



CHAPTER clx.

An Act for authorising the Matlock Urban District Council to acquire the water undertaking of the Matlock Waterworks Company Limited and to construct waterworks and for making further and better provision for the local government of the District and for other purposes. A.D. 1898.

[25th July 1898.]

**W**HEREAS the district of Matlock in the county of Derby (in this Act called "the district") is an urban district within the meaning of the Local Government Act 1894 and is under the control and management of the Matlock Urban District Council (in this Act called "the Council"):

And whereas by the Matlock Waterworks Act 1860 (in this Act called "the Act of 1860") the Matlock Waterworks Company (in this Act called "the Company") were incorporated and empowered to construct works for supplying the parish of Matlock in the county of Derby as it then existed with water:

And whereas by the Matlock Waterworks Act 1881 (in this Act called "the Act of 1881") the Company were authorised to take by agreement additional lands and to raise additional capital and to borrow further money:

And whereas in the year 1887 the Company were registered as a limited company under the Companies Acts 1862 to 1880 under the title of the Matlock Waterworks Company Limited:

And whereas by the Matlock Water Order 1891 (in this Act called "the Order of 1891") the Company were authorised to raise additional capital:

And whereas the Company under the powers of the aforesaid Acts and Order are now supplying water within the district:

And whereas the Company have raised the whole of their share capital as authorised by the Acts of 1860 and 1881 and the Order of 1891:

A.D. 1898.

And whereas the Company have issued no debentures or debenture stock neither have they exercised any of the borrowing powers conferred upon them by the Acts of 1860 and 1881 and the Order of 1891 :

And whereas it is expedient that provision be made for transferring to the Council the undertaking of the Company and that the Council should have the powers of the Company except as herein-after provided :

And whereas it is expedient that the agreement between the Council and the Company as set forth in the Second Schedule to this Act should be confirmed :

And whereas it is expedient that the Council should be empowered to construct further waterworks and to purchase and hold lands and to exercise the powers in this Act contained for the prevention or regulation of any act or thing tending to the pollution of any waters which the Council are authorised to take or impound and otherwise for the prevention of nuisances and protection of the waterworks herein-after described :

And whereas it is expedient that powers be conferred upon the Council as in this Act appears in relation to the supply of water :

And whereas it is expedient that the Council should make provisions with respect to the maintenance and use of the Bridge House at Matlock belonging to the Council as a town hall and for other purposes :

And whereas it is expedient to extend the powers of the Council in respect of the management and regulation of the parks pleasure grounds streets and buildings within the district :

And whereas it is expedient that the Council be authorised to borrow money and to apply their funds for the purposes of this Act :

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

And whereas in addition to the moneys that will be required for the purchase of the undertaking of the Company estimates have been prepared by the Council for the purchase of land for and the execution of the works by this Act authorised and for the purchase of land in the drainage area and for the general purposes of the said undertaking and such estimates are as follow :—

For waterworks purposes	- - - - -	£48,000
For town hall	- - - - -	£2,000

and the several works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 :

A.D. 1898.

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 the 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 Derby and are in this Act referred to as the deposited plans sections and book of reference :

And whereas an absolute majority of the whole number of the Council at a meeting held on the first day of November one thousand eight hundred and ninety-seven after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the High Peak News a local newspaper circulating in the district such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the general district rate :

And whereas such resolution was published twice in the Derbyshire Times a newspaper circulating in the district and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held in pursuance of a similar notice on the eighth day of January one thousand eight hundred and ninety-eight being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the district by resolution in the manner provided in the third schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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) :—

#### PART I.—PRELIMINARY.

1. This Act may be cited as the Matlock Urban District Council Act 1898. Short title.

2. This Act is divided into parts as follows :—

Part I.—Preliminary.

Part II.—Purchase of the Company's undertaking.

Part III.—Water.

Part IV.—Town hall.

Division of  
Act into  
parts.



A.D. 1898.

- Part V.—Parks streets and buildings.  
 Part VI.—Advertisements.  
 Part VII.—Finance and borrowing.  
 Part VIII.—Miscellaneous.

Provisions  
of certain  
general Acts  
incorporated.

3. The following Acts and parts of Acts (so far as the same 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 Waterworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and except section 83 relating to accounts) and for the purpose of incorporation with this Act section 44 of the Waterworks Clauses Act 1847 shall be read and have effect as if the words “with the consent in writing of the owner or “reputed owner of any such house or of the agent of such “owner” were omitted from such section:

The Waterworks Clauses Act 1863.

Interpreta-  
tion.

4. The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same meanings unless there is something in the subject or context repugnant to such construction:

Provided that in the Acts wholly or partially incorporated with this Act for the purposes of this Act—

The expressions “the Undertakers” and “the Company” mean the Council:

And in this Act unless the context otherwise requires—

“The district” means the urban district of Matlock;

“The Council” means the Matlock Urban District Council;

“The Company” means the Matlock Waterworks Company Limited;

“The district fund” and “the general district rate” mean respectively the district fund and general district rate of the district;

“The Acts of 1860 and 1881” mean respectively the Matlock Waterworks Acts 1860 and 1881;

“The Order of 1891” means the Matlock Water Order 1891;

“The undertaking of the Company” means and includes the waterworks and all plant apparatus and works connected therewith and all property real and personal of the Company mentioned in the agreement set forth in the Second Schedule to this Act and all easements rights powers authorities and

privileges enjoyed or exerciseable by the Company under the Acts of 1860 and 1881 and the Order of 1891 as such works plant apparatus property easements rights powers authorities and privileges shall exist on the first day of July one thousand eight hundred and ninety-eight and also all contracts and benefits of contracts (such contracts being in subsistence on the first day of July one thousand eight hundred and ninety-eight) and all registers books accounts maps and documents relating to the Company's undertaking ;

“ The date of completion ” means the date when the purchase money shall be actually paid ;

“ The water undertaking ” means the water undertaking of the Council under this Act ;

“ Water revenue ” means and includes all moneys received by the Council for or in relation to the water undertaking other than borrowed moneys and other moneys which ought to be carried to the account of capital ;

“ Skysign ” means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard tower chimney framework or other support wholly or in part upon over or above any house building or erection which or any part of which skysign shall be visible against the sky from any point in any street or public way and includes all and every part of any such post pole standard tower chimney framework or other support The expression skysign shall also include any balloon parachute or similar device employed wholly or in part for the purpose of any advertisement or announcement on over or above any house building erection street or public way but shall not be deemed to include :—

(1) Any flagstaff or pole or any vane or weathercock unless adapted or used wholly or in part for the purposes of any advertisement or announcement ;

(2) Any sign on any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building on the cornice or blocking course of any wall or to the ridge of a roof provided that such board frame or other contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported ;



A.D. 1898.

(3) Any such word letter model sign device or representation as aforesaid which relates exclusively to the business of a railway company and which is placed or may be placed wholly upon or over any railway station yard platform or station approach belonging to a railway company and which is also so placed that it could not fall into any street or public place;

“Daily penalty” means a penalty for each day on which any offence is continued after conviction thereof:

Unless the subject or context otherwise requires the words and expressions to which meanings are assigned by the Public Health Act 1875 have in this Act the same respective meanings.

Execution  
of Act.

5. This Act shall be carried into execution by the Council.

## PART II.—PURCHASE OF THE COMPANY'S UNDERTAKING.

Water  
limits of  
the Council.

6. The limits of this Act for the supply of water shall be the parish of Matlock as it existed at the date of the passing of the Act of 1860 Provided that the Council shall not supply water within such portion of their said limits as is within the urban district of Matlock Bath and Scarthin Nick unless with the consent of the Matlock Bath and Scarthin Nick Urban District Council under their common seal.

Agreement  
between  
Company  
and Council  
confirmed.

7. The agreement dated the third day of January one thousand eight hundred and ninety-eight and made between the Company of the one part and the Council of the other part as set forth in the Second Schedule to this Act is hereby subject to the provisions of this Act ratified and confirmed and made binding on both parties thereto and may and shall be carried into effect according to the true intent and meaning thereof.

Transfer to  
be by deed.

8. The sale of the undertaking of the Company shall be carried into effect by a deed of conveyance duly stamped and truly stating the consideration which deed may be in the form set forth in the First Schedule to this Act or to the like effect with such variations and additions as circumstances may require.

Copy of  
Act to be  
registered.

9. The Council shall forward to the Registrar of Joint Stock Companies a printed copy of this Act and it shall be recorded by him and if such copy is not forwarded within three months from the passing of this Act the Council shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the copy is omitted to be forwarded and every penalty shall be recovered summarily.

10. The Act of 1860 the Act of 1881 and the Order of 1891 shall as from the date of completion be repealed except so far as may be necessary to give effect to the provisions of this Act and except the sections of the Act of 1860 set forth in the Fourth Schedule to this Act which sections shall apply and have effect as if the Council were therein referred to instead of the Company.

A.D. 1898.  
Repeal of  
Company's  
Acts and  
Order with  
certain  
savings.

11. If at the date of completion any action or proceeding or any cause of action or proceeding is pending or existing by or against or in favour of the Company the same shall not abate or be discontinued or be in any wise prejudicially affected by reason of the transfer or of anything in this Act but the same may be continued prosecuted and enforced by or against or in favour of the Council as and when it might have been continued prosecuted and enforced by or against or in favour of the Company if this Act had not been passed.

Pending  
actions &c.  
by or against  
Company.

12. All agreements conveyances contracts deeds and other instruments entered into or made with or by the Company and in force at the date of completion shall be as binding and of as full force and effect in every respect against or in favour of the Council and may be enforced as fully and effectually as if instead of the Company the Council had been a party thereto.

Contracts of  
Company to  
be binding  
on Council.

13. The receipt in writing of three of the directors of the Company for any money to be paid to the Company by the Council shall effectually discharge the Council from the sum which in such receipt shall be acknowledged to have been received and from being concerned to see to the application thereof and from being answerable or accountable for the loss mis-application or non-application thereof:

Receipt for  
purchase  
money.

Provided that if from any cause the Council are unable to obtain such receipt they may pay the amount under this Act into the Bank of England in the name of the Paymaster-General for and on behalf of the Supreme Court to an account to be opened in the matter of this Act and a receipt shall be given to the Council by the cashier of the said bank for the said sum which shall have the same effect as the receipt of such three directors.

14. The several persons who appear in the books of the Company at the date of completion to be proprietors of shares or stocks in the capital of the Company shall unless the contrary is proved to the satisfaction of the directors thereof be considered to be shareholders or stockholders thereof for the purposes of the distribution of the Company's assets.

Company's  
books  
evidence as  
to share-  
holders.

A.D. 1898.

Application  
of purchase  
money.

**15.** The purchase money to be paid by the Council and all other moneys belonging to the Company shall be applied by the directors in the manner following:—

(1) In discharging all outstanding debts and liabilities of the Company including any moneys which the directors of the Company may have expended or become personally liable for on behalf of the Company and the costs of the Company of and incidental to the sale of the undertaking and to the winding up and dissolution of the Company :

(2) In making a rateable division of the residue amongst the holders of the shares or stock of the Company in proportion to the amount paid up on their several holdings :

And the directors may exercise all powers and do all acts necessary or proper for the foregoing purposes respectively and for winding up the affairs of the Company.

Payment  
into court by  
directors.

**16.** Where the directors of the Company are for twelve months after the date of completion unable after diligent enquiry to ascertain the person to whom any part of the purchase money or other moneys of the undertaking of the Company are payable or when any part thereof is payable to a person by or on behalf of whom an effectual receipt cannot be given the directors may pay the same into the High Court or if not exceeding five hundred pounds into the county court of Derbyshire holden at Wirksworth under any Act for the time being in force for the relief of trustees.

Winding up  
and dissolu-  
tion of  
Company.

**17.** When and as soon as the moneys aforesaid have been distributed by the directors of the Company and all debts and liabilities of the Company have been paid and satisfied and the affairs of the Company have been completely wound up the Company shall be by virtue of this Act dissolved.

## PART III.—WATER.

Power to  
make water-  
works.

**18.** Subject to the provisions of this Act the Council may maintain repair improve alter enlarge and continue or discontinue all or any of the existing waterworks of the Company and may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the works following (that is to say):—

(1) A reservoir ("the Cuckoostone Reservoir") to be wholly situate in the parish and urban district of Matlock to be formed by means of an embankment across the stream called Bentley Brook at a point on the said stream seventeen and a half chains or thereabouts measured in a direct line in a south-easterly



direction from the north-westerly corner of the barn attached to Cuckoostone House which reservoir will extend from the said embankment in a north-westerly direction to a point seventeen chains or thereabouts on the Bentley Brook measured in a direct line in a north-easterly direction from the said north-westerly corner of the said barn at Cuckoostone House the said embankment will extend from the centre of Bentley Brook for a distance of nine chains or thereabouts in a north-easterly direction and for a distance of twelve chains or thereabouts in a south-westerly direction :

A.D. 1898;

- (2) An aqueduct conduit or line of pipes (Pipe line No. 1) commencing in the said parish and urban district of Matlock in the Cuckoostone Reservoir near the embankment thereof and terminating in the said parish and urban district in the public road known as Willersley Road opposite to the entrance gate to Parkfield at a point fifteen chains or thereabouts measured in a southerly direction along the said road from the southerly corner of the Starkholmes post office :

Together with all cuts channels adits catchwaters aqueducts culverts tunnels drains junctions sluices byewashes weirs gauges tanks wells filter bed filters embankments dams retaining walls bridges road diversions road approaches and other roads and communications engines engine houses mains pipes pumps and other apparatus machinery and appliances necessary or convenient in connection with the before-mentioned works or for the effectual construction maintenance and use of the said works or incidental thereto and for collecting impounding conveying and distributing water.

**19.** Subject to the provisions of this Act the Council may enter upon take and use such of the lands shown on the deposited plans and described in the deposited book of reference as may be required for the purposes of this Act and they may by and in the works authorised by this Act or any enlargement thereof or any waterworks for the time being belonging to the Council take intercept divert collect impound appropriate and use for the purposes of the water undertaking all or any of the waters of the following streams cuts or gutters (that is to say) The Bentley Brook and the several tributaries rivulets watercourses and springs which now flow into the said brook cuts or gutters above the site of the embankment of the said Cuckoostone Reservoir or which may be taken or intercepted by the said reservoir and other intended works which said waters now flow directly or derivatively into the Bentley Brook and all such streams springs and waters as may be found on in or under any of the lands for the time being belonging to or which may be acquired by the

Power to  
take lands  
and waters.

A.D. 1898. Council or over or in respect of which they have or may acquire easements all of which streams springs and waters flow into the River Derwent.

Powers for repair of reservoir and aqueducts and temporary discharge of water into streams.

**20.** For the purpose of executing any necessary work of repair or of cleansing or of examining a reservoir aqueduct conduit or other works by this Act authorised or the existing or authorised reservoirs and works of the Company the Council may cause the water in any such reservoir aqueduct conduit or works to be temporarily discharged into any available stream or watercourse.

In the exercise of the power conferred by this section the Council shall do as little damage as may be and shall make full compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

Compensation water.

**21.** As full compensation to all persons for taking diverting collecting impounding and appropriating all or any of the waters of the Bentley Brook and its tributaries which are authorised to be taken by this Act the Council shall before commencing to use any of such waters for their own purposes and for ever afterwards cause to be discharged from the Cuckoostone Reservoir into the Bentley Brook not less than two hundred and nine thousand five hundred and sixty gallons of water per day of twenty-four hours in a regular and continuous flow.

Gauge to be constructed for measuring compensation water.

**22.** For the purpose of measuring the quantity of water to be so discharged into the Bentley Brook the Council shall cause to be erected a sufficient gauge to be made to the reasonable satisfaction of the several owners lessees and occupiers of mills and works and other persons interested in the waters which the Council are hereby authorised to take and use (herein-after referred to as "the millowners") or of an engineer to be appointed by them and the said gauge shall for ever after be maintained in a proper state of repair by and at the expense of the Council and to the reasonable satisfaction of the millowners or of such engineer.

Disputes as to gauge to be settled by an engineer.

**23.** In the event of any dispute at any time arising between the Council and the millowners or between their respective engineers as to the sufficiency or accuracy of the said gauge or as to its state of repair and condition such disputes shall be settled and determined by some hydraulic engineer on whom the parties shall agree or in default of agreement by an hydraulic engineer to be appointed by the President of the Institution of Civil Engineers on the application



of either of the parties and the order or award of such engineer shall be final and binding on the parties. A.D. 1898.

24. The millowners and their officers or servants duly authorised on producing their authority if required shall at all reasonable times have the right of access to the said gauge for the purpose of ascertaining the state of repair and efficiency thereof and of gauging measuring and ascertaining the quantity of water from time to time passing over or through the same. Millowners and their officers may inspect gauge.

25. If at any time the Council fail to cause to pass through or over the said gauge the quantity of compensation water which they are by this Act required to discharge out of the Cuckoostone Reservoir into the Bentley Brook in manner herein-before provided they shall for each and every day during which such failure shall have occurred forfeit and pay to the occupier of every mill or works below the said gauge who shall sue for the same in any court of competent jurisdiction within one month after such failure shall have occurred the sum of five pounds in respect of any one day on which such failure shall occur. Penalty in case Council fail to supply the stipulated quantity of compensation water.

26. Nothing in this Act shall authorise the Council by means of any shafts drifts adits or other subterranean works to take intercept or interfere with the springs and waters rising or issuing in enclosure No. 1152 on the  $\frac{1}{2500}$  Ordnance map (Derbyshire) sheet xxix.10 dated 1892 at a level nine hundred feet above Ordnance datum. For protection of North Darley Urban District Council.

27. Nothing in this Act shall authorise the Council to take or use any springs or waters rising in or issuing out of any lands situate below the site of the said embankment of the said Cuckoostone Reservoir and being within the limits of deviation shown on the deposited plans. For protection of mill-owners &c. on Bentley Brook.

28. The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof shall apply to the Council and also to the works authorised by this Act and expressions referring to the centre of the railway shall mean in the case of the embankment authorised by this Act the centre line thereof and in the case of the reservoir authorised by this Act the top water contour thereof as shown on the deposited plans. Temporary occupation of lands during construction of works.

29. And whereas in the construction of the works hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the lands and houses or other buildings shown on the deposited plans may be sufficient for the purposes Owners may be required to sell parts only of certain lands



A.D. 1898.  
and build-  
ings.

of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto. Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings described in the Third Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Council the portions only of the premises so required without the Council being obliged or compellable to purchase the whole or any greater portion thereof the Council paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise.

Power to  
hold lands  
and exer-  
cise powers  
for protec-  
tion of  
water and  
waterworks.

**30.**—(1) The Council may hold any lands within the drainage area acquired by them under the powers of this Act and which may in their opinion be necessary for the purpose of protecting their waters and waterworks against pollution nuisances encroachment or injury and so long as such necessity shall in the opinion of the Council continue such lands shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts.

(2) The Council may in and upon the lands so acquired construct and lay down drains sewers watercourses buildings and other works and conveniences necessary or proper for the purpose of intercepting and taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the waters which the Council are empowered to take or impound from being polluted fouled contaminated or discoloured or otherwise necessary or proper for managing and controlling the waters and waterworks of the Council and the Council may for the purposes aforesaid carry any such drain sewer or watercourse under across and along any street or road within or adjoining the lands in the drainage area subject and according to the provisions of the Waterworks Clauses Act 1847 incorporated with this Act but the Council shall not deal with any such lands so as to create or permit a nuisance or erect any buildings on the lands while so held by them except offices or dwellings for persons in their employ and such buildings and works as may be incident to or connected with their waterworks.

Reservation  
of water  
rights &c.  
on sale.

**31.** The Council on selling any lands acquired for or in connexion with their water undertaking and not required for that purpose may reserve to themselves all or any part of the water rights or

A.D. 1898.

other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Constant  
supply and  
pressure.

**32.** The water to be supplied by the Council shall be constantly laid on under pressure but the Council shall not be required to supply water in any case at a greater elevation than can be reached by gravitation from the point at which the water is discharged from the reservoir affording the supply Provided that nothing in this section shall operate against any proceedings which may be taken on a complaint made to the Local Government Board under section 299 of the Public Health Act 1875.

Rates at  
which water  
is to be  
supplied for  
domestic  
purposes.

**33.** Subject to the provisions of this Act the Council shall on the application of any person who under the provisions of this Act shall be entitled to demand a supply of water for domestic purposes furnish to such person a sufficient supply of water for domestic purposes at rates according to the rateable value of his dwelling-house or part of a dwelling-house not exceeding the following (that is to say) :—

Where the rateable value of the premises so supplied with water shall not exceed five pounds at a rate not exceeding twopence per week ;

Where such rateable value shall exceed five pounds and shall not exceed ten pounds at a rate not exceeding threepence per week ;

Where such rateable value shall exceed ten pounds and shall not exceed twenty pounds at a rate per annum not exceeding ten per centum on such rateable value ;

Where such rateable value shall exceed twenty pounds and shall not exceed thirty pounds at a rate per annum not exceeding eight and a half per centum on such rateable value ;

Where such rateable value shall exceed thirty pounds and shall not exceed forty pounds at a rate per annum not exceeding eight per centum on such rateable value ;

Where such rateable value shall exceed forty pounds and shall not exceed fifty pounds at a rate per annum not exceeding seven and a half per centum on such rateable value ;

Where such rateable value shall exceed fifty pounds and shall not exceed sixty pounds at a rate per annum not exceeding seven per centum on such rateable value ;

Where such rateable value shall exceed sixty pounds and shall not exceed seventy pounds at a rate per annum not exceeding six and a half per centum on such rateable value ;



A.D. 1898.

Where such rateable value shall exceed seventy pounds at a rate per annum not exceeding six per centum on such rateable value :

Provided that when the water rate is chargeable on the rateable value of a part only of any premises entered in the valuation list or poor rate such rateable value shall be a fairly apportioned part of the rateable value of the whole premises ascertained as herein-after mentioned the apportionment in case of dispute to be determined by two justices :

Provided also that the Council shall not be entitled in any case to demand for the water rate for any house or part of a house included in any division of the above scale a greater sum of money than they would be entitled to demand if such a house or part of a house were of just sufficient value to bring it within the next division of the said scale relating to premises of a higher rateable value whereon the lower rate per centum per annum is chargeable :

For the purposes of this section the rateable value shall be the rateable value as ascertained by the valuation list in force at the commencement of the quarter in which the water rate accrues or if there is no such list in force by the last rate made for the relief of the poor.

Rates for  
waterclosets  
and baths.

**34.** The Company may charge in any one year in respect of the first bath the sum of ten shillings and in respect of every watercloset beyond the first and of every bath beyond the first in or belonging to any private dwelling-house the sum of five shillings.

As to supply  
of water by  
meter.

**35.** Subject to the provisions of this Act the Council may supply water by meter or otherwise for other than domestic purposes and may enter into agreements accordingly and they shall at the request of the owner or occupier of any premises within the limits of this Act furnish to him by meter a sufficient supply of water for manufacturing trade or business purposes used or consumed in any one quarter at rates per quarter not exceeding the following (that is to say) :—

Two shillings per one thousand gallons up to five thousand gallons ;

One shilling and ninepence per one thousand gallons of the excess beyond five thousand gallons up to ten thousand gallons ;

One shilling and sixpence per one thousand gallons of the excess beyond ten thousand gallons up to twenty thousand gallons ;

One shilling and threepence per one thousand gallons of the excess beyond twenty thousand gallons up to fifty thousand gallons ;



One shilling per one thousand gallons of the excess beyond fifty thousand gallons up to one hundred thousand gallons ;

Elevenpence per one thousand gallons of the excess beyond one hundred thousand gallons up to two hundred and fifty thousand gallons ;

Ninepence halfpenny per one thousand gallons of the excess beyond two hundred and fifty thousand gallons up to five hundred thousand gallons ;

Eightpence per one thousand gallons of the excess beyond five hundred thousand gallons :

The rates and charges for any supply under the provisions of this section shall be paid quarterly on the same quarter days as the water rate payable for a supply of water otherwise than by meter and the first quarterly supply shall be considered as ending on the first quarter day next following the day on which such supply was first given :

No person shall under this section be entitled to a supply for other than domestic purposes whenever and so long as the Council are of opinion that the same would interfere with the supply for domestic purposes.

**36.** Every person using for other than domestic purposes any water of the Council without having previously agreed with them for a supply of water for other than domestic purposes or any person using for any purpose other than the purposes so agreed on any water so supplied by the Council shall for every such offence forfeit and pay to the Council any sum not exceeding five pounds.

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

**37.** The Council may on the application of the owner or occupier of any premises abutting on or being erected in any street or road laid out but not dedicated to public use supply such premises with water and may lay in across or along such street or road such pipes and apparatus as may be requisite or proper for the furnishing of such supply.

Power to lay pipes in streets not dedicated to public use.

**38.** In cases in which the Council supply water by meter the following provisions shall have effect :—

As to water meters.

(1) The register of any meter shall be *primâ facie* evidence of the quantity of water consumed by any customer of the Council in respect of which any water rate or rent is charged and sought to be recovered by the Council :

(2) If any person wilfully fraudulently or by culpable negligence injures or suffers to be injured any meter or fitting belonging to the Council or fraudulently alters the index to any meter or fraudulently prevents any such index from duly registering the quantity of water supplied he shall for every such offence be

A.D. 1898.

liable to a penalty not exceeding five pounds and the Council may in addition thereto recover the amount of any damages sustained by them :

- (3) The existence of artificial means for causing such alteration or prevention when such pipe meter or fitting is under the custody or control of the consumer shall be *prima facie* evidence that the same has been fraudulently caused by the consumer using such pipe meter or fitting.

Council not bound to supply several houses by one pipe.

**39.** The Council shall not be bound to supply more than one house by means of the same pipe and they may if they think fit require that a separate pipe be laid to each house supplied by them with water.

Byelaws for preventing waste &c. of water.

**40.** For preventing waste misuse undue consumption or contamination of the water of the Council the following provisions shall have effect:—

- (1) The Council may make byelaws for the purpose of preventing the waste undue consumption or misuse or contamination of water and amongst other things may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of the ferrules pipes meters cocks valves soil-pans waterclosets 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 of the limits of this Act as the Council 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 and unless and until the same shall have been submitted to and confirmed by the Local Government Board who are hereby empowered to confirm the same :
- (3) All such byelaws shall be subject to the provisions contained in sections 182 to 186 of the Public Health Act 1875 (except so much thereof as relates exclusively to byelaws of a rural authority) 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 :
- (4) In case of failure by any person to observe such byelaws as are for the time being in force the Council may if they think fit after twenty-four hours notice in writing between the hours

of ten in the morning and four in the afternoon 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 watercloset 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 Council by the person on whose credit the water is supplied and may be recovered by them as water rent is recoverable :

A.D. 1898.

- (5) Any person who shall offend against any such byelaws shall (without prejudice to any other right or remedy for the protection of the Council or punishment of the offender) 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] on which such offence shall occur after conviction thereof and the Council may in addition thereto recover the amount of any damage sustained by them.

41. Until the byelaws referred to in the section of this Act the marginal note whereof is "Byelaws for preventing waste &c. of water" shall come into force and have effect the regulations made by the Company and in force at the passing of this Act shall continue in force the Council being substituted therein for the Company Provided that the Council shall within twelve months from the date of completion submit to the Local Government Board for confirmation the byelaws referred to in the said section.

Regulations  
of Company  
continued.

42. In all cases in which any premises which shall have been supplied with water by the Council shall have become unoccupied for a space of forty-eight hours the Council their agents and workmen after giving forty-eight hours previous notice to the owner by serving the notice on him or sending the same by post addressed to him at his usual place of abode or business or if the owner or his usual place of abode or business be not known to the Council after inquiry by affixing the same for three days on some conspicuous part of such premises may enter into any such premises between the hours of nine of the clock in the forenoon and four of the clock in the afternoon for the purpose of cutting off any pipes by which the water of the Council shall be conveyed to such premises and may remove any pipe meter fittings or apparatus the property of the Council repairing and making good all damage that may be done by reason of such removal.

Entry on  
premises to  
cut off  
pipes after  
notice  
given.

43. A notice to the Council for the discontinuance of the supply of water shall not be of any effect unless it is in writing and left at or sent by prepaid letter to the office of the Council.

Notice of  
discontinu-  
ance.



A.D. 1898.

Power to  
deviate.

44. In the construction of any of the works authorised by this Act the Council may deviate laterally to any extent not exceeding the limits of the lateral deviation shown on the deposited plans and where in any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may deviate from the levels shown on the deposited sections to any extent downwards but not exceeding ten feet upwards Provided that no such deviation upwards shall cause any part of any conduit drain or pipe to be raised above the surface of any road or (except for the purposes of crossing any stream) above the surface of any ground Provided also that if it be found necessary or expedient in the construction of the reservoir by this Act authorised to alter the situation of any embankment they may within the limits of deviation thereof in the construction of such embankment and of the works connected therewith deviate vertically from the levels of such embankment reservoir and works as shown with reference to the datum line to any extent not exceeding twenty feet but the Council shall not construct the embankment of the said reservoir of a greater height above the general surface of the ground than that shown on the deposited sections of the intended embankment and three feet in addition.

Period for  
compulsory  
purchase of  
lands.

45. The powers of the Council for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

Time for  
completion  
of works.

46. If the works by this Act authorised are not completed within ten years from the passing of this Act then on the expiration of such 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 as are then completed.

Power to  
take addi-  
tional lands  
by agree-  
ment.

47. The Council may for any of the purposes of their water undertaking purchase by agreement any lands not exceeding ten acres but the Council shall not create or permit the creation or continuance of any nuisance on any such lands or use such lands for any buildings except offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their said undertaking.

Power to  
acquire  
easements  
only for  
aqueducts  
conduits  
tunnels or  
lines of  
pipes.

48. The Council may in lieu of acquiring any lands for the purpose of any aqueducts conduits tunnels or lines of pipes by this Act authorised acquire such easements and rights in such lands as they may require for the purpose of making maintaining cleansing repairing renewing and enlarging the aqueducts conduits tunnels or lines of pipes and may give notice to treat in respect of such

A.D. 1898.

easements and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts inclusive of those with regard to limited owners and to arbitration and the summoning of a jury shall apply to such easements and rights as fully as if the same were lands within the meaning of those Acts :

Provided that as regards any lands taken or used by the Council for the purpose of laying or constructing aqueducts tunnels conduits or pipes therein where such aqueducts tunnels conduits or pipes are laid or constructed underground the Council shall not (unless they give notice to treat for such lands and not merely for easements therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Council :

Provided also that nothing herein contained shall authorise the Council to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Council to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision.

**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 Council any easement right or privilege (not being an easement right or privilege of water in which other than the 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 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 take easements &c. by agreement.

**50.** All water supplied by the Council under this Act shall be properly and effectually filtered or otherwise treated so as to prevent it from acting on lead in such a manner as to endanger the health of the consumer Provided that in case the Council shall make default under this section they shall be liable to a penalty not exceeding ten pounds for every day during which such default shall continue and such penalty shall be recoverable summarily by any water consumer who is supplied with water by the Council or any person who pays or is liable to pay any money charged by the

For prevention of plumbism.



A.D. 1898. Council for or in respect of the supply of water whether under the name of rent rate or otherwise or who is a householder or owner or occupier of a house entitled to make a communication with the mains and pipes or by the county council of Derbyshire at the instance of any ten such consumers or persons :

Any person duly authorised by the county council of Derbyshire may at all reasonable times and after giving six hours' notice and on producing his authority if required to do so at the request of ten consumers enter on the property of the Council for the purpose of taking and carrying away samples of the water after filtration and any person who molests hinders or obstructs any such person in the performance of his duty under this section shall be liable to a penalty not exceeding five pounds for every such offence which shall be recoverable summarily by such person or by the said county council.

Correction of errors &c. in deposited plans and book of reference.

**51.** If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Council after giving ten days notice to the owners lessees and occupiers of the lands in question may apply to two justices for the county of Derby for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Derby and such certificate shall be kept by such clerk of the peace with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Council to take the lands and execute the works in accordance with such certificate.

Restriction on taking houses of labouring class.

**52.** The Council shall not under the powers of this Act purchase or acquire 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 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 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 such persons who may be residing with them. A.D. 1898.

#### PART IV.—TOWN HALL.

**53.** The Council may enlarge utilise fit up furnish add to and maintain the premises belonging to them and known at the time of the passing of this Act as the Bridge House at Matlock as a town hall and the said Bridge House shall be called and known by the name of the Matlock Town Hall. Town hall.

#### PART V.—PARKS STREETS AND BUILDINGS.

**54.** The Council may pay or contribute towards the payment of a band of music or other musical performance in any park or pleasure or recreation ground or building for the time being belonging to or held by the Council as they may see fit and the Council may enclose a small area within which such band shall play and may make byelaws for regulating the time and place for the playing of the band or for such musical performance the payments to be made for admission within the said enclosure and for securing good and orderly conduct during the playing of the band or during such musical performance Provided that the payments or contributions of the Council for or towards such band or musical performance shall be paid out of the general district rate and shall not in any one year exceed the sum of one hundred pounds. Band of music &c.

**55.** The Council may place or authorise any person or persons to place seats or chairs in any street park pleasure or recreation ground or other public place for the use of the public and may if they think fit charge or allow such person or persons to charge a reasonable sum for the use of seats and chairs and may make byelaws for regulating the use of seats and chairs and for preventing injury or damage thereto. Chairs and seats for public use.

**56.** The Council may appoint officers for securing the observance of this part of this Act and of the byelaws made thereunder and may procure such officers to be sworn in as constables for that purpose but no such officers shall act as constables unless in uniform or provided with a warrant. Power to appoint officers.

**57.** The powers of the Council under section 39 of the Public Health Act 1875 shall extend to authorise them to provide and maintain sanitary conveniences in or under any street and to provide Council may provide lavatories.

A.D. 1898. — and maintain lavatories in or under any street for the use of the public and to employ and pay attendants and to make reasonable charges for the use of any sanitary convenience (other than a urinal) or of any lavatory so provided and the Council may make byelaws for the management of such sanitary conveniences and lavatories and as to the conduct of persons frequenting the same.

Covered  
shelters.

**58.** The Council may provide place and maintain on any public road or place and on any land of the Council and with consent of the owners lessees and occupiers on any other land covered shelters for the protection of the public against wind and rain and may remove the same.

Public  
drinking  
fountains  
and water-  
ings for  
cattle &c.

**59.** The Council may when and as they think it expedient put up and continue and remove or discontinue drinking fountains and cattle troughs with proper conveniences for the gratuitous supply of water for drinking and for watering of cattle and horses at such fountains or troughs respectively and may furnish or discontinue such gratuitous supply (but for such drinking and watering only) in such public places as the Council may think fit but not against or in the immediate proximity of any private dwelling-house warehouse counting-house shop or other building or the fence or wall of any garden or pleasure ground except with the consent of the owner and occupier thereof and every person who shall wilfully use any water so gratuitously supplied elsewhere or otherwise than as herein-before mentioned or foul such water shall forfeit to the Council for every such offence a sum not exceeding forty shillings.

Fencing of  
vacant lands.

**60.** Where any vacant or waste lands adjacent to any street are in a state to cause a nuisance or danger to the public the Council may serve a notice on the owner or occupier requiring him within a time thereby limited to effectually fence the same and if the owner or occupier fails to comply with the requisitions of the notice or to keep such lands effectually fenced the Council may cause such lands to be effectually fenced or the fences thereof to be repaired and may recover the expense so incurred summarily as a civil debt or in any court of competent jurisdiction from the person making default.

Trees or  
shrubs over-  
hanging  
footpaths.

**61.** Where any tree hedge or shrub overhangs any public footpath so as to obstruct or to interfere with the light from any public lamp or to interfere with the free passage safety or comfort of passengers the Council may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the tree hedge or shrub



so as to prevent such obstruction or interference and in default of compliance with the notice may themselves carry out their requisitions doing no unnecessary damage. A.D. 1898.

**62.** It shall be lawful for the Council to fence round and enclose any portion of any street which is or may be planted with grass or used as an ornamental ground. Fencing of grass plots.

**63.** Any unfenced ground adjoining or abutting upon any street shall for the purposes of the Vagrancy Act 1824 or any Act for the time being in force altering or amending the same be deemed to be a public place. As to unfenced ground.

#### PART VI.—ADVERTISING.

**64.** After the passing of this Act it shall not be lawful to erect or fix upon or in connexion with any building or erection any sky-sign and it shall not be lawful to retain any sky-sign so erected and if any sky-sign be erected or retained contrary to the provisions of this Act it shall be lawful for the Council to take down and remove the sky-sign and to recover the expenses in relation thereto summarily : Prohibition of sky-signs.

Any person acting in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

**65.—(1)** It shall not be lawful in any street in the district to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Council which consent shall be in writing and may be for such time and contain such terms and conditions as the Council think fit. Restrictions on advertising vehicles and hoards

(2) Every hoarding board or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Council.

(3) It shall not be lawful after the passing of this Act to erect any hoarding board or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street or within twenty feet thereof without the consent of the Council and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such structure as the Council may determine.

(4) It shall not be lawful to retain any such hoarding board or similar structure which has been erected within six months immediately previous to the passing of this Act if the Council within

A.D. 1898. — one month after the passing of this Act shall give notice to the owner of such structure that they do not consent to its retention.

(5) The owner or other person using any hoarding wall or similar structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Council and if any papers or other materials affixed for advertising purposes to such hoarding wall or other structure shall fall away or become detached shall forthwith remove and clear away such papers or other materials.

(6) Any person who acts in contravention of any of the provisions of this section or who violates any conditions or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(7) Any consent or condition made under this section shall be under the hand of the clerk of the Council.

Provided that this section shall not apply to any board or similar structure or advertisement affixed to any railway station or premises of any railway company for the purposes of any such company.

Any person aggrieved by the refusal of the Council to grant such consent or by the conditions attached to such consent may appeal to a court of summary jurisdiction after the expiration of two clear days after the decision of the Council is notified to him provided he give twenty-four hours' written notice of such appeal and the grounds thereof to the clerk of the Council and the court shall have power to make such order as to them may seem fit and to award costs such costs to be recoverable in like manner as a penalty under this Act.

#### PART VII.—FINANCE AND BORROWING.

Power to borrow.

**66.** The Council may for the purposes herein-after mentioned (in addition to any moneys which they are now authorised to borrow) borrow at interest the following sums for the following purposes (that is to say):—

(Firstly) For paying the costs and expenses of this Act as herein-after defined such sum as may be required;

(Secondly) For the purpose of acquiring the undertaking of the Company and for paying any sums payable by the Council to the Company under this Act and for defraying the taxed costs and expenses of the Council incident to such acquisition and



to the transfer of the undertaking to the Council (other than A.D. 1898.  
the costs of this Act) such sum as may be required ;

(Thirdly) For the purpose of the purchase of land and the construction of waterworks by this Act authorised and for the purchase of land in the drainage area such sum or sums of money as the Council may think requisite not exceeding forty-three thousand pounds ;

(Fourthly) For additions and alterations to the waterworks and for new mains and extensions of mains and service pipes such sum as the Council may think requisite not exceeding five thousand pounds ;

(Fifthly) For the purpose of the alteration enlargement and furnishing of the town hall the sum of two thousand pounds :

And with the approval of the Local Government Board such further moneys as the Council may require for any of the purposes of this Act In order to secure the repayment of the moneys borrowed for the purposes aforesaid and the payment of the interest thereon the Council may mortgage or charge the revenue of the undertaking in respect of which the moneys may be borrowed and in addition thereto they may mortgage or charge the district fund and general district rate The powers of borrowing moneys by this Act conferred shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the sum the Council may borrow under that Act or any other enactment any sums they may borrow under this Act shall not be reckoned.

**67.** Sections 236 to 239 of the Public Health Act 1875 shall extend and apply mutatis mutandis to and\* in relation to all mortgages granted under this Act.

Provisions of Public Health Act 1875 as to mortgages to apply.

**68.** The Council may if they think fit borrow any moneys which they are by this Act authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 as amended by the Local Loans Sinking Fund Act 1885 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed in manner by this section authorised shall be a charge upon and shall be paid out of the same fund rate revenue and security as they would be charged upon and paid out of if raised by way of mortgage under the powers of this Act and such fund rate revenue or security shall be deemed to be the local rate as defined by the Local Loans Act 1875 All moneys borrowed in accordance with this section shall be discharged within the periods prescribed by this Act for the repayment of borrowed moneys.

Power to borrow under Local Loans Act 1875.

A.D. 1898.

Period for  
discharge of  
borrowed  
moneys.

**69.** All moneys borrowed by the Council under the authority of this Act may be borrowed for any term not exceeding the terms herein-after respectively mentioned from the date on which the same are originally borrowed under this Act (that is to say) :—

- (A) As regards moneys borrowed for the purpose firstly herein-before mentioned ten years ;
- (B) As regards moneys borrowed for the purposes secondly herein-before mentioned fifty years ;
- (C) As regards moneys borrowed for the purposes thirdly herein-before mentioned sixty years ;
- (D) As regards moneys borrowed for the purposes fourthly herein-before mentioned thirty years ;
- (E) As regards moneys borrowed for the purposes fifthly herein-before mentioned thirty years :

And all moneys borrowed by the Council under the authority of this Act with the consent of the Local Government Board may be borrowed for such term and on such conditions as the Local Government Board may prescribe :

The respective periods for which the Council are herein-before authorised to borrow money are in this Act referred to as "the prescribed periods."

Mode of  
payment off  
of money  
borrowed.

**70.—(1)** The Council shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest or by means of a sinking fund or partly by such instalments and partly by a sinking fund and the payment of the first instalment or the first payment to the sinking fund shall be made within one year from the time of borrowing the sum in respect of which the payment is made.

(2) The following provisions shall apply in regard to any sinking fund to be formed under this Act :—

- (A) The Council shall in every year appropriate and set apart out of the funds rates and revenues on the security of which such moneys shall have been borrowed such equal annual sums as will with the accumulations thereof by way of compound interest at a rate not exceeding three pounds per centum per annum be sufficient to pay off the principal moneys borrowed (so far as the same are repayable by means of a sinking fund) within the prescribed period :
- (B) The yearly sums so appropriated and set apart shall be invested and accumulated in the way of compound interest by investing the same and the dividends interest and annual income thereof respectively in any security in which trustees are by



law authorised to invest or in mortgages stock debentures or other securities issued by any local authority as defined in section 34 of the Local Loans Act 1875 (other than securities of the Council and securities transferable by delivery) and if and as often as the rate of interest by investment is not equal to the prescribed rate the accumulation and any deficiency arising thereby shall be made good out of the respective funds or rates which are liable to contribute to the sinking fund :

- (c) The Council may at any time apply the whole or part of the sinking fund in or towards the repayment of the borrowed moneys in such order and manner as they deem proper Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of such borrowed moneys are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate per centum on which the equal annual payments to the sinking fund are based :
- (d) Whenever and so long as the securities in which such sinking fund is invested shall not be less in value at the market price of the day than the principal moneys then outstanding and to be paid off by means of such fund the Council may in lieu of investing the same yearly income apply the same in payment of such interest on such principal moneys and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be paid thereto.

**71.** If the Council pay off any part of any moneys borrowed by them under the powers of this Act otherwise than by instalments appropriations or annual repayments or by means of a sinking fund or out of the proceeds of sale of land or other property or out of fines or premiums on leases or other moneys received on capital account except borrowed moneys they may re-borrow the same but all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing has been made and shall be deemed to form the same loan as the money originally borrowed and the obligations of the Council with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such re-borrowing.

Power to re-borrow.

**72.** The clerk to the Council shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by

Annual return to Local Government Board with respect to sinking fund.

A.D. 1898.

statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. If it appear to the Local Government Board by such return or otherwise that the Council have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court and the provisions of this section shall mutatis mutandis apply to appropriations and annual repayments.

Application  
of moneys  
borrowed.

**73.** All moneys borrowed by the Council under this Act shall be applied only to purposes for which they are by this Act respectively authorised to be raised and to which capital is properly applicable.

Application  
of moneys  
from sale &c.  
of land.

**74.** The Council shall apply all moneys received by them in respect of any sales exchanges or disposition of lands and premises by this Act or the Acts of 1860 and 1881 and the Order of 1891 authorised to be acquired or by way of fine or premium on any lease of any such lands in or towards paying off moneys borrowed and for the time being owing under this Act or if there shall be no moneys owing under this Act such proceeds shall be applied in or towards paying off any other moneys for the time being owing by the Council. Provided that such proceeds when used to pay off the borrowed moneys shall not be applicable to the payment of instalments appropriations or annual repayments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.



75. A person lending money to the Council shall not be bound to inquire as to the observance by the Council of any of the provisions of this Act or be bound to see to the application or be responsible for the loss misapplication or non-application of the money lent or of any part thereof.

A.D. 1898.  
Protection  
of lenders  
from in-  
quiry.

76. The Council shall not be bound to recognise or see to the execution of any trust whether expressed implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person or persons or (as the case may be) of the personal representative or representatives of the person or the last survivor of the persons in whose name or names any loan or security for a loan stands in the books of the Council shall be a sufficient discharge to the Council in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Council have had express or implied notice of any trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their books and the Council shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application thereof.

Council not  
to regard  
trusts.

77. Nothing in this Act shall prejudicially affect any charge on the district fund or general district rate or the estates and property of the Council subsisting at the passing of this Act and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of the rate and property subject to his charge as if this Act had not been passed.

Saving for  
existing  
charges.

78. The Council shall keep accounts in respect of their waterworks undertaking separate from all their other accounts distinguishing therein capital from income and shall apply the water revenue as follows (that is to say):—

Application  
of water  
revenue.

(Firstly) In payment of their costs charges and expenses of and incidental to the collecting and recovering of water revenue and of the borrowing of money for waterworks under this Act;

(Secondly) In payment of the working and establishment expenses and costs of management and maintenance of the water undertaking;

(Thirdly) In providing the moneys required to pay the interest on moneys borrowed by them under this Act for the water undertaking;

A.D. 1898.

(Fourthly) In providing the requisite instalments or sinking fund under this Act or otherwise making provision for repayment of the moneys borrowed under this Act for the water undertaking;

(Fifthly) In providing a reserve fund for the water undertaking if they think fit by setting aside such money as they think reasonable and investing the same and the resulting income thereof in Government securities or any security in which trustees are or may be authorised to invest trust moneys (except annuities rentcharges securities of the Council and securities transferable by delivery) and accumulating the same at compound interest until the fund so formed amounts to five thousand pounds which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Council from the water undertaking or to meet any extraordinary claim or demand at any time arising against the Council in respect of that undertaking or to the improving and extending thereof and so that if that fund is at any time reduced it may thereafter be again restored to the sum of five thousand pounds and so often as such reduction happens :

And any balance remaining in any year as may in the opinion of the Council not be required for carrying on the water undertaking and paying the current expenses connected therewith and the annual proceeds of the reserve fund when such fund amounts to five thousand pounds shall be applied by the Council in increasing the district fund.

As to deficiency in receipts from water undertaking.

**79.** Any deficiency in the revenues and receipts of the Council on account of the water undertaking shall in the absence of a reserve fund applicable to the purpose or so far as such reserve fund is not sufficient for the purpose be made good out of the current general district rate or the general district rate made next after such deficiency has been ascertained.

#### PART VIII.—MISCELLANEOUS.

Council may retain plans &c.

**80.** The Council may retain any drawings plans specifications and written particulars descriptions or details deposited with the Council in pursuance of any enactment for the time being in force in the district or of any byelaw made thereunder.

Penalty on occupiers refusing execution of Act.

**81.**—(1) In case the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Council under this Act or under any byelaw made under any of the powers of this Act then after notice of this



provision (shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Council to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding five pounds and during the continuance of such refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

A.D. 1898.

(2) If the occupier of any premises when requested by or on behalf of the Council to state the name of the owner of the premises occupied by him shall refuse or wilfully omit to disclose or wilfully misstate the same he shall (unless he shall show a cause to the satisfaction of the court for his refusal) be liable to a penalty not exceeding five pounds.

**82.** The Local Government Board may prescribe a form of rate which may include the poor rate general district rate water rate or other rates and they may in respect of such rates prescribe the form of demand note and of receipt for rates and any forms so prescribed shall be sufficient in law.

Local Government Board may prescribe form of rate &c.

**83.** When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts.

Compensation how to be determined.

**84.** Offences against this Act and penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner.

Recovery of penalties &c.

**85.** Proceedings for the recovery of any demand not exceeding fifty pounds made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court.

Recovery of demands under fifty pounds.

**86.** All penalties recovered under this Act or under any byelaw thereunder by the Council shall be paid to the treasurer and be by him as to penalties in connexion with sanitary matters carried to the credit of the district fund and in connexion with all other matters to such fund as the Council may direct.

Penalties to be paid over to the treasurer.

A.D. 1898.

Authentica-  
tion and  
service of  
notices &c.

**87.** In the case of any notice or demand under this Act requiring authentication by the Council and in the case of licences or certificates granted by the Council under any general or local Act the signature of the clerk or other duly authorised officer of the Council shall be sufficient authentication. Notices orders and any other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served. Provided always that in the case of any company any such notice or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Inquiries by  
Local  
Government  
Board.

**88.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(2) The Council shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Powers of  
Act cumu-  
lative.

**89.** All powers given to the Council by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred on them by the Public Health Act 1875 or other Act amending the same and such other powers may be exercised in the same manner as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Judges not  
disqualified.

**90.** A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate or any water rate rent or charge payable to the Council.

Costs of  
Act.

**91.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council out of the district fund and general district rate or out of moneys to be borrowed under this Act.



SCHEDULES referred to in the foregoing Act.

A.D. 1898.

THE FIRST SCHEDULE.

FORM OF DEED OF CONVEYANCE OF THE UNDERTAKING OF THE  
COMPANY TO THE COUNCIL.

In pursuance of and subject to the provisions of the Matlock Urban District Council Act 1898 and in consideration of the Matlock Waterworks Company Limited do hereby grant convey and assign unto the District Council for the urban district of Matlock in the county of Derby the undertaking of the Company as defined by the said Act and all other (if any) the property real and personal of every description vested in and belonging to the Company to hold the same unto the said District Council their successors and assigns and the said District Council do accept the same accordingly.

In witness whereof the said Company and the said District Council have hereto set their respective common seals this \_\_\_\_\_ day of  
one thousand eight hundred and ninety-eight.

THE SECOND SCHEDULE.

THIS AGREEMENT made the third day of January one thousand eight hundred and ninety-eight between the MATLOCK WATERWORKS COMPANY LIMITED (herein-after called "the Company") of the one part and the MATLOCK URBAN DISTRICT COUNCIL (herein-after called "the Council") of the other part.

WITNESSETH that the Company hereby agree to sell and the Council agree to purchase the "undertaking" of the said Matlock Waterworks Company Limited upon the terms and conditions following (namely):—

1. The purchase money or price is the sum of eighteen thousand five hundred and fifty pounds (£18,550) to be paid in cash on the first day of July one thousand eight hundred and ninety-eight on which day (if the purchase money be then paid) the purchase shall be completed and the undertaking transferred by the Company to the Council which said sum is inclusive and in absolute discharge to the Council of all legal and other charges of the Company whether in connection with the standing orders of

A.D. 1898. Parliament and the Parliamentary proceedings herein-after mentioned the deduction and verification of title the dissolution and winding up of the Company compensation of officers and servants or otherwise.

2. The "undertaking" of the said Company comprises (as follows):—

All real property belonging to the Company (as comprised in the First Schedule hereunder written) and all other real property (if any) of the Company together with all springs and rights of water belonging to them And all rights and privileges belonging to or acquired by the Company under the Matlock Waterworks Acts 1860 and 1881 and the Matlock Water Order 1891 or by agreement;

Also all buildings reservoirs mains pipes plant machinery services tools implements appliances stores and effects belonging to the Company (but not money or securities for money debts or water rates belonging to or owing to the Company on the first day of July one thousand eight hundred and ninety-eight);

Also all deeds books papers plans and writings belonging to the Company (except that the Company shall be entitled to retain the water-rental book for three months after the last quarter's rental shall have become due to them also the journal share ledger annual list and register of shareholders and any other books or documents necessary for the winding-up of the Company till after such winding-up and each party shall produce to the other at all reasonable times all books and papers that may for the time being be in their respective possessions);

Subject nevertheless to all rights liabilities or acknowledgments to which the Company is liable to any person or persons under the said Acts or Order or under any public Act of Parliament or otherwise howsoever And to all the covenants and conditions on the part of the Company contained in the conveyances of the property to the Company or in the agreements entered into by them mentioned in the Second Schedule hereto And to all other liabilities of the Company by contract or otherwise (except only mortgage and simple contract debts owing by the Company on the first day of July one thousand eight hundred and ninety-eight) The receipt in writing of three of the directors shall be a good discharge for the purchase money.

3. If the purchase be not completed on the first day of July one thousand eight hundred and ninety-eight the Council shall pay as interest on the purchase money a proportionate sum for the time at the rate of eight hundred and ten pounds per annum till actual payment of the purchase money.

4. The Company to receive and take all water rates and rents and other debts owing to or accruing due to them on the first day of July one thousand eight hundred and ninety-eight on revenue account to pay and discharge all outgoings and liabilities of any kind properly chargeable to revenue account to that date and all mortgage and other debts and liabilities including their overdrafts (if any) at bank or elsewhere owing by them at that date And where necessary for the purpose of giving effect to this article all outgoings parochial rates rents and taxes shall be apportioned between the Company and the Council.



A.D. 1898.

5. The Company to manage the undertaking until the actual completion and payment of the purchase money and to keep and deliver up the same in fair working order as a going concern as it now exists but not to make any outlay or incur any liability or borrow more money on mortgage or issue any debentures or issue any additional capital or call up any unpaid capital (if any) as from the date hereof (except what is necessary to keep up the works as a going concern in the ordinary course and proper conduct of the affairs of the Company) except on the written request of the Council.

6. The Council to pay all working expenses and expenses of keeping the undertaking in working order or other expenses (if any) directed by them after the first day of July one thousand eight hundred and ninety-eight.

7. The Council to receive all water rates or rents accruing due after the first day of July one thousand eight hundred and ninety-eight or (if the same be collected by the Company) credit to be given for the same (less the costs of collection) towards the interest of eight hundred and ten pounds payable to the Company.

8. The Council to promote a Bill in the next session of Parliament for the confirmation of this agreement without any alteration and for the discharge of the Company from all liabilities under the said recited Acts and Order to any person or persons and for providing for the winding-up of the Company. The Company to do all such things as may be necessary for the confirmation of this agreement and the Bill and to render all assistance that may be necessary in all respects and not to oppose the Bill except that they are to be at liberty at their own expenses to take such steps with reference thereto as they may be advised and deem necessary to ensure all their rights under this agreement and if any alteration should be contemplated or proposed therein then to be heard at the like expense in committee or otherwise in protection of their rights and also to be heard on the subject of the winding-up clauses or any other clause affecting them unless previously approved by them.

9. After completion of the purchase the Company shall not supply water within the Urban District of Matlock or elsewhere and shall subsist only for the purpose of winding up.

10. On the completion of the purchase the Company shall pay to the Council the unexpended capital of the Company (if any) provided that the Company may deduct from such amount the value of the unused stores on their premises and of the meters (if any) on hire belonging to the Company at the date of completion such value to be mutually agreed upon between the parties hereto.

11. The expression "date of completion" shall refer to the date when the purchase money shall be actually paid if not paid on the first day of July one thousand eight hundred and ninety-eight.

12. The title of the Company shall commence with the respective conveyances to the Company comprised in the Second Schedule hereto (if the Company cannot discover the first deed of conveyance prior to completion

A.D. 1898. then the same shall be assumed to have been lost and the draft thereof shall be sufficient but the Company shall at their own expense furnish a statutory declaration as to the reason for non-production and delivery of same) and no earlier title shall be required. And the Company shall within one month from the passing into law of the Bill confirming this agreement deliver to the Council an abstract of the title to the lands included in their undertaking and deduce a good title thereto.

13. All objections and requisitions in respect of the title or the abstract or anything appearing therein shall be stated in writing and sent to the Company's solicitor within twenty-eight days from the delivery of the abstract and all objections and requisitions not sent within that time shall be deemed to be waived.

14. This agreement is made subject to the approval of Parliament and to such alterations as either House of Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein it shall be in the option of either party to withdraw from the same. If the said Bill does not pass into law before the thirty-first day of December one thousand eight hundred and ninety-nine this agreement shall be void except as in the last clause mentioned.

15. If any dispute shall arise with reference to this agreement or anything herein contained or any claim arising hereunder the same shall be referred to arbitration and the provisions of the Arbitration Act 1889 shall apply or any statutory modification thereof.

16. If the proposed Bill be not passed by Parliament in either of the next two sessions of Parliament or if the purchase be not actually completed and the purchase money paid to the Company before the thirty-first day of December one thousand eight hundred and ninety-nine (and in this respect time to be of the essence of the contract) then the sum of two hundred and fifty pounds (to be guaranteed on the separate undertaking of the present members of the Council) shall be absolutely forfeited to the Company as liquidated damages except that if the Company themselves of their own motion elect to withdraw from this agreement under clause 14 then this forfeiture shall not take effect. And this agreement and every clause therein (except this last clause) to be absolutely void and the Company to re-possess their undertaking as if the same had not been made.

In witness whereof the Company and Council have hereunto respectively affixed their common seals the day and year first before written.

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THE FIRST SCHEDULE REFERRED TO.

FIRST PART.

All that piece or parcel of land situate and being in Matlock aforesaid containing one rood and six perches or thereabouts being part of certain closes of land there situate called the Garden and the Nether Bottom. And all the rights and easements contained in the conveyance thereof dated the fourteenth



day of July one thousand eight hundred and sixty-one made between John Curzon of the first part Thomas William Evans of the second part and the said Company of the third part (subject as therein mentioned). A.D. 1898.]

SECOND PART.

The exclusive right to the water arising in a spring marked Spring No. 1 on the Plan B annexed to the indenture herein-after mentioned situate in a plantation adjoining the north side of an occupation road leading from the Matlock and Chesterfield Road and in the parish of Matlock aforesaid And also that piece of land containing in length fifteen feet and in breadth fifteen feet being part of the said plantation and delineated on the plan marked "A" annexed to the said indenture and thereon coloured pink And also full right and liberty for the Company and their successors from time to time to enter into and upon the said plantation and into and upon the lands lying between the limits of deviation shown on the said plan and make such excavations and do such other acts as may be necessary in the said plantation to collect and secure the water of the said spring and to convey the same into a storage reservoir made on the said piece of land and to construct the said storage reservoir and cleanse the said reservoir and to lay down a proper aqueduct conduit or line of pipes from the said storage reservoir in a direct line therefrom to a point marked "A" on the said plan on the Matlock and Chesterfield Road:

And which spring piece of land rights and easements were conveyed to the said Company with the limitations and subject to the covenants conditions and restrictions therein mentioned by an Indenture dated the thirteenth day of January one thousand eight hundred and eighty-three made between Thomas Charles Bourne and George Robert Foster Haddelsey of the one part and the said Company of the other part.

THIRD PART.

All that piece of land containing one acre or thereabouts situate at Matlock Bank in the parish of Matlock aforesaid being part of the Wold Farm in the occupation of Mr. Goodwin and delineated on the plan annexed to the indenture herein-after mentioned and thereon distinguished by a green colour And also all that other piece or strip of land being other part of the said Wold Farm being four feet and six inches in width and extending from the point marked A on the said plan to the point marked B on the said plan and which said piece or strip of land is shown on the said plan and thereon coloured green Except and reserving unto Thomas William Evans Esq. (the vendor) his heirs and assigns owners a right of road over the said last-mentioned strip as mentioned in the said indenture and which said pieces of land were conveyed to the said Company by an indenture dated the twenty-fifth day of March one thousand eight hundred and eighty-five made between Thomas William Evans Esq. of the one part and the said Company

A.D. 1898. of the other part subject to the covenants restrictions and limitations therein.

## FOURTH PART.

All that piece or parcel of land situate and being part of the Cuckoostone Dale Estate in the parish of Matlock aforesaid containing by recent admeasurement 5 acres 0 roods 9 poles or thereabouts bounded on the north east and south by other part of the said Cuckoostone Dale Estate and on the west by an occupation road Secondly all those three pieces or parcels of land (one being plantation) and lying together also situate and being other part of the said Cuckoostone Dale Estate in the said parish of Matlock containing altogether by recent admeasurement thereof 3 acres 0 roods 9 poles or thereabouts bounded on the north west and south by other parts of the said Cuckoostone Dale Estate and on the east by the said occupation road the whole of which said land and premises are more particularly delineated and described on the plan endorsed on the indenture herein-after mentioned and thereon coloured pink And also a right of road or way for the said Matlock Waterworks Company their successors and assigns upon over and along so much only of the occupation road lying between the pieces or parcels of land firstly and secondly herein-before described and the road leading from Matlock to Chesterfield And also the right to tunnel under the said road in any place or places they may require but so far only as it abuts on the said land herein-before firstly and secondly described subject to the said Company their successors and assigns immediately making good any damages that may be thereby sustained to the surface of the said road and which said closes and pieces of land rights and easements were conveyed to the said Company (subject to the covenants therein mentioned) by an indenture dated the first day of November one thousand eight hundred and ninety-three and made between the said Thomas Charles Bourne and George Robert Foster Haddelsey of the one part and the said Company of the other part.

## THE SECOND SCHEDULE REFERRED TO.

Fourteenth July one thousand eight hundred and sixty-one draft of indenture of conveyance made between John Curzon of the first part Thomas William Evans of the second part and the Matlock Waterworks Company of the third part.

Thirtieth January one thousand eight hundred and eighty-three indenture made between Thomas Charles Bourne and George Robert Foster Haddelsey of the one part and the Matlock Waterworks Company of the other part.

Twenty-fifth March one thousand eight hundred and eighty-five indenture made between Thomas William Evans of the one part and the Matlock Waterworks Company of the other part.

Twenty-eighth July one thousand eight hundred and eighty-five agreement between Edward Harrison agent for Thomas William Evans of the one part and the Matlock Waterworks Company of the other part.



First November one thousand eight hundred and ninety-three indenture made between Thomas Charles Bourne and George Robert Foster Haddelsey of the one part and the Matlock Waterworks Company of the other part.

A.D. 1898.

The common seal of the said Company was affixed hereto in the presence of—

JOB SMITH

Chairman.

CHARLES ROWLAND }  
 HENRY KNOWLES } Directors.

JOSEPH HODGKINSON

Secretary.



The common seal of the said Council was affixed hereto in the presence of—

EDWARD SLACK

Chairman of the Council.

H. G. HARTLEY

Member of the Council.

HENRY CHALLAND

Member of the Council.

M. A. SLEIGH

Clerk of the Council.



**THE THIRD SCHEDULE.**

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY MAY BE TAKEN.

No. on Deposited Plan.	Parish or other Area.
	WATERWORKS.
5 6 7	Parish of Ashover
6 14 22 24 56	Parish and Urban District of Matlock

A. D. 1898.

## THE FOURTH SCHEDULE.

THE SECTIONS OF THE MATLOCK WATERWORKS ACT 1860 EXEMPTED  
FROM REPEAL.

Section.	Marginal.
XIX.	Company at the request of owners &c. to supply water to certain lands for cattle.
XX.	As to supply of water to properties of Thomas Wildgoose and John Garton.
XXI.	Penalty in case of neglect to supply such premises with water.
XXII.	Farmhouses and buildings belonging to T. W. Evans Esquire and T. Ludlam to be supplied with water.
XXIII.	Water not to be wasted.
XXIV.	Public watering-places to be supplied as heretofore.
XXV.	Reserving rights of fishing.

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