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# VICTORIÆ REGINÆ.

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## *Cap. lxxi.*

An Act to enable the Local Board of Health in and for the District of the Borough of *Reading* to acquire the Undertaking of the *Reading Waterworks Company*; and for other Purposes.

[13th *July* 1868.]

**W**HEREAS the Mayor, Aldermen, and Burgesses of the Borough of *Reading* in the County of *Berks* are the Local Board of Health in and for the District of that Borough (herein-after called the Local Board): And whereas under and by virtue of the Powers and Provisions of "The *Reading Waterworks Act, 1851*," and of the Two Acts in that Act recited, namely, the Local and Personal Acts 7 *George IV.*, Chapter 33, and 5 and 6 *William IV.*, Chapter 99, or some of them, the *Reading Waterworks Company* (herein-after called "the Company") were incorporated, and have constructed Works, and have supplied and continue to supply with Water the District defined in the said Act of 1851, which District includes the whole of the District of the Local Board: And whereas the Company were by the above-mentioned Acts authorized to raise by the Creation of Shares the Sum of Forty-two thousand Pounds, in Four thousand two hundred Shares of Ten Pounds each, and by borrowing the further Sum of Fourteen thousand Pounds, and they have raised and expended the whole of those Sums respectively: And whereas a Bill is now

14 & 15 Vict.  
c. lxx.

[*Local.*]

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pending



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pending whereby it is proposed to authorize the Company to execute additional Works and to raise a further Sum of Money, and to confer other Powers upon the Company: And whereas it is expedient, with a view to the better and more effectual Supply of Water for sanitary and other Purposes connected with the Borough of *Reading*, that the Local Board should be empowered to purchase and acquire the Undertaking of the Company: And whereas it is expedient that the Local Board should be empowered to raise Money and to apply Funds and Rates for and towards the Objects of this Act: And whereas the Purposes aforesaid cannot be effected 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,

Short Title.

1. This Act may for all Purposes be cited as "*The Reading Local Board Waterworks Act, 1868.*"

10 & 11 Vict.  
c. 17. and  
26 & 27 Vict.  
c. 93. incor-  
porated.

2. The Waterworks Clauses Acts, 1847 and 1863, except the Clauses and Provisions of the Waterworks Clauses Act, 1847, with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, are incorporated with and form Part of this Act.

Interpreta-  
tion of  
Terms.

3. In this Act, unless there be something in the Subject or Context repugnant to such Construction, the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith have the same Meanings; and,

The Expression "the Local Board" means the Local Board of Health in and for the District of the Borough of *Reading* in the County of *Berks*;

The Expression "the Public Health Acts" includes the Public Health Act, 1848, and the several Acts passed prior to the Year 1858 amending the same, and the Local Government Act, 1858, and the several Acts subsequently passed amending the same;

The Expression "the Company" means "the *Reading Waterworks Company*;"

The Word "Annuitant" or "Annuitants" means the Person or Persons in whom for the Time being any Annuity or Annuities granted under the Provisions of this Act is or are lawfully vested;

The Expression "the vesting Period" means the Twenty-ninth Day of *September* One thousand eight hundred and sixty-seven;

The



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The Expression "the Waterworks of the Local Board" means the Waterworks by this Act transferred to the Local Board as the same are from Time to Time managed and carried on, altered, varied, enlarged, or extended;

The several Expressions in "The Commissioners Clauses Act, 1847," "the Commissioners," and "the Clerk to the Commissioners," and "the Office of the Commissioners," mean respectively the Local Board, the Clerk to the Local Board, and the Office of the Clerk to the Local Board;

The Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act wholly or partially incorporated herewith, 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;

And for the Purposes of this Act the Expression "Special Act" in the Acts wholly or partially incorporated with this Act means this Act.

4. Upon the passing of this Act, and as from the vesting Period, the whole Undertaking of the Company, and all their Works, Reservoirs, Streams, Springs, Waters, Mains, and Pipes, Plant, whether fixed or moveable, Machinery, Apparatus, Implements, and other Works and Conveniences, and all their Buildings, Lands, Estates, Property, and Effects, and all their Easements, Rights, Interests, Securities, Monies, Debts, Profits, Choses in Action, Books, Writings, Chattels, and Effects, Claims and Demands, and all their Authorities, Powers, and Privileges, and all other the Estate, real and personal, of or belonging to the Company, including any Powers, Privileges, or Authorities (except the raising of additional Capital) which may be conferred upon them by any Act of Parliament passed or to be passed during the present Session, (and all which are included in the Expression in this Act "the Undertaking" or "the Undertaking of the Company,") is and are absolutely transferred to and vested in, and may be used, worked, exercised, or enjoyed by, the Local Board, but subject to the Mortgage Debt of the Company amounting to the Sum of Fourteen thousand Pounds, and all Rentcharges, Liabilities, Debts, Claims, and Demands of or upon the Company, and the perpetual Annuities to be granted under the Provisions of this Act, and subject also and without Prejudice to the Payment of the Dividend made for the Half Year ending the Twenty-ninth Day of *September* One thousand eight hundred and sixty-seven.

Undertaking  
of Company  
vested in  
Local Board.

5. Part V., relating to Amalgamation of "The Railways Clauses Act, 1863," is incorporated with this Act, and shall apply to the Local

Part V. of  
26 & 27 Vict.  
c.92. to apply  
to Transfer



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Local Board and Company respectively, and to the Undertaking by or under the Provisions of this Act transferred to or vested in the Local Board, as if the Company were by this Act amalgamated with the Local Board, and the Local Board were the amalgamated Company, and the Company were the dissolved Company, and this Act were the amalgamating Act, and the vesting Period were the Time of Amalgamation; and for the Purposes of this Act Section Thirty-nine of "The Railways Clauses Act, 1863," shall apply to and include all other Acts as well as the Special Acts relating to or affecting the Company or their Undertaking, and in force at the passing of this Act; Provided always, that all Registers, Books, Accounts, Vouchers, Papers, and Writings of the Company shall at all Times within Twenty Years thereafter be open *gratis* at all reasonable Times at the Office of the Clerk to the Local Board to the Inspection and Transcription of all Parties interested, and shall be subject to be when requisite, and at the Expense of the Parties requiring the same, produced in Courts of Justice and elsewhere by the Local Board.

Powers of Company as to Management, raising of Capital, &c. extinguished.

6. Provided always, that the Powers by this Act vested in the Local Board shall not comprise any of the Powers of the Company with respect to General Meetings or Directors, or the Management of the internal Affairs of the Company, or the raising of Monies by Shares or by borrowing.

Dissolution of Company.

7. At the Expiration of One Month next after the passing of this Act the Company shall be by this Act dissolved, and shall wholly cease to exist.

Execution of Company's Acts by Local Board.

8. On and after the passing of this Act the recited Acts and this Act, and any Act passed or to be passed during the present Session conferring further Powers upon the Company, may and shall, subject to the Provisions of this Act, be carried into execution by the Local Board, with the Powers and Indemnities and according to the Provisions of the Public Health Acts; and those Acts shall, in relation to the Local Board and the several Objects and Purposes of this Act, be read and construed, subject to the Provisions of this Act, as if the Purposes and Provisions of this Act were Purposes and Provisions of the Public Health Acts, so far as the same shall be applicable thereto, and except so far as any of the Provisions of the Public Health Acts are varied, altered, or otherwise provided for by this Act.

Power to Local Board to appoint Committee.

9. The Local Board may from Time to Time appoint a Committee for the Execution of the recited Acts and any other Act passed or to be passed as aforesaid and this Act, and the Local Board from  
Time



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Time to Time may remove any Member of the Committee, and appoint any other Member of the Local Board in his Place, and from Time to Time may delegate to the Committee such of the Powers, Authorities, and Duties of the Local Board under this Act as they think fit; and the Acts and Proceedings of the Committee within the Limits of such Delegation shall be deemed the Acts and Proceedings of the Local Board, and the Quorum of such Committee shall be Three; and the Local Board may from Time to Time make such Regulations as it thinks fit for the Guidance of the Committee, and the Acts and Proceedings of the Committee shall from Time to Time be submitted to the Local Board for Approval.

10. The Mortgage Debt of the Company, amounting to the Sum of Fourteen thousand Pounds, and the Interest accruing thereon, shall continue to be a First Charge upon the Waterworks of the Local Board and upon the Revenue thereof.

Mortgages of the Company continue a First Charge on the Waterworks.

11. In consideration of the Undertaking of the Company being vested in the Local Board, the Local Board shall grant to the Holders of the Share Capital of the Company a perpetual Annuity of Fourteen Shillings for and in respect of every Share of Ten Pounds into which the Company's Share Capital of Forty-two thousand Pounds is divided, and those Annuities shall be granted upon the Security of the Waterworks of the Local Board, and shall be a First Charge upon the clear Profits or net Income thereof as the same are ascertained by means of the Waterworks Half-yearly Revenue Account herein-after mentioned.

Annuities to be granted by Local Board to Shareholders in the Company.

12. The Annuities shall vest in and belong to the several Parties who upon the Day of the passing of this Act are Shareholders of the Company in proportion to the Number of Shares held by them respectively.

Vesting Annuities in Shareholders.

13. The Annuities shall in all respects, both at Law and in Equity, be substituted for and represent the Shares in the Capital of the Company, and the several Parties in whom the Annuities become vested under this Act shall be possessed thereof respectively upon the same Trusts, and subject to the same Powers, Provisions, Charges, and Liabilities, as those upon and to which their respective Shares in the Capital of the Company are at the Time of the passing of this Act held and subject, and the Annuities shall accordingly pass or be affected by any Will or other Instrument disposing of or affecting such Shares.

Annuities to represent Shares in Company.

14. The Local Board shall issue to every Party in whom any Annuity becomes vested under this Act, or to his Successors,

Local Board to issue Certificates for Annuities,

[Local.]

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Executors,

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Executors, Administrators, or Assigns, on Demand made by him or them to the Local Board, and on Delivery by him or them of the Certificate of the Share in the Capital of the Company for which the Annuity is substituted, or Proof that such Certificate is lost or destroyed, a Certificate of the Annuity, and such Certificate shall be so issued free of Expense to the Annuitant, and may be in the Form in the Schedule (A.) to this Act annexed, or to the like Effect; provided that the Local Board may by Agreement with any Annuitant include in One Certificate any Number of Annuities to which such Annuitant is entitled.

Provisions of  
8 & 9 Vict.  
c. 16. as to  
Shares, &c.  
to apply to  
Annuities.

**15.** The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, and with respect to the Transfer or Transmission of Shares, shall be incorporated with this Act, and shall, except where the same are expressly varied by this Act, apply to the said Annuities, and to the Holders of the Annuities, and to the Local Board, as if the Local Board were the Company referred to in those Provisions, and the Annuities were Shares in the Undertaking of that Company, and the Holders of the Annuities were Shareholders in that Company: Provided always, that the Form of Transfer of an Annuity may be according to the Form in Schedule (B.) to this Act annexed, or to the like Effect.

Commence-  
ment and  
Payment of  
Annuities.

**16.** The Annuities shall be computed from the vesting Period, and shall be payable at the Office at *Reading* of the Treasurer to the Local Board, clear of all Deductions (except Income Tax), and, subject to the Provisions of this Act, the Annuities for the Year ending on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-eight shall be payable on that Day, and all the subsequent Annuities shall be payable by equal half-yearly Installments on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year.

Recovery of  
Arrears of  
Annuities.

**17.** If within Thirty Days after any Annuity for the Year ending on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-eight, or any half-yearly Portion of any subsequent Annuity, becomes payable, and after Demand thereof in Writing it be not paid, the Person entitled thereto may, subject to the Provisions of this Act, recover the same against the Local Board in any Court of competent Jurisdiction, and, without Prejudice to his Right so to recover the same, may require the Appointment of a Receiver as by this Act provided.

Arrears of  
Annuities  
may be

**18.** The Annuitants may enforce the Payment of Arrears of their Annuities by the Appointment of a Receiver as if they were  
Mortgagees



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Mortgagees of the Local Board, and for that Purpose the Provisions in that Behalf applicable of "The Companies Clauses Consolidation Act, 1845," shall apply, *mutatis mutandis*, to the Local Board and the Annuitants and the Receiver, and the Amount in arrear to authorize an Application for a Receiver is One thousand Pounds. enforced by Appointment of a Receiver.

19. Provided always, that nothing in this Act contained shall entitle any Annuitant to recover or enforce Payment of his Annuity from any other Source than the clear Profits or net Income of the Waterworks of the Local Board as the same are ascertained by means of the Waterworks Half-yearly Revenue Account herein-after mentioned; but if in any Half Year such clear Profits or net Income shall not be sufficient to pay the Annuities for such Half Year, any Deficiency may be made good out of the Depreciation Fund herein-after mentioned, so far as the same shall at the Time be sufficient for that Purpose, after meeting the extraordinary Contingencies charged thereon, and in default thereof such Deficiency shall be made up out of the clear Profits or net Income of any future Half Year, not exceeding Two Years from the Period when the Deficiency occurred. Defining Rights of Annuitants.

20. The Court of Quarter Sessions for the Borough of *Reading* may from Time to Time, on the Petition of any Annuitant or Annuitants holding Annuities to the Amount of not less than Five hundred Pounds, appoint some Accountant or other competent Person, not being an Annuitant or a Ratepayer in the Borough of *Reading*, to examine and inquire into the Rate or Rates at which Water Consumers are charged by the Local Board for the Supply of Water, and the Amount derived by the Local Board therefrom, and all other Matters connected therewith, with a view to ascertain whether such Rate or Rates has or have been unduly lowered by the Local Board to the Prejudice of the Rights and Interests of the Annuitants under the Provisions of this Act; the Person so appointed may require the Production of such Particulars, Vouchers, and Documentary or other Evidence as he thinks fit, and he shall make Report thereon to the said Court at the Quarter Sessions next following his Appointment; the Court may examine upon Oath any Witnesses touching the Matters aforesaid, and may make such Order in the Premises, and with reference to the Scale of Charges (not exceeding the maximum Rates for the Time being authorized by Parliament) to be thereafter made by the Local Board for and in respect of the Supply of Water as aforesaid and for such Period as the Court may think fit; and every such Order shall be binding and conclusive upon the Local Board and the Annuitants, and each and every of them. For revising Water Rates.

21. The

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Providing  
for Redemp-  
tion of  
Annuities.

**21.** The Annuities may from Time to Time be redeemed in the Manner and subject to the Conditions and Restrictions following; (that is to say,)

First. The Local Board may from Time to Time, if they think fit, redeem all or any of the Annuities by the Payment to the Annuitant of the Sum herein-after mentioned, that is to say, the Sum of Fourteen Pounds Sterling for each Annuity redeemed within Five Years next after the passing of this Act, the Sum of Fourteen Pounds Ten Shillings for each Annuity redeemed subsequently to Five Years and within Ten Years next after the passing of this Act, and the Sum of Fifteen Pounds for each Annuity redeemed subsequently to Ten Years next after the passing of this Act; provided that the Local Board shall give to the Annuitant whose Annuity it is intended so to redeem Six Months Notice of such Intention, and such Notice may be in Writing or in Print, or partly in Writing and partly in Print, and may be given by being sent through the Post addressed to the Annuitant at his usual or last known Place of Abode :

Second. The Local Board may from Time to Time by Agreement with any Annuitant redeem all or any of his Annuities upon such Terms and Conditions as may be agreed upon; but the Local Board shall not redeem any Annuity for a higher Sum than herein-before mentioned according to the Period of redeeming the same :

Third. When any Annuity is redeemed an Entry of the Redemption thereof shall be made in a Register to be called the "Register of the *Reading* Waterworks Annuitants," and thereupon the redeemed Annuity shall be wholly extinguished.

Waterworks  
Half-yearly  
Revenue  
Account to  
be kept by  
the Local  
Board.

**22.** The Local Board shall from Time to Time keep an Account, to be called the "Waterworks Half-yearly Revenue Account," for the Purpose of showing for each Half Year the clear Profits or net Income of the Waterworks of the Local Board applicable to the Payment of the Annuities under the Provisions of this Act. There shall be credited to such Account all Water Rates or Sums received by the Local Board for the Supply of Water during the Half Year, and all other Receipts and Credits on account of the Waterworks of the Local Board in respect of the Half Year properly applicable to Revenue; and there shall be debited to such Account all Sums, Expenses, and Outgoings paid, sustained, or incurred by the Local Board during the Half Year in or about the Conduct, Management, and Maintenance of the Waterworks of the Local Board properly chargeable to Revenue; and there shall also be credited to the said Account a fair and reasonable Sum in respect of Water used by the  
Local



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Local Board for public Purposes during the Half Year; and there shall be also debited to the said Account in each Half Year for the Purposes of Interest and a Sinking Fund a Sum equal to Three Pounds Two Shillings and Sixpence for every Hundred Pounds of the Sum of Fourteen thousand Pounds, the Mortgage Debt of the Company, and of such further Sum or Sums as the Local Board shall from Time to Time have borrowed under the Powers of this Act, or of so much thereof respectively as shall from Time to Time remain unpaid; the Waterworks Half-yearly Revenue Account shall be made up and balanced half-yearly to and at such Periods as will be most convenient with reference to the Payment of the Annuities at the respective Periods prescribed by this Act, and the net Balance appearing to the Credit of the Account so made up and balanced shall, subject to the Provisions herein-after contained for examining and auditing the said Account, be deemed to be the clear Profits or net Income of the Waterworks of the Local Board for the Half Year to which such Account relates.

23. The Waterworks Half-yearly Revenue Account shall be kept at the Office at *Reading* of the Clerk to the Local Board, and shall be open at all reasonable Times of the Day to the Inspection of any Annuitant, and any Annuitant may take Copies of or Extracts from the said Account.

For Inspection of Waterworks Half-yearly Revenue Account.

24. The Court of Quarter Sessions of the Borough of *Reading* may from Time to Time, on the Petition of any Annuitant or Annuitants holding Annuities to the Amount of not less than Five hundred Pounds, appoint some Accountant or other competent Person, not being an Annuitant or a Ratepayer in the Borough of *Reading* to examine and audit the Waterworks Half-yearly Revenue Account, and the Person so appointed may require the Production of such Particulars, Vouchers, and Documentary or other Evidence as he thinks fit, and he shall make Report thereon to the said Court at the Quarter Sessions next following his Appointment; and the said Court may examine upon Oath any Witnesses touching the Waterworks Half-yearly Revenue Account, and the Matters therein comprised or referred to or connected therewith; and the said Court may make such Order with respect to the said Account and the Items thereof, and the Sums charged or to be charged therein, and for the Correction or Confirmation of such Account, as to the said Court may seem fit; and every such Order shall be final and conclusive on the Local Board and the Annuitants, and each and every of them.

For auditing Waterworks Half-yearly Revenue Account.

25. Unless the said Court of Quarter Sessions otherwise order, the Expenses of and attending any such Inquiry respecting the

Expenses of Inquiry or Audit.

[Local.]

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Water



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Water Rates or Audit of the Waterworks Half-yearly Revenue Account as by this Act provided (the Amount of such Expenses to be determined by the said Court) shall be borne and paid by the Local Board out of the Monies received by them on account of Revenue, and shall be deemed to be a Sum properly chargeable to the Waterworks Half-yearly Revenue Account according to the true Intent and Meaning of this Act; Provided always, that if it shall appear to the said Court that there was no sufficient Ground for requiring such Inquiry or Audit, the said Court may, if they think fit, order the Petitioner or Petitioners to pay the whole or any Part of the Costs of or incident to such Inquiry or Audit (the Amount thereof to be determined by the said Court), and the Costs so ordered to be paid may be recovered in any Court of competent Jurisdiction; or if it shall appear to the said Court that there was no reasonable Ground for making up and balancing the Waterworks Half-yearly Revenue Account to which any such Audit referred in the Manner in which such Account was made up and balanced by the Local Board, the Court may, if they think fit, order the Local Board to pay the whole or any Part of the Costs of or incident to such Audit (the Amount thereof to be determined by the said Court), and the Costs so ordered to be paid by the Local Board may be recovered in any Court of competent Jurisdiction.

Penalty on  
Local Board  
refusing to  
produce  
Books,  
Vouchers,  
&c.

26. If the Local Board shall for Seven Days after being required to produce to the said Court, or to the said Accountant or other Person as aforesaid, any Books of Account or other Books, Bills, Receipts, Vouchers, or Papers relating to the Inquiry or Audit, refuse or neglect to produce such Books, Bills, Receipts, Vouchers, or Papers, they shall forfeit the Sum of Fifty Pounds for every such Refusal or wilful Neglect, and the further Sum of Five Pounds for every Day during which such Refusal or wilful Neglect shall continue after the Expiration of the said Seven Days, such respective Penalties to be recovered by any Person who will sue for the same, with full Costs of Suit, in any Court of competent Jurisdiction.

Application  
of any  
surplus  
Profits on  
Waterworks  
Half-yearly  
Revenue  
Account.

27. Any Surplus of the clear Profits or net Income of the Waterworks of the Local Board, as ascertained by means of the Waterworks Half-yearly Revenue Account remaining after Payment of the Annuities and all other Charges thereon, shall be applied by the Local Board as follows: first, in setting apart for the Depreciation Fund herein-after mentioned, if and so far as such Surplus will admit, a Sum equal to Five Shillings for every One hundred Pounds of the Sum of Fifty-six thousand Pounds (the aggregate Amount of the Two Sums of Forty-two thousand Pounds and Fourteen thousand Pounds raised and expended by the Company), and of such further Sum or Sums of Money as the Local Board shall from Time to Time have



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have borrowed under the Powers of this Act; and, subject thereto, the Balance, if any, of such Surplus shall be carried to the District Fund Account of the Local Board, and shall be applied by the Local Board in Payment of any Charges or Expenses for the Time being payable out of the General District Rates leviable by the Local Board, or otherwise for the public Benefit of the Inhabitants of *Reading* and for the Improvement of the Borough, as to the Local Board shall seem meet.

28. The Sums so set apart for the Depreciation Fund shall from Time to Time be carried by the Local Board to a separate Account, to be called the "Waterworks Depreciation Fund," and such Sums shall from Time to Time be invested in Government or other Securities, and the Dividends and Interest arising from such Securities shall also be invested in the same or the like Securities in order that the same may accumulate at Compound Interest, subject to the Application thereof as herein-after provided; and such Depreciation Fund shall be applied from Time to Time by the Local Board, first, to meet any extraordinary Contingencies which may arise in respect of the Waterworks of the Local Board, and subject thereto, and to the Payment of any Annuities which may become chargeable thereon, but only as to so much of the said Fund as shall from Time to Time be in excess of the Sum of Three thousand Pounds, to enlarging, extending, or improving the Waterworks of the Local Board, or other the Purposes of this Act, in such Manner as the Local Board may deem expedient: Provided always, that any Difference between the Local Board and any Annuitant or Annuitants holding Annuities to the Amount of not less than Five hundred Pounds as to the Existence of such extraordinary Contingencies shall be determined by the Court of Quarter Sessions of the Borough of *Reading* upon the Petition of such Annuitant or Annuitants in manner provided by Section 24 of this Act, and the Powers vested in such Court by Sections 24, 25, and 26 of this Act shall for the Purposes of such Petition be deemed to be extended to such "Waterworks Depreciation Fund," as well as the Half-yearly Revenue Account therein mentioned.

Depreciation  
Fund to be  
established.

29. For the Purposes of this Act the Local Board from Time to Time may borrow, under the Authority of this Act, in addition to any Monies they have borrowed or are authorized to borrow under the Public Health Acts, at Interest on the Security of the Waterworks of the Local Board, and, if they think fit, as a collateral Security of their General District Rates, such Sums as they from Time to Time think requisite, not exceeding in the whole Thirty thousand Pounds, and such further Sum or Sums, in addition to the said Sum of Thirty thousand Pounds, as they from Time to Time think

Power for  
Local Board  
to borrow.



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think requisite for the Purpose of redeeming all or any of the Annuities, and they may grant Mortgages of the said Waterworks and General District Rates accordingly, and after having paid off otherwise than by a Sinking Fund any Monies so borrowed they may reborrow the Amount so paid off, and so *toties quoties*, and they may in like Manner reborrow the Amount now secured by Mortgages of the Company: Provided always, that the Mortgages granted by the Local Board under this Act shall be without Prejudice to the Mortgages of the Company and to any Mortgages granted by the Local Board under the Public Health Acts on the Security of the General District Rates before the passing of this Act, and from Time to Time after the passing of this Act while the same respectively are in force: Provided also, that the Mortgages granted by the Local Board under this Act, and the Transfers thereof, may be according to the Forms in Schedules (C.) and (D.) to this Act annexed, or to the like Effect.

Separate Account of borrowed Money.

**30.** The Waterworks General Account herein-after provided for shall distinguish the Monies to be raised by borrowing from other Monies received under this Act, and the Monies so raised by borrowing shall be applied to the following Purposes; that is to say, the Costs, Charges, and Expenses of and preliminary and incidental to the preparing, obtaining, and passing of this Act herein-after mentioned, and of and incident to the Transfer or vesting of the Undertaking of the Company to or in the Local Board, the Acquisition of that Undertaking, the Payment of the Mortgage Debt, and other Liabilities, Claims, and Demands of or upon the Company, and in the Extension and Improvement of the Waterworks of the Local Board, and, as the Case may be, to the Redemption of the Annuities.

Arrears of Mortgages may be enforced by Appointment of a Receiver.

**31.** The Mortgagees of the Company and the other Mortgagees of the Local Board under this Act 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 One thousand Pounds in the whole.

As to paying off Mortgages.

**32.** The Monies to be borrowed under this Act may be borrowed for such Time not exceeding Thirty Years as the Local Board determine in each Case, and the Local Board may either pay off the Monies borrowed by them under the Authority of this Act and the Mortgage Debt of the Company respectively by equal annual Instalments, or they may in every Year set apart as a Sinking Fund, and



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and accumulate in the way of Compound Interest, by investing the same in the Purchase of Exchequer Bills or other Government Securities, such Sum as will be sufficient to pay off the Monies so borrowed and the Mortgage Debt of the Company respectively, or a Part thereof respectively, at such Times as the Local Board may determine.

**33.** The Sums debited from Time to Time to the Waterworks Half-yearly Revenue Account as herein-before provided for the Purposes of Interest and a Sinking Fund shall be applied by the Local Board, first, in Payment of the Interest from Time to Time accruing upon the said Mortgage Debt of the Company and the Monies borrowed by the Local Board under the Authority of this Act, and, subject thereto, shall be applied in paying off such Mortgage Debt and Monies, or may be set apart and accumulated in manner aforesaid as a Sinking Fund for that Purpose.

Application of Sums set apart for Purposes of Interest and a Sinking Fund.

**34.** All Money borrowed by the Local Board under the Authority of this Act on the Security of the General District Rates, and the Interest thereof, and all Expenses incurred by the Local Board in carrying this Act into execution or incidental thereto, so far as the said Money, Interest, and Expenses are not otherwise expressly provided for by this Act, or defrayed out of the Monies from Time to Time carried to the Credit of the Waterworks Half-yearly Revenue Account herein-before mentioned, but no further, are hereby charged on the General District Rates as if the same were Expenses charged on and payable out of the Money levied by means of such Rates under "The Public Health Act, 1848," and may be lawfully advanced and paid thereout.

Expenses of executing this Act not otherwise provided for charged on General District Rates.

**35.** The Local Board from Time to Time, in estimating the Amount required to be raised by means of a General District Rate for the Purposes of their District, and in making such Rate, shall include the Money, if any, for the Time being required by the Local Board to be raised out of the General District Rates for the Purposes of and under the Provisions of this Act in one and the same Rate and Assessment as the Money authorized to be levied by "The Public Health Act, 1848," by means of General District Rates, and shall collect the same as Part thereof as if the same were expressly charged by that Act on those Rates.

General District Rates to include Money required by Local Board under this Act.

**36.** The Local Board shall keep a separate Account, to be called "The Reading Waterworks General Account," of all their Receipts, Credits, Payments, and Liabilities with respect to the Execution of this Act, and such Account shall be made up and balanced half-yearly at the same Time as the Waterworks Half-yearly Revenue

Local Board to keep separate General Account for Waterworks.

[Local.]

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Account



*The Reading Local Board Waterworks Act, 1868.*

Account herein-before provided, and shall from Time to Time be audited and published in like Manner and at the same Time as the Accounts of the Receipts and Expenditure of the Local Board under the Public Health Acts for the Half Year ending next after the making up and balancing such Account.

Not to affect Powers of Local Board under Public Health Acts.

**37.** Nothing in this Act contained shall prejudice or affect the Powers of the Local Board, under the Provisions of the Public Health Acts and any supplemental Acts, of making General and Special District and Water and other Rates for the Purposes of such Acts or any of them.

Recovery of Monies by Local Board.

**38.** All Rates and Sums due to the Company at the Time of the passing of this Act, and all Rates and Sums due to the Board on any Account whatsoever under this Act, and all Costs, Damages, Penalties, and Expenses by this Act directed to be paid to them respectively, may be ascertained or levied and recovered in the same Manner in all respects as any other Rates or Monies, Costs, Damages, Penalties, and Expenses payable to the Local Board under the Public Health Acts may be ascertained, levied, or recovered respectively, and Proceedings for the Recovery thereof may be taken in the Name of any Officer of the Local Board; and the Remedies of the Local Board under this Enactment shall be in addition to the other Remedies for the Recovery of any such Rates, Sums, Costs, Damages, Forfeitures, Penalties, and Expenses respectively.

Limits of District.

**39.** The Limits of this Act for and with respect to the Supply of Water under this Act by the Local Board shall extend to and include the several Parishes, Townships, and Places, and Parts of Parishes, Townships, and Places, now included within the Limits of Supply of the Company.

Contracts for Supply of Water not to disqualify Members of Local Board, &c.

**40.** A Contract with the Local Board for a Supply of Water under this Act shall not disqualify the Person contracting from being or acting as a Member, Auditor, Assessor, or Officer of the Local Board.

Saving Rights of Local Board.

**41.** Except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, or prejudice any of the Estates, Rights, Powers, or Privileges of the Local Board.

Expenses of Act.

**42.** The Costs, Charges, and Expenses of and preliminary and incidental to the preparing, obtaining, and passing of this Act shall be paid by the Local Board.

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*The Reading Local Board Waterworks Act, 1868.*

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SCHEDULES referred to in the foregoing Act.SCHEDULE (A.)

## FORM OF CERTIFICATE OF ANNUITY.

Certificate of Annuity, No. £

By virtue of "The Reading Local Board Waterworks Act, 1868," the Local Board for the District of the Borough of Reading certify that *A.B.* of \_\_\_\_\_ is under and subject to the Provisions of that Act entitled to a perpetual Annuity of \_\_\_\_\_ charged on the Waterworks of the Local Board, and substituted for the Share of \_\_\_\_\_ in the Reading Waterworks Company, No. \_\_\_\_\_, and such Annuity is payable to him, his Executors, Administrators, or Assigns, at the Office in Reading of the Treasurer of the Local Board, as regards the Annuity for the Year ending on the 29th Day of September 1868, on that Day, and for every subsequent Year by equal half-yearly Payments on the 24th Day of March and the 29th Day of September yearly.

Given under the Common Seal of the Mayor, Aldermen, and Burgesses of the Borough of Reading in the County of Berks as and being the Local Board of Health for the District of that Borough this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord 18 \_\_\_\_\_.

SCHEDULE (B.)

## FORM OF TRANSFER OF ANNUITY.

I *A.B.* of \_\_\_\_\_, in consideration of £ \_\_\_\_\_ paid to me by *C.D.* of \_\_\_\_\_, transfer to him, his Executors, Administrators, and Assigns, the perpetual Annuity [*or* Annuities] No. \_\_\_\_\_ of \_\_\_\_\_ charged by "The Reading Local Board Waterworks Act, 1868," on the Waterworks of the Local Board, and substituted for the Share [*or* Shares] of \_\_\_\_\_ in the Reading Waterworks Company, numbered \_\_\_\_\_, and payable at the Office in Reading of the Treasurer of the Local Board, as regards the Annuity for the Year ending on the 29th Day of September 1868, on that Day, and for every subsequent Year by equal half-yearly Payments on the 24th Day of March and the 29th Day of September yearly, and all my Right and Interest therein and thereto.

As witness my Hand and Seal this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_.

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*The Reading Local Board Waterworks Act, 1868.*

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## SCHEDULE (C.)

## FORM OF MORTGAGE.

*The Reading Local Board Waterworks Act, 1868.*

Mortgage No. £

By virtue of the above-mentioned Act the Local Board for the District of the Borough of Reading in the County of Berks, in consideration of Pounds paid to the Treasurer of the said District by A.B. of for the Purposes of the above-mentioned Act, do grant to him, his Executors, Administrators, and Assigns, the Interest of the Local Board in the Waterworks of the Local Board under the said Act, and in the Water Rents and Money to be received in respect thereof, [and also, if the Local Board think fit, as a collateral Security, the General District Rates of the Local Board], to hold until the said Sum of Pounds, with Interest at the Rate of Pounds per Centum per Annum for the same, shall be fully paid and satisfied; and it is hereby declared that the said Principal Sum shall be paid on the Day of at [Place of Payment].

Given under the Common Seal of the Mayor, Aldermen, and Burgesses of the Borough of Reading in the County of Berks, as and being the Local Board of Health for the District of that Borough, this Day of in the Year of our Lord

## SCHEDULE (D.)

## FORM OF TRANSFER OF MORTGAGE.

*The Reading Local Board Waterworks Act, 1868.*

I A.B. of , in consideration of Pounds paid to me by C.D. of , do hereby transfer to the said C.D., his Executors, Administrators, and Assigns, the Mortgage No. granted on the Day of by the Local Board for the District of the Borough of Reading in the County of Berks under the above-mentioned Act for securing the Sum of and Interest [or, if the Transfer be by Endorsement, the within-written Security], and all my Right and Interest in and under the same.

As witness my Hand and Seal this Day of

LONDON :

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