarge extend and renew or discontinue additional and other gasworks retorts gasometers receivers drains sewers mains pipes meters lamps lamp-posts burners stop-cocks machinery and other works and apparatus and conveniences and may do all such acts as they may think proper for making and storing gas and for supplying gas within the limits of this Act and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar pitch asphaltum ammoniacal oil and all other products or residuum of any materials employed in or resulting from the manufacture of gas and also meters fittings tubes pipes and other articles and things in any way connected with gasworks or with the supply of gas as they may from time to time think fit.

Powers as to construction and maintenance of gasworks &c.

59. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in the schedule to this Act any lands not exceeding in the whole twenty acres which the Company may from time to time require for the purposes of their works and undertaking and any right or easement (not being an easement right or privilege of water in which persons other than the grantors have an interest) in over or under any lands but the Company shall not create or permit a nuisance on any lands purchased by agreement

Power to purchase lands by agreement.

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under the powers of this section and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Act nor shall they use for any building purpose unconnected with their undertaking any land acquired under the powers of this section.

Company
may dispose
of lands not
required.

60. The Company may demise and lease for any term not exceeding seven years in possession and also either before or after making any demise and lease thereof absolutely sell and dispose of to such persons and in such manner as the Company think fit any lands houses and property for the time being belonging to the Company which they do not require for the purposes of their undertaking (subject nevertheless 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) and on the lease or sale by the Company of any such lands houses and property they may reserve to themselves all or any part of the water or water rights or other easements belonging thereto and may make the lease or sale subject to such reservations accordingly and may also make any such lease or 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.

Reservation
of water
rights &c.
on sale.

Restriction
on taking
houses of
labouring
class.

61. The Company shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purpose of this section the expression "labouring class" means mechanics artisans 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.

Company
may contract
with local
authority and
others for
supply of gas
in bulk.

62. The Company may contract with any local authority company or person whether within or beyond the Company's limits of supply (but as to any such authority company or person beyond the Company's limits of supply only with the consent in writing of the local authority of and of any company authorised by special

Act or Provisional Order confirmed by Parliament to supply gas within the district within which the supply is to be given) for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon.

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63. The Company may enter into and carry into effect agreements with the county council of Norfolk and with any district council or person for the supply by the Company to the said county council and to any such district council or person respectively of water in bulk whether within or without the limits of supply Provided that such supply of water do not at any time interfere with the supply of water for domestic purposes within the limits of supply and provided further that the powers of this section shall not be exercised within the limits of supply of any company or local authority authorised by Act of Parliament or Provisional Order confirmed by Act of Parliament to supply water without the consent in writing of such company or local authority.

Contracts for supplying water for public purposes.

64. The Company shall deliver to the registrar of joint stock companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

Act to be registered by registrar of joint stock companies.

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

Costs of Act.

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The SCHEDULE referred to in the foregoing Act.

SCHEDULE OF GAS LANDS.*Site of existing Works.*

A piece of land in the parish of Sheringham containing one rood and sixteen perches or thereabouts belonging or reputed to belong to the Company forming the site of their present gasworks.

Additional Site.

A piece of land in the parish of Sheringham containing one acre one rood and eight perches or thereabouts adjoining and on the south side of the present works bounded on the east by land of the Sheringham and Caister Hotels and Land Company Limited and on the south and west by land of Henry Morris Upcher.

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