



ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

Cap. lxi.

An Act to amend and enlarge the Provisions of
“The *Reading Waterworks Act, 1851* ;” to
make further and better Provision for supplying
the Town of *Reading* and the adjoining Districts
with Water ; and for other Purposes.

[25th June 1868.]

WHEREAS by “The *Reading Waterworks Act, 1851*,” the
Provisions of an Act passed in the Seventh Year of the
Reign of His Majesty King *George* the Fourth, Chapter
Thirty-three, intituled *An Act for better and more effectually sup-
plying with Water the Inhabitants of the several Parishes of Saint
Mary, Saint Lawrence, and Saint Giles, Reading, in the County of
Berks, and of an Act passed in the Fifth and Sixth Years of the
Reign of His late Majesty King William the Fourth, Chapter
Ninety-nine, intituled An Act to enable the Reading Waterworks
Company to extend their Works, and for explaining and enlarging
the Powers of the Act relating to such Company,* were repealed,
except such Parts thereof as are therein excepted, but the *Reading
Waterworks Company* was continued for the Purpose of supplying
Water within the Limits therein mentioned, with a Capital of Forty-
two thousand Pounds in Four thousand two hundred Shares of Ten
Pounds each, and with Power to borrow Fourteen thousand Pounds :

14 & 15 Vict.
c. lxx.

7 G. 4.
c. xxxiii.

5 & 6 W. 4.
c. xcix.

[Local.]

9 G

And

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And whereas the Company proceeded to put the said first-mentioned Act into execution: And whereas the Company have raised the Share Capital of Forty-two thousand Pounds and borrowed the Sum of Fourteen thousand Pounds by the said first-mentioned Act authorized: And whereas the Population within the Limits of the first-mentioned Act has much increased, and is still increasing, and a Scheme for the Drainage and Sewerage of the Borough of *Reading* is proposed to be carried into effect, and it is expedient that the Works of the Company should be enlarged, and the additional Works herein-after mentioned constructed, and that further Powers should be conferred on the Company for preventing the Waste and Misuse of Water: And whereas it is expedient that the Company should be authorized to raise a further Sum of Money for effecting the Objects and Purposes aforesaid: And whereas Plans and Sections showing the Lines and Levels of the Works proposed to be constructed for the Purposes of this Act, with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands in or through which the same are intended to be made or to pass, or which may be required for the Purposes of the Company, have been deposited with the Clerk of the Peace for the County of *Berks*: And whereas the several 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:

Short Title. 1. In citing this Act for any Purpose it shall be sufficient to use the Expression "*The Reading Waterworks Act, 1868.*"

8 & 9 Vict. cc. 16. & 18.,
10 & 11 Vict. c. 17.,
23 & 24 Vict. c. 106., and
26 & 27 Vict. cc. 93. & 118.
incorporated.

2. "*The Lands Clauses Consolidation Act, 1845,*" "*The Companies Clauses Act, 1845,*" and Parts I., II., and III. of "*The Companies Clauses Act, 1863,*" "*The Waterworks Clauses Acts, 1847 and 1863,*" and "*The Lands Clauses Consolidation Acts Amendment Act, 1860,*" shall be incorporated with and form Part of this Act.

Interpretation of Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts incorporated herewith shall have the same respective Meanings, unless there shall be something in the Subject or Context repugnant to such Construction; and the Expression "*Superior Courts, or Courts of competent Jurisdiction,*" or any other like Expression in this Act or any Act incorporated therewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Power to construct Works according to deposited Plans.

4. Subject to the Provisions of this Act, the Company may make and maintain in the Line and according to the Levels shown on the deposited Plan and Section the Waterworks herein-after described, with

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with all proper Works and Conveniences connected therewith respectively, and may enter upon, purchase, take, and use such of the Lands delineated on the said Plan and described in the deposited Book of Reference as may be required for that Purpose; and the Works which the Company are authorized to construct under the Authority of this Act are the following:

A Main Pipe or Aqueduct commencing from and out of the River *Kennett* at a Point Eighty-eight Yards or thereabouts below the Eastern Gates of the Lock at *Southcot*, and terminating at an intended Pump Well to be constructed Twenty-two Yards or thereabouts North of the present Water-wheel House of the Company at *Southcot* aforesaid:

Also a Main Pipe or Aqueduct commencing from the said intended Pump Well, and terminating by Junctions with the Company's Reservoirs at *Castle Hill*, at the North-western Angles of the same, both of such Main Pipes or Aqueducts being situate in the Parish of *Saint Mary, Reading*, in the County of *Berks*.

5. The Persons empowered by "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," respectively, to sell or convey Lands, shall, subject to the Provisions of these Acts respectively, have Power, but by Agreement only and not by Compulsion, to grant to the Company any Easement, not being an Easement of Water, in, over, or affecting any Lands by this Act authorized to be purchased by the Company; and all the Provisions of the said Acts with respect to the Purchase of Lands by Agreement, and to Rentcharges, shall extend and apply to such Easements, and to Rentcharges granted for the same.

Owners may grant Easements by Agreement.

6. Whenever and so far as the Line of any Work shown upon the said Plans passes along any Road, and no Limits of lateral Deviation are marked thereon, the Company may in the Construction of such Works deviate laterally from the Line thereof as laid down on such Plans to the Extent of the Boundaries of such Road, and elsewhere the Company may in constructing the said Works deviate laterally from the Lines thereof as laid down on the said Plans to the Extent of the Limits of lateral Deviation shown thereon.

Limits of lateral Deviation.

7. In constructing the said Works the Company may deviate vertically from the Level of the Reservoirs as shown on the deposited Sections to any Extent not exceeding Three Feet, and from the Levels of any other Works as shown on those Sections to any Extent not exceeding Five Feet.

Limits of vertical Deviation.

8. For the Protection of the *Great Western* Railway Company the several Provisions following shall have Effect:

(a.) The Main Pipe or Aqueduct secondly described in this Act shall be made and maintained under the Culvert or Arch of

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of the *Great Western Railway Company's Berks and Hants Railway*, described on the Plan and Section as the *Newbury Railway*, and which Culvert or Arch is shown on the said Plan between the Point marked thereon Two Furlongs from the Commencement of the said Main Pipe, and the Point marked thereon Three Furlongs also from the Commencement of the said Main Pipe, at such a Depth and in such a Manner as not to injuriously interfere with the said Culvert or Arch, or the Foundations thereof; and, if required so to do by the principal Engineer for the Time being having the Superintendence and Management of the Works of the said Railway, the Company shall underpin or otherwise strengthen such Culvert or Arch, if it requires to be underpinned or strengthened in consequence of any of the Works of the Company, or the breaking down or Failure thereof; and if the Company fail so to do within Twenty-four Hours after receiving Notice in Writing from the said Engineer for that Purpose, then the said Railway Company, their Officers and Servants, may underpin and strengthen the same at the Expense of the Company :

- (b.) The said Main Pipe or Aqueduct shall also be made and maintained in the Roadway carried over the *Great Western Railway Company's Berks and Hants Railway* (described on the Plan as *Berks and Hants Railway*) by the Bridge shown on the deposited Plans and Sections; but in making or maintaining the said Main Pipe or Aqueduct the Company shall not cut into or interfere with any of the Brickwork, or the Superstructure, or other Works of the Bridge :
- (c.) Those Works respectively shall be made and maintained of such Dimensions, in such Lines, in such Heights or Depths, on such Levels, and in such Manner as not in any Degree to obstruct or prejudicially to interfere with any Part of the Railways of the *Great Western Railway Company*, or any of them, or any of the Works or Conveniences thereof, or the passing thereover or along of Engines, Waggons, and Carriages, or the carrying on of the Traffic on such respective Railways :
- (d.) The Company shall not, without the Consent of the *Great Western Railway Company* testified by Writing signed by the Secretary of that Company, acquire any Part of their Land or Property; but if and where any Part of the Company's Works is to be executed in or upon any Land of the *Great Western Railway Company*, the Company may acquire an Easement or Right of making and maintaining the Work in that Land in such a Manner as not to prejudice any Part of the said Railway Company's Works

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Works and Conveniences, or the passing of Engines, Waggon, and Carriages over or along the Railway, or the carrying on of the Railway Company's Traffic.

9. Nothing in this Act contained shall authorize the Company to take from the River *Kennett* any greater Quantity of Water than they were authorized to take from the said River before the passing of this Act, and all the Provisions in the Acts of the Company which regulate the Quantity of Water which may be taken by the Company from that River, and the Places from whence it may be taken, shall remain as valid and effectual as if this Act had not been passed.
10. In addition to the Capital authorized by their existing Acts, the Company may from Time to Time by virtue of this Act raise such further Sums as they from Time to Time think requisite, not exceeding in the whole the Sum of Twenty thousand Pounds.
11. The additional Capital by this Act authorized shall be raised by the Creation and Issue of new Shares or new Stock, ordinary or preference, or partly ordinary and partly preference, at the Option of the Company, but the Dividend on such new Ordinary Shares or Stock shall not exceed Seven Pounds *per Centum per Annum*, and the Dividend on such new Preference Stock shall not exceed Six Pounds *per Centum per Annum*.
12. Except so far as by or under the Authority of this Act or any Act incorporated herewith is otherwise provided, the additional Share Capital to be created by the Company under this Act, and the Shares therein, and the Holders of those Shares respectively, shall be entitled and subject to the same Powers, Rights, Privileges, and Liabilities in all respects as if that new Capital were Part of the Ordinary Share Capital of the Company subsisting at the passing of this Act, and those Shares were Shares in that Ordinary Capital.
13. The Company shall not issue any Share or Stock created under the Authority of this Act, nor shall any such Share or Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of such Share or Stock is paid up in respect thereof.

Company not to take a greater Quantity of Water from the River *Kennett* than they were authorized to take before the passing of this Act.

Power to raise additional Share Capital.

Mode of raising additional Share Capital.

New Share Capital to be subject to same Powers, &c. as existing Share Capital.

Company not to issue Shares unless 20 per Cent. paid up.

14. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

[*Local.*]

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15. The

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Power to
borrow on
Mortgage.

15. The Company may from Time to Time, in addition to any Sum which they are for the Time being independently of this Act authorized to raise by Mortgage, borrow on Mortgage any further Sums not exceeding in the whole Four thousand Pounds at the Times and subject to the Restrictions herein-after contained; (that is to say,) when Five thousand Pounds, Part of the additional Capital by this present Act authorized, has been subscribed for, issued, and accepted, and One Half Part thereof has been paid up, the Company may borrow on Mortgage any Sum not exceeding One thousand Pounds, and for each further Sum of Five thousand Pounds of Capital so subscribed for, issued, accepted, and paid up (up to Fifteen thousand Pounds) may borrow a further Sum of One thousand Pounds; and when the Remainder of the said additional Capital has been subscribed for, issued, and accepted, and One Half Part thereof has been paid up, the Company may borrow on Mortgage any further Sum not exceeding One thousand Pounds; but no Money shall be borrowed under this Act until the additional Capital authorized by this Act is subscribed for to the Extent necessary to authorize such borrowing, and the respective Parts thereof are paid up, according to the Provisions of this Section, and until the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that such additional Capital has been so issued and accepted, and that such respective Parts thereof are so paid up, and not less than One Fifth of the Amount of each separate Share or Portion of Stock has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such additional Capital was issued *bonâ fide*, and is held by Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, or of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Arrears may
be enforced
by Appointment
of a
Receiver.

16. The Mortgagees of the Company may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages, by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less than Three thousand Pounds in the whole.

Priority of
Mortgages
under
existing
Powers.

17. All Mortgages granted by the Company under the first-mentioned Act shall, while respectively in force, have Priority over all Mortgage and Debenture Stock granted and issued under this Act.

18. The

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- 18.** The Company may create and issue Debenture Stock. Power to create Debenture Stock.
- 19.** All Money raised under this Act, either by the Creation and Issue of Shares or Stock or by borrowing, shall be applied to the Purposes of the Company's Undertaking, and not otherwise. Application of Money raised under this Act.
- 20.** The Company may from Time to Time for the Purposes of their Undertaking purchase by Agreement, in addition to the Lands which they are authorized to take by Compulsion, any Lands not exceeding in the whole Two Acres. Power to take additional Lands.
- 21.** The Company shall have full Power to contract with any Person, local Authority, or Body Corporate for the Supply of Water in bulk. Company may contract for Supply of Water in bulk.
- 22.** The Powers of the Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of the Act. Limitation of Time for compulsory Purchase of Lands.
- 23.** The Works by this Act authorized shall be completed within Two Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for constructing the Works, or in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed; but nothing herein contained shall restrict the Company from extending, enlarging, deepening, altering, or removing any of their Engines, Machinery, Wells, Shafts, Mains, or Pipes at any Time and from Time to Time as Occasion may require. Limitation of Time for Construction of Works.
- 24.** The Company may from Time to Time make such Rules and Regulations as they may think necessary to be observed by the Persons supplied with Water by the Company, and by Plumbers and other Workmen and Persons employed to lay on the Supply, and may thereby direct the Use and prescribe the Size, Nature, Strength, and Materials, and the Mode of Arrangement, Alteration, and Repair of the Pipes, Valves, Cocks, Cisterns, Baths, Soil-pans, Waterclosets, and other Apparatus or Receptacles, or any of them, to be used by such Persons respectively for conveying, delivering, and receiving such Water, and may thereby interdict any Arrangement, and the Use of any Pipes, Valves, Cocks, Cisterns, Baths, Soil-pans, Waterclosets, and other Apparatus or Receptacles which in their Judgment will be likely to occasion any Waste, Misuse, undue Consumption, or Contamination of Water, and shall not be bound to supply or continue to supply Water to any such Person or Persons unless such Rules and Regulations be and continue to be duly observed by him or them respectively; and the Pipes, Valves, Cocks, Cisterns, Baths, Soil-pans, Waterclosets, and other Apparatus or Receptacles used or to be used shall be made of such Size, Nature, Strength,

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Strength, and Materials, and shall be so arranged, kept, and repaired, as the Company shall from Time to Time so prescribe or otherwise approve.

Water in certain Cases to be consumed by Meter.

25. The Company may compel any Persons using Water for other than domestic Purposes to consume the same by Meter, and in every Case a separate Pipe shall be provided for the Water to be supplied through such Meter.

Rates for Supply of Water.

26. From and after the passing of this Act the Rates which the Company is under the recited Acts authorized to take for the Supply of Water shall be deemed to comprise and include a Supply of Water for One Watercloset in respect of each House so supplied by the Company.

Saving Rights of the Kennett and Avon Canal Company, &c.

27. Except as by this Act otherwise provided, nothing in this Act contained shall take away, lessen, prejudice, or affect any of the Estates, Rights, Interests, Jurisdictions, Powers, or Privileges of the *Kennett and Avon Canal Company*, or of the *Great Western Railway Company*.

Provisions of this Act subject to Act for Transfer of Undertaking of the Company.

28. And whereas a Bill is now pending "to enable the Local Board of Health in and for the Borough of *Reading* to acquire the Undertaking of the *Reading Waterworks Company*, and for other Purposes," whereby the Undertaking of the Company, including the Powers by this Act conferred upon them, except as is by the reciting Act excepted, is proposed to be transferred to and vested in the said Local Board: Therefore, if the said Bill shall pass into an Act, all the foregoing Provisions of this Act shall be read and construed subject to and in accordance with the Provisions of such Act.

Saving Rights of Reading Local Board.

29. Nothing in this Act shall take away, lessen, prejudice, or affect any of the Estates, Rights, Jurisdictions, Powers, or Privileges of the Local Board of Health for the District of the Borough of *Reading*.

Expenses of Act.

30. All the Costs, Charges, and Expenses of and preparatory and incidental to the Application for and passing of this Act shall be paid by the Company.

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