



CHAPTER ccxii.

An Act to authorise the East London Waterworks Company to construct additional storage reservoirs and other works to take further water from the River Thames in cases of exceptional drought and other emergency [to raise further money and for other purposes.

A.D. 1900.

[6th August 1900.]

WHEREAS by the East London Waterworks Act 1886 after reciting that by their former Acts the East London Waterworks Company (in this Act called "the Company") had been authorised to raise by shares or stock capital to the amount of 1,720,560*l.* the whole of which amount had been raised and expended and was then represented by ordinary stock of the Company of the same nominal amount entitled to a maximum dividend of 10 per centum per annum and were empowered to borrow upon mortgage the sum of 394,440*l.* the whole of which sum had been borrowed and expended by the Company and was then represented by debenture stock of the Company of the same nominal amount bearing interest at the rate of 4*l.* 10*s.* per centum per annum free of income tax the Company were empowered to raise 350,000*l.* by the creation and issue of debenture stock upon and subject to special conditions mentioned in the said Act:

And whereas by the East London Waterworks Act 1894 the Company were empowered to raise the further sum of 500,000*l.* by the creation and issue of debenture stock upon and subject to certain conditions mentioned in the said Act:

And whereas by the East London Waterworks Act 1897 (in this Act called "the Act of 1897") after reciting that the population in the Company's district of supply had largely increased and was still increasing the Company were empowered in order to enable the Company to supply the water necessarily required by such increased and increasing population and to comply with their statutory obligations as regards the supply of water to construct certain

A.D. 1900. storage reservoirs and works therein described and were empowered to raise a further sum of 500,000*l.* by debenture stock for that and other purposes under the conditions therein expressed :

And whereas the Company have raised and expended or undertaken to expend the whole of the moneys above mentioned :

And whereas as the result of recent experience it is believed that the storage reservoirs authorised by the Act of 1897 should be supplemented and it is expedient that the Company should be authorised to construct the additional storage reservoirs by this Act authorised in order to enable them to meet the wants of such future population and in connection therewith to alter the lines and levels of the carriage road or highway known as Lee Valley Road and Marsh Lane and of the carriage road or highway leading from Folly Lane to Angel Road :

And whereas the Company were in the period of extreme and exceptional long-continued drought in the year 1898 obliged to suspend temporarily the constant supply of water to the inhabitants of their district and temporarily to restrict the supply of water within such district and were in the period of like drought in the year 1899 obliged to take water from other Metropolitan Water Companies to ensure the continued maintenance of the constant supply and such water may not always in cases of emergency be available :

And whereas it is expedient that the Company be authorised to take in cases of emergency and with the sanction of the Local Government Board and subject to the provisions of this Act from the River Thames and its tributaries by means of their present intake and of the works of others of the Metropolitan Water Companies who are authorised to draw water from the Thames or its tributaries a larger quantity of water than that which they and such other companies are now authorised to take from the said river and its tributaries and it is expedient that the Company and any one or more of the other Metropolitan Water Companies may be empowered to enter into and carry into effect agreements and arrangements for the purpose of taking such excess water for the Company in such cases :

And whereas it is expedient that for the purposes of this Act the Company be authorised to raise further money by debenture stock under the conditions herein-after expressed :

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

And whereas plans and sections describing the lines situation and levels of the works by this Act authorised and the lands which

may be taken for the purposes thereof and books of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands have been deposited with the respective clerks of the peace for the counties of Middlesex and Essex and are in this Act respectively referred to as the deposited plans sections and books of reference :

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

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

PART I.—PRELIMINARY.

1. This Act may be cited as the *East London Waterworks Act* 1900. Short title.

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

The provisions of the *Companies Clauses Consolidation Act* 1845 with respect to the giving of notices ;

Part III. (Debenture Stock) of the *Companies Clauses Act* 1863 as amended by the *Companies Clauses Act* 1869 ;

The *Lands Clauses Acts* ;

The *Waterworks Clauses Act* 1847 except the provisions of that Act with respect to the communication pipes to be laid by the undertakers and sections 35 and 36 of that Act and except that section 44 of that Act as incorporated in the recited Acts or any of them and in this Act 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 therefrom and the *Waterworks Clauses Act* 1863 except the 12th section of that Act ;

The provisions of the *Railways Clauses Consolidation Act* 1845 with respect to the temporary occupation of lands near the railway during the construction thereof Provided that in construing the provisions of the latter Act for the purposes of this Act the expressions "the railway" and "the centre of the railway" shall respectively mean the works and the boundaries of the works by this Act authorised Provided also

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that the said provisions as incorporated with this Act shall not apply to the conduits or lines of pipes (Conduits Nos. 1 2 3 4 and 5) by this Act authorised or any of them.

Interpretation.

3. Terms to which meanings are assigned by Acts incorporated wholly or in part with this Act or which have therein special meanings have in this Act the same respective meanings In this Act the expression "the Metropolitan Water Companies" means the Companies named in section 3 of the Metropolis Water Act 1871 the expression "the Conservators" means the Conservators of the River Thames and the expression "the Corporation of London" means the mayor aldermen and commons of the city of London in common council assembled.

PART II.—WORKS &C.

Power to make works and to take lands &c.

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

The works herein-before referred to and authorised by this Act are—

- (1) A storage reservoir (Reservoir No. 1) to be situate partly in the parish of Waltham Abbey and urban district of Waltham Holy Cross and partly in the parish and urban district of Chingford in the county of Essex and partly in the parish and urban district of Enfield in the county of Middlesex ;
- (2) A storage reservoir (Reservoir No. 2) to be situate in the said parishes of Chingford and Enfield and also in the parish and urban district of Edmonton in the county of Middlesex ;
- (3) An aqueduct conduit or cut (Cut No. 1) being a diversion of the River Lee to be situate in the said parishes of Waltham Abbey and Chingford ;
- (4) An aqueduct conduit or cut (Cut No. 2) to be situate in the said parishes of Enfield and Waltham Abbey ;
- (5) A cut or drain or line of pipes (Cut No. 3) to be situate in the said parish of Chingford ;
- (6) A conduit or line or lines of pipes (Conduit No. 1) to be situate in the said parishes of Waltham Abbey and Enfield commencing in the River Lee and terminating in the Reservoir No. 1 by this Act authorised ;
- (7) A conduit line or lines of pipes (Conduit No. 2) to be situate in the said parish of Chingford and commencing in the

Reservoir No. 1 by this Act authorised and terminating in the Reservoir No. 2 by this Act authorised ; A.D. 1900.

(8) A conduit line or lines of pipes (Conduit No. 3) to be situate in the said parish of Chingford and commencing in the Cut No. 1 by this Act authorised and terminating in the Reservoir No. 2 by this Act authorised ;

(9) A conduit line or lines of pipes (Conduit No. 4) to be situate in the said parishes of Edmonton and Chingford commencing in the Reservoir No. 2 by this Act authorised and terminating in the Chingford Mill Head ;

(10) An alteration of the line and levels of the carriage road or highway known as Lee Valley Road and Marsh Lane in the said parishes of Enfield and Chingford ;

(11) An alteration of the line and levels of the carriage road or highway leading from Folly Lane to Angel Road in the said parish of Chingford.

5. Upon and after the completion and alteration of the lines and levels of the carriage roads or highways referred to in sub-sections 10 and 11 of the last preceding section of this Act the altered road or highway shall vest in the respective district council in whom the existing road or highway is vested for the distance for which the altered road or highway will be situate in the district of the respective district council and shall be maintained by the Company for twelve months after the completion of the alteration and thereafter shall be maintained as other highways in the districts of the respective district councils are maintained.

As to Lee Valley Road &c.

6. In the construction of the works authorised by this Act and subject to the provisions thereof the Company may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of a reservoir five feet upwards and ten feet downwards and in the case of all other works to any extent not exceeding five feet Provided always that if it be found necessary or expedient in the construction of either reservoir to alter the situation of any embankment or wall thereof the Company shall not construct such embankment or wall of a greater height above the general surface of the ground than that shown on the deposited sections and three feet in addition Provided further that except for the purposes of crossing over a stream no part of the pipes shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Limits of deviation.

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Power to take divert &c. waters of River Lee.

Power to divert and stop up certain footpaths.

7. The Company may divert and impound into the reservoirs and works by this Act authorised from the River Lee any water which they are now authorised to take from that river for all or any of the purposes of their undertaking.

8. The Company may divert the footpaths in the said parishes of Enfield and Waltham Holy Cross leading from Enfield Lock to Sewardstone and the footpath in the said parish of Chingford leading from the public highway near Lowhall Farm to the public highway near to Chingford Hall and may stop up the footpath leading from Sewardstone Road to Lee Valley Road and the footpath leading from the towpath of the River Lee Navigation one hundred and seventy yards or thereabouts south of Pickett's Lock to the River Lee and upon the completion of such diversions respectively all public and other rights in or affecting so much of the said footpaths respectively as will be rendered unnecessary by the said diversion shall be extinguished and the site and soil thereof be by this Act vested in the Company.

Limiting quantity of common land to be taken.

9. The quantity of common or commonable lands which may be taken by the Company under the powers of this Act for the purposes of the works hereby authorised shall not exceed the following (that is to say)—

Names by which Lands are known.	Parish and County in which Lands are situated.	Maximum Quantity to be taken.		
		A.	R.	P.
Chingford Marsh - -	Chingford in the county of Essex	87	0	0
Sewardstone Marsh - -	Waltham Holy Cross in the county of Essex.	51	2	0
Broken Marsh - - -	Waltham Holy Cross in the county of Essex.	13	1	0
Patty Pool - - -	Waltham Holy Cross in the county of Essex.	26	2	0
Naze Marsh - - -	Chingford in the county of Essex	15	0	0

Land to be conveyed to district councils for recreation ground &c.

10. The Company shall either on or before the completion of either of the reservoirs by this Act authorised convey—

(A) To the Chingford Urban District Council (in this section called "the Chingford Council") the fee simple free from incumbrances of and in five acres of land in the district of the Chingford Council part of the land within the limits of deviation shown on the deposited plans relating to the said reservoirs for the purpose of making a recreation ground or open space such land to be in a single piece and to be raised above flood level and levelled on the surface;

(B) To the Waltham Holy Cross Urban District Council (in this section called "the Waltham Council") the fee simple free from incumbrances of and in five acres of land in the district of the Waltham Council part of the land within the limits of deviation shown on the deposited plans relating to the said reservoirs for the purpose of making a recreation ground or open space such land to be in a single piece and to be raised above flood level and levelled on the surface. A.D. 1900.

11. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the passing of this Act. Period for compulsory purchase of lands.

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

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

14. For the protection of the Lee Conservancy Board (hereinafter in this section called "the Board") the following provisions shall unless otherwise agreed between the Company and the Board have effect (that is to say):— For the protection of the Lee Conservancy Board.

(1) Before the Company affect or alter Keid's Weir they shall construct Cut No. 2 in the position shown on and in accordance with the plan dated the second day of July one thousand nine hundred signed by George Corble on behalf of the Board and by William Booth Bryan on behalf of the Company They shall also make a weir in the said cut in the position shown on the said plan and a fixed overshot across Sewardstone Mill Head Stream where it intersects Cut No. 1 as shown on the said plan both the weir and overshot to be vested in and

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thereafter managed and maintained by the Board. The details of construction of the said Cut No. 2 and the said weir and overshot shall be such as shall be agreed between the Company and the Board or failing agreement as shall be determined by arbitration as herein-after provided. The Company shall if required by the Board provide a plot of land at or near the weir not exceeding one quarter of an acre on which the Board shall erect a cottage for the weir keeper;

- (2) The Company shall carry the towing-path of the navigation over Cut No. 2 by a bridge to be constructed to the reasonable satisfaction of the Board;
- (3) The said weir shall be so constructed as to preserve the water in the navigation between Enfield Lock and Ponder's End Lock at the statutory head level and the Company shall not drain or pump the water at the said weir below the top of the gates of the said weir;
- (4) The care working and maintenance of the sluice marked S on the said plan shall be undertaken by the Board;
- (5) All the works under this section shall be carried out under the superintendence and to the reasonable satisfaction of the engineer to the Board and the Company shall pay the costs reasonably incurred in respect of such superintendence by the said engineer;
- (6) Any differences between the Company and the Board under this section shall be settled by an arbitrator to be agreed upon or failing agreement to be appointed by the Board of Trade upon the application of either the Company or the Board.

15. For the protection of the Lee Valley Drainage Commissioners (herein-after in this section called "the Commissioners") constituted under the Lee Valley Drainage Act 1892 (herein-after called "the Act of 1892") the following provisions shall unless otherwise agreed between the Company and the Commissioners have effect (that is to say):—

- (1) Whereas the Company will under the powers of and for the purposes of the works authorised by this Act become possessed of certain lands situate within the district of the Commissioners (as defined in the Act of 1892) which lands according to the superficial extent thereof are liable to be rated by the Commissioners for the purposes of their undertaking the Company shall as from the date of the acquisition by them from time to time of such lands be and remain liable to pay according to the superficial extent of the lands so acquired the rates leviable by the Commissioners under the Act of 1892 on or in respect of such lands and according to the superficial

extent thereof as from time to time acquired by the Company but so that the rate leviable on or payable by the Company shall not be less nor more than would have been so leviable and payable had the lands so acquired by the Company remained in the state in which they were at the time of such acquisition ;

- (2) The Company shall indemnify the Commissioners against such claims (if any) as the Commissioners may be liable and required to pay for compensation for damage caused by reason of any of the works by this Act authorised being constructed by the Company in lieu of or in substitution for any of the existing works of the Commissioners ;
- (3) Before commencing the construction of Cut No. 1 and Cut No. 2 the Company shall submit to the Commissioners plans and sections thereof and of the proposed works if any for the purpose of carrying off flood water brought down the Enfield Wash Stream or Turkey Street Brook so far as may be necessary to satisfy the Commissioners that such works are sufficient for the purpose of carrying off the flood waters of the old River Lee of the diversion of the small River Lee and of the Enfield Wash Stream or Turkey Street Brook and such cuts when constructed shall be maintained by the Company if and so long as such cuts and the beds thereof shall belong to and be and remain the property of and be vested in the Company ;
- (4) If any difference shall arise between the Company and the Commissioners or between their respective engineers as to any plans or sections or the sufficiency of any works for the purpose aforesaid such difference shall be determined by an engineer to be appointed by the President of the Institution of Civil Engineers on the application of either the Company or the Commissioners.

16. For the protection of Her Majesty's Secretary of State for the War Department his successors and assigns (herein-after called "the Secretary for War") the following provisions shall apply:—

For the protection of the Secretary of State for War.

- (1) If in the construction of Reservoir No. 1 or Cut No. 1 the Company shall find it necessary to take or divert any part of the old River Lee where the bed is now claimed by or is now vested in the Secretary for War the Company shall take all necessary steps so as effectually to vest in the Secretary for War the ownership of the bed of so much of the diverted river and the bed of so much of any substituted river as shall respectively represent or be equal in length to the diverted or substituted part of the river the bed of which is now claimed by or vested in the Secretary for War and Cut No. 1 shall be so constructed

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by the Company as not to head back or raise the level of the water in the Enfield Lock tail streams ;

(2) If in the construction of Reservoir No. 1 the Company shall find it necessary to interfere with the footpath in the parishes of Enfield and Waltham Holy Cross leading from Enfield Lock to Sewardstone they shall substitute a footpath to lead from Enfield Lock to Sewardstone Mill ;

(3) The Company shall not without the previous consent in writing of the Secretary for War temporarily or permanently take or acquire the land or property numbered on the deposited plans 35 or 36 in the parish and urban district of Enfield.

For the protection of the Urban District Council of Enfield.

17. For the protection of the Urban District Council of Enfield (herein-after in this section referred to as "the District Council") the following provisions shall apply with reference to the highway known as the Lee Valley Road in the parish of Enfield As and when the Company construct Reservoir No. 1 and before they interfere with the said highway—

(1) The Company shall not be bound in altering the line and the level thereof to make the same at a better gradient than 1 in 30 in the said parish but they agree that they will construct such road of a better gradient if they find it possible to do so having regard to the part thereof to be altered ;

(2) The Company shall not except with the consent of the Middlesex County Council and the District Council reduce the width of the said road but will for such distance as the same road is altered and passes through the said parish leave open to the road on each side thereof a space of land sufficient to permit of the district council if they so desire at their own cost utilising such spaces for the widening of the said road to the end and intent that the Council may hereafter if they so wish at their own cost throw into the road as then existing and metal and maintain so much of the spaces on each side as will make the road of a total width of forty feet throughout its altered length in the said parish.

For the protection of the Urban District Council of Chingford.

18. The following provisions for the protection of the Urban District Council of Chingford (herein-after in this section called "the Council") shall apply and have effect:—

(1) The Company shall not stop up the footpath in the parish of Chingford mentioned in that section of this Act the marginal note whereof is "Power to divert and stop up certain footpaths" until they have substituted another footpath to be at least 8 feet wide ;

(2) The Company shall also leave a space of not less than 40 feet in width from a point on the towpath near the southern end of

the intended Reservoir No. 2 around the southern end of the said reservoir to the eastern boundary of their land and shall use their best endeavours to enable a branch road from the towing-path to be carried through to join the existing road known as Chingford Hall Lane in the Chingford parish and until the District Council have succeeded in making such arrangements they shall make and maintain a footpath 8 feet in width from the towpath round the southern end of the said reservoir and along the eastern side of Cut No. 1 to form a junction with the existing footpath near Flanders Weir shown on the deposited plans to the end and intent that the Council may hereafter if they so desire at their own cost metal and maintain so much of the said spaces as will make the roads of a total width of 40 feet throughout their altered lengths in the said parish. Provided that nothing in this section contained shall in any way authorise the District Council to in any way interfere with the rights of the Lee Conservancy over the existing towing-path ;

- (3) The Company shall not except with the consent of the Council reduce the width of the road known as Lee Valley and Marsh Lane but will for such distance as the same road is altered and passes through the district of the Council place a granite kerb on each side of the surface of the road metalled and made up by the Company and will leave open to the road on each side thereof a space of land sufficient to permit of the Council if they so desire at their own cost utilising such spaces for the widening of the said road to the end and intent that the Council may hereafter if they so wish at their own cost metal and maintain so much of the spaces on each side as will make the road of a total width of 40 feet throughout its altered length in the said parish ;
- (4) The footpath and footbridge prescribed [by this section shall be executed by and at the expense of the Company and the Company shall efficiently maintain the same in good condition and repair ;
- (5) The Company shall make such bridges or] ways with a clear width of 8 feet as will enable the footpath to be over or across any conduits or cuts constructed or to be constructed by the Company. The Company also if required by the Council when making such bridges or ways shall at the expense of the Council put in any necessary and additional foundation which will be available for bridges or ways carrying the roadways to the said width of 40 feet the Company to form and gravel the footpath where directed.

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For the protection of the urban district council of Waltham Holy Cross.

19. The following provisions for the protection of the Urban District Council of Waltham Holy Cross (herein-after in this section called "the Council") shall apply and have effect:—

- (1) The Company shall not divert or stop up any of the footpaths in the parish of Waltham Holy Cross mentioned in that section of this Act the marginal note whereof is "Power to divert and stop up certain footpaths" until they have substituted other footpaths therefor;
- (2) The footpaths aforesaid shall be carried over the conduits or cuts numbers 1 and 2 mentioned in that section of this Act the marginal note whereof is "Power to make works and to take lands &c." by means of footbridges 5 feet wide and having rails or parapets on each side 4 feet 6 inches high extending the whole width of such conduits or cuts;
- (3) The footpaths and footbridges prescribed by this section shall be executed by and at the expense of the Company and the Company shall efficiently maintain the same in good condition and repair.

For the protection of the Edmonton Urban District Council.

20.—(1) The Company shall leave a space of land not less than fifty feet in width between the edge of the water of the River Lee Navigation and the bank of the Reservoir No. 2 extending from the Enfield boundary on the north to near Cook's Ferry on the south and shall use their best endeavours to enable the road alongside the River Lee Navigation to be carried through to join the Lee Valley Road on the north and the continuation of Angel Road on the south.

(2) The Company shall also leave a space of not less than forty feet in width from a point on the towpath near the southern end of the intended Reservoir No. 2 around the southern end of the said reservoir to the eastern boundary of their land and shall use their best endeavours to enable a branch road from the towing path to be carried through to join the existing road known as Chingford Hall Lane in the Chingford parish and until the Edmonton Urban District Council (in this section called "the District Council") have succeeded in making such arrangements the Company shall make and maintain a footpath eight feet in width from the towpath round the southern end of the said reservoir and along the eastern side of Cut No. 1 to form a junction with the existing footpath near Flanders Weir shown on the deposited plans to the end and intent that the Council may hereafter if they so desire at their own cost metal and maintain so much of the said spaces as will make the roads of a total width of forty feet throughout their altered length in the said parish. Provided that nothing in this section contained shall in any way authorise the District Council to in any way

interfere with the rights of the Lee Conservancy over the existing towing-path. A.D. 1900.

(3) The Company shall make such bridges or ways with a clear width of eight feet as will enable the footpath to be carried over or across any conduits or cuts constructed or to be constructed by the Company.

(4) The Company also if required by the Council when making such bridges or ways shall at the expense of the Council put in any necessary and additional foundation which will be available for bridges or ways carrying the roadways to the said width of forty feet. The Company to form and gravel the footpath where diverted.

21. For the benefit and protection of the Governor and Company of the New River brought from Chadwell and Amwell to London (commonly called and herein-after referred to as "the New River Company" which expression shall include their successors and assigns) the following provision shall unless otherwise agreed between the Company and the New River Company have effect (that is to say):—

For the protection of the New River Company.

As between the Company and the New River Company nothing in this Act contained shall authorise or empower the Company to take or impound from the River Lee any greater quantity of water than they are authorised to take or impound under the River Lee Water Act 1855.

22. For the protection of Samuel Forde Ridley and of Ridley Whitley and Company or other the owners and lessees for the time being of the Angel Works lands and premises in the parish of Edmonton adjoining the River Lee now occupied by Ridley Whitley and Company (all of whom are in this section included in the expression "the owners") the following provisions shall unless otherwise agreed have effect (that is to say):—

For the protection of Samuel Forde Ridley and Ridley Whitley and Co.

(1) If during or after the construction of Reservoirs Nos. 1 and 2 by this Act authorised or either of them there shall at any time not be such a quantity of water flowing down the old River Lee past the Angel Works as shall be reasonably required by the occupiers of the Angel Works for their manufacturing premises for the same purposes for which they are now used or other purposes not requiring a greater quantity of water then and in every such case the Company shall unless prevented by frost drought or other unavoidable cause supply by means of Cut No. 1 by this Act authorised or in some other convenient manner to the reasonable satisfaction of the owners into the old River Lee flowing past the Angel Works such a quantity of

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water as may or as may with the water flowing down (if any) be sufficient for such purposes ;

(2) The Company shall before constructing the said reservoirs by this Act authorised construct a reservoir for water to be used only for extinguishment of fire at the Angel Works to be thereafter maintained by the owners. The said reservoir shall be situate in the field between the River Lee Diversion (Cut No. 3) authorised by the Act of 1897 and the Angel Works and shall be capable of holding 50,000 gallons and be kept supplied with water by the Company for the purposes aforesaid from Cut No. 1 authorised by the Act of 1897 or in such other manner as the Company may determine by a pipe of sufficient capacity for such purpose and the said reservoir shall have connected with it an iron pipe to be laid and maintained by the Company under and across the bed of the diverted river and the owners shall connect such pipe with the two existing sumpt holes at the Angel Works premises adjoining the River Lee the reasonable cost of such connection to be borne by the Company. Provided always that if except by mutual consent such water be used for any purposes other than the extinguishment of fire the obligation of the Company under this sub-section shall cease until some means are effectively provided to the satisfaction of the Company for ensuring that such supply of water shall only be taken and used for the extinguishment of fire as aforesaid ;

(3) Any difference which may arise between the Company and the owners under this section shall be determined by arbitration in manner provided by the Arbitration Act 1889 by an arbitrator to be agreed upon by the owners and the Company or failing agreement to be appointed by the Board of Trade on the application of either party.

Contracts for
supplying
water in
bulk.

23. The Company may enter into and carry into effect agreements for the supply of water beyond the limits of supply of the Company to the Urban District Council of Cheshunt and to any local authority company or persons in that portion of the county of Essex contained within a straight line drawn from Bishops Stortford to Leigh (near Canvey Island) in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon. Provided that such supply shall not be given except with the consent of the local authority of and of any company or person supplying water under parliamentary authority within the district to be supplied nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of this Act. Provided also that the

Company shall not supply under this section any water taken from the River Thames. A.D. 1900.

24. In case of emergency only and so long as such emergency exists in any of the urban and rural districts herein-after mentioned or any part thereof (that is to say) Friern Barnet South Mimms Finchley Hornsey Tottenham Wood Green Enfield Edmonton Southgate Hendon Kingsbury Wembley Harrow Wealdstone Southall-Norwood and Willesden all in the county of Middlesex the Company shall on the demand of the Middlesex County Council or the district council of any of the said districts as soon as the Company are in a position to supply water from the reservoirs by this Act authorised supply in bulk by agreement or failing agreement at the rates mentioned in section 79 of the East London Waterworks Act 1853 to any such district or part of a district such daily quantity of water from such reservoirs as any such council may from time to time require not exceeding thirty-five gallons per head per day of the estimated population of such district or districts Provided always that such supply shall not be given in any district without the consent of the local authority of such district and of the company if any authorised to supply and supplying water within such district Provided also that such supply shall not be given if and so long as such supply would interfere with the supply of water to the district for the time being supplied by the Company Provided also that the Company shall not be bound to lay down any pipes or make any connection for the purpose of giving effect to this section but shall give all reasonable facilities to the County Council or to any district council for making connections with the mains or pipes of the Company for the purposes of giving effect to this section at the cost of the County Council or such district council making the demand and under the supervision and to the reasonable satisfaction of the Company If any question arise between any such council making the demand and the Company as to whether the Company can supply water under this section without interfering with the water required for their own district of supply as aforesaid or as to whether such emergency as aforesaid exists the same shall be determined by an arbitrator to be appointed by the Local Government Board under and in accordance with the provisions of the Arbitration Act 1889.

As to supply to local authorities in Middlesex.

25. The Company shall not under the powers of this Act purchase or acquire in any borough or other urban district and elsewhere than in any borough or urban district any parish 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

Restriction on taking houses of labouring class.

A.D. 1900. 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.

If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

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

PART III.—TEMPORARY SUPPLY.

Increase of
Company's
power to take
water from
River
Thames with
the sanction
of the Con-
servators.

26.—(1) Notwithstanding anything contained in the Thames Conservancy Act 1894 but subject to the provisions of section 297 of that Act and to the provisions of this Act the Company may from and after the passing of this Act in cases of emergency and with the sanction in writing of the Local Government Board and with the consent in writing of the Conservators under their common seal obtain draw and impound from the River Thames by means of their existing intake at Sunbury or by agreement with the Southwark and Vauxhall Water Company the West Middlesex Waterworks Company and the Grand Junction Waterworks Company or any or either of them and with such sanction and consent as aforesaid by means of the intakes of any one or more of the last-mentioned companies such excess water in any day of twenty-four hours calculated from midnight to midnight as may be required by them for the purpose of fulfilling obligations imposed upon them by statute with respect to the supply of water within their limits.

(2) Excess water in this Act shall mean any water obtained drawn impounded or taken by the Company from the Thames by means of any of the intakes mentioned in sub-section (1) of this section in excess of the water which the Company take under their Thames Supply Act 1867 but shall not mean or include any water

which the Company may obtain from the Staines Reservoirs Joint Committee or from any of the companies represented on that Committee or from the Southwark and Vauxhall Water Company or from any of the Metropolitan Water Companies being water which such companies or any of them are now authorised to take from the River Thames for the purposes of their own respective undertakings.

A.D. 1900.
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(3) Provided that the daily excess water in any such day as aforesaid shall not exceed thirty million gallons and the aggregate of the excess water in any half-year ending on the thirtieth day of June or the thirty-first day of December as the case may be shall not exceed a quantity of water equal to the aggregate amount of ten million gallons in respect of the several days of twenty-four hours calculated from midnight to midnight during such half-year.

(4) And provided that the Company shall not obtain draw impound or take from the River Thames any excess water when the water is not flowing over Molesey Weir at a rate exceeding one hundred and ninety million gallons per day of twenty-four hours calculated as aforesaid.

(5) Provided also that on notice from the Conservators that the flow of water over Molesey Weir is at a rate not exceeding one hundred and ninety million gallons per day the Company shall immediately stop obtaining drawing impounding or taking excess water from the River Thames or so reduce the rate at which they are obtaining drawing impounding or taking water that the quantity obtained drawn impounded or taken on any day calculated as aforesaid on which any such notice is given shall not exceed the ten million gallons daily which the Company are now authorised to obtain draw impound or take Any such notice may be given by telephone or telegraph.

(6) Provided also that the Company shall not obtain draw impound or take from the River Thames in any such day any excess water at such times in such manner or to such extent as to prejudice or affect the rights of the Lambeth Waterworks Company the Grand Junction Waterworks Company the West Middlesex Waterworks Company the Chelsea Waterworks Company and the Southwark and Vauxhall Water Company or of any of those companies under their respective Acts or agreements with the mayor and commonalty and citizens of the city of London or the Conservators.

(7) And provided that nothing in this Act shall be deemed to confer upon the Company any priority of right to obtain draw or impound or take any excess water from the River Thames or from any tributary of the said River as against the Lambeth Waterworks Company the Grand Junction Waterworks Company the West

A.D. 1900. Middlesex Waterworks Company the Chelsea Waterworks Company the Southwark and Vauxhall Water Company the Staines Reservoirs Joint Committee or any other company or body or any person respectively already or who may hereafter be empowered by statute to take water therefrom or to affect in any way the stipulations and provisions either expressly or in fact contained in the Staines Reservoirs &c. Act 1896 for the protection or benefit of the said Waterworks Companies or any of them.

(8) Until Molesey Weir is certified by the engineer of the Conservators to be in a fit state for measuring the flow of water over the same this section shall be read and have effect as if references therein to such weir were references to Bell Weir and Penton Hook Weir and references therein to one hundred and ninety million gallons were references to two hundred and fifty million gallons and two hundred and eighty-five million gallons respectively.

(9) The provisions of this section shall not relate to limit or affect the rights of the Company with reference to taking water from the River Thames under the East London Waterworks (Thames Supply) Act 1867.

As to ascer-
taining
quantities of
water taken
from Thames
and delivered
to consumers.

27.—(1) The excess water to be obtained drawn impounded or taken by the Company from the River Thames shall be measured or otherwise ascertained at the Company's intake at Sunbury or the intakes of the Southwark and Vauxhall West Middlesex and Grand Junction Water Companies as the case may be and the Company shall (unless such appliances as herein-after mentioned have already been provided and approved by the Conservators) provide at such intake or intakes before they commence to obtain draw impound or take any excess water by means thereof suitable appliances to be approved by the Conservators for measuring or otherwise ascertaining the quantity of water obtained drawn impounded or taken by the Company by means of such intake or intakes and the Company shall maintain in good working order all appliances so provided.

(2) The Company shall in every week make to the Conservators a correct return in writing of the total quantity of water obtained drawn impounded or taken by them from the River Thames in each day of twenty-four hours calculated from midnight to midnight in the week ending at midnight on the Saturday then last past and such return shall show the quantity taken through the Company's intake and the quantities (if any) taken through the intake or intakes of any of such other company or companies as aforesaid.

(3) The engineer of the Conservators and any other person from time to time thereunto authorised by the Conservators under the hand of the chairman or the secretary of the Conservators shall at all reasonable times have access to all or any part of the premises of

the Company for the purpose of inspecting all or any such appliances and any appliances for measuring the quantity of water obtained drawn impounded or taken by the Company from the River Thames and of checking the returns made by the Company and the Company shall give to such engineer or other person all necessary facilities for inspecting and checking as aforesaid. A.D. 1900.

(4) In case any dispute shall arise between the Conservators and the Company with reference to such appliances or to the condition thereof or to the correctness of any return by this section required to be made by the Company the matter shall be referred for determination to the arbitration of an engineer to be appointed by the Board of Trade on the application of either party.

28.—(1) The flow of water over Molesey Weir shall be ascertained by such suitable appliances as shall be provided for that purpose by the Conservators and such appliances shall be under the sole control of the Conservators and the certificate of the engineer or other officer of the Conservators of the quantity of water so ascertained shall be evidence of the flow of water over that weir. For ascertaining the flow of water over Molesey Weir.

(2) The engineer of the Company and any person from time to time thereunto authorised by the Company under the hand of their secretary shall at all reasonable times have access to the said appliances for the purpose of inspecting the same and the Conservators shall give such engineer or other person all necessary facilities for the purpose aforesaid.

(3) In case any dispute shall arise between the Company and the Conservators with reference to the suitability or user of any appliances provided by the Conservators as aforesaid or as to the accuracy of the certificate aforesaid the same shall be referred for determination to the arbitration of an engineer to be appointed by the Board of Trade on the application of either party whose decision shall be final.

29. The Company shall contribute and pay to the Conservators towards the expenses of the necessary reconstruction or adaptation of Molesey Weir and works in connection therewith for the purposes aforesaid such proportion of those expenses as the quantity of water which the Company is authorised by this or any other statute to take draw or impound from the River Thames bears to the total quantity of water which the Metropolitan Companies are now or which they or any other water company by any statute passed in this Session of Parliament may be authorised to take draw or impound from the River Thames excluding the amounts drawn under the *Staines Reservoirs &c. Act 1896*. Payment to Conservators in respect of Molesey Weir.

A.D. 1900.
—
Payments to
Conservators
in respect of
excess water.

30.—(1) In this section the expression “average daily excess quantity” means the average of the excess water obtained drawn impounded or taken by the Company from the River Thames in the several days of twenty-four hours calculated from midnight to midnight during the half-year ending on the thirtieth day of June or the thirty-first day of December as the case may be.

(2) So long but so long only as the Company take excess water from the River Thames the Company shall pay to the Conservators on the thirtieth day of June and the thirty-first day of December in each year or within one month thereafter the sums herein-after prescribed and the provisions of sections 293 (Contributions of companies to be first charge on their receipts) and 294 (Payments of companies to be without deduction and free from taxes &c.) of the Thames Conservancy Act 1894 shall *mutatis mutandis* apply to such half-yearly payments and the moneys payable to the Conservators under this Act shall be in addition to and irrespective of any payments to be made to them under any other Act.

(3) The sums payable half-yearly as aforesaid shall be—

(A) In respect of each half-year in which the average daily excess quantity shall not exceed two million five hundred thousand gallons the sum of two hundred and fifty pounds ;

(B) In respect of each half-year in which the average daily excess quantity shall have exceeded two million five hundred thousand gallons but shall not have exceeded five million gallons the sum of five hundred pounds ;

(C) In respect of each half-year in which the average daily excess quantity shall have exceeded five million gallons but shall not have exceeded seven million five hundred thousand gallons the sum of seven hundred and fifty pounds ;

(D) In respect of each half-year in which the average daily excess quantity shall have exceeded seven million five hundred thousand gallons the sum of one thousand pounds.

(4) The Conservators shall carry to the Upper Navigation Fund constituted by the Thames Conservancy Act 1894 all sums paid to them under this Act except the contribution under the section of this Act of which the marginal note is “Payment to Conservators in respect of Molesey Weir.”

Penalty as
to taking
excess water.

31. If the Company in any day calculated as aforesaid obtain draw impound or take any excess water from the River Thames contrary to the provisions of this Act or in excess of the quantity allowed by this Act the Company shall for every such offence forfeit and pay to the Conservators a sum of one hundred pounds which

may be recovered by the Conservators in a summary manner in any court of summary jurisdiction. A.D. 1900.

32. Nothing in this Act shall prejudice alter or affect any of the rights powers authorities or privileges of the Conservators. Saving rights &c. of Conservators.

33. The Company on the one side and the Southwark and Vauxhall the West Middlesex and the Grand Junction Water Companies or any one or more of such companies on the other side may from time to time enter into and carry into effect agreements for the taking of any excess water through their intake or intakes and for the giving of such water either direct to the Company or from any of such companies to any one or more of such companies and thence to the Company upon such terms (pecuniary or otherwise) and conditions as may be agreed between the respective companies parties to the agreement or as in case of difference may be determined by arbitration as herein-after provided and for the formation of such junctions and communications between any mains and pipes of the Company and any mains and pipes of such other company or companies as may be necessary for enabling such supply in cases of emergency and with the sanction of the Local Government Board to be given to or for the use of the Company. Agreements between Company and other Metropolitan Water Companies.

34. The powers conferred upon the Company or any such other company or companies as aforesaid by the preceding sections of this part of this Act of taking or supplying excess water for the use of the Company shall be exercised during such period or periods only as the Local Government Board may from time to time sanction and prescribe. Powers to be exercised only with sanction of Local Government Board and for such periods as that Board prescribe.

35. The Company and any of the Metropolitan Water Companies may for any of the purposes of this part of this Act apply their respective funds and revenues. Companies may apply their funds and revenues.

36. Any matter to be determined by arbitration under the provisions of this part of this Act shall be determined by a single arbitrator and in other respects in manner prescribed by the Arbitration Act 1889. Arbitration.

PART IV.—FINANCIAL.

37. The Company may from time to time raise by the creation and issue of debenture stock any sum or sums not exceeding in the whole one million eight hundred thousand pounds and may create and issue debenture stock accordingly and the provisions of Part III. of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 shall so far as applicable apply to the debenture stock so to be created and issued but notwithstanding anything contained in the said Acts the interest of all debenture stock at Debenture stock.

A.D. 1900.

any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages. The Company shall attach to the debenture stock to be created under this Act interest at the uniform rate of three pounds per centum per annum to be payable half-yearly at the same time and in the same manner as the interest on the existing debenture stock of the Company. The Company shall not raise the money by this Act authorised to be raised by creating new shares of the Company instead of borrowing or convert into share capital the debenture stock authorised to be raised under the powers of this Act.

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

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

New debenture stock to be offered by auction or tender.

39. Notwithstanding anything in any Acts relating to the Company contained the Company shall when any stock created under the powers of this Act is to be issued offer the same subject to the power of redemption conferred by the last preceding section of this Act for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine. Provided that at any such sale by auction no single lot shall comprise more than one hundred pounds nominal value of such stock and that the Company shall at any such sale by auction or by tender fix the reserved price to be put upon such stock and notice of the amount of such reserved price shall be sent by the Company to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and provided that no priority of tender shall be allowed to any holder of shares or stock in the Company.

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

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

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

41. The intention to sell any such stock by auction or by tender shall be communicated in writing to the town clerks of such boroughs

in London and the clerks of the district councils of such districts as are wholly or partly within the Company's limits of supply and to the clerks of the London County Council and the Middlesex County Council and the Essex County Council and to the town clerk of the City of London and to the town clerk of the borough of West Ham and to the secretary of the committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised four times during such period in two or more London daily newspapers.

A.D. 1900.

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

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

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

Application of premium arising on issue of stock.

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

Limit to amount of stock to be created.

45.—(1) From and after the expiration of three years from the issue from time to time of any debenture stock under the powers of

Creation of sinking fund.

A.D. 1900. — this Act the Company shall carry to a sinking fund in each year such percentage on such amount of debenture stock and any premiums received thereon as shall be equal to the excess of the average percentage of the dividend or interest paid for that year on all the capital of the Company whether ordinary stock or debenture stock with any premiums received thereon above the rate of interest at which debenture stock under this Act was issued together with an additional one per centum per annum added thereto for management. Such sinking fund to be held and applied by the Chamberlain of the City of London as trustee for the purpose of purchasing and holding stock of the Company and of investing the dividends thereon with a view to ultimately extinguishing the capital of the Company or for such other purposes as Parliament may from time to time determine. No stock so purchased and held shall confer any right of voting at any meeting of the Company :

Provided that in the event of any debenture stock created under this Act being issued below par the percentage to be carried to the sinking fund shall in respect of such debenture stock so issued below par be calculated on the amount of money raised by such debenture stock instead of on the nominal amount of such debenture stock.

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

Allocation of capital.

46. The moneys raised under the powers of this Act shall be applicable in not exceeding the under-mentioned respective amounts to the under-mentioned purposes but only so far as such purposes may be of a nature or character to which capital is properly applicable (that is to say) One million three hundred and forty thousand pounds for or in connection with the reservoirs cuts conduits and works incidental thereto one hundred thousand pounds for additional engine power and machinery two hundred thousand pounds for extension of mains and services and in payment of the costs charges and expenses [of and incident to the preparing for obtaining and passing of this Act and the balance may be applied to any of the above purposes or to any purposes of the Company on which capital may be properly expended other than that of sinking new wells not already constructed or in course of construction.

Provision in case of future

47. If the undertaking of the Company is purchased within seven years from the passing of this Act otherwise than by

agreement by any public body or trustees nothing in this Act shall authorise the Company to bring into account or to make any claim in respect of any advantages conferred on them by or resulting from the passing of this Act: A.D. 1900.
—
purchase of
undertaking.

Provided that in the event of such purchase the Company may bring into account the actual amount of any capital expenditure made by them in exercise of the powers of this Act.

48. Nothing in this Act contained shall exempt the Company from the provisions of any general Act relating to the supply of water to the Metropolis or the suburbs thereof now in force or which may hereafter pass during this or any future Session of Parliament. Provision as
to general
Acts.

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

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