



## CHAPTER XXV.

An Act to incorporate and confer powers on the Amersham Beaconsfield and District Water Company and for other purposes. A.D. 1933.

[28th June 1933.]

**W**HEREAS the Amersham Beaconsfield and District Waterworks Company Limited (hereinafter referred to as "the limited company") were on the fourteenth day of September one thousand eight hundred and ninety-five incorporated under the Companies Acts 1862 to 1890 :

And whereas by the Act and Orders specified in Part I of the First Schedule to this Act the limited company were authorised to construct waterworks and supply water within limits of supply which comprised the areas now constituting the urban district of Beaconsfield and the parishes of Amersham Chalfont St. Giles Chenies Chesham Bois Coleshill Penn and Seer Green in the rural district of Amersham the parish of Gerrards Cross in the rural district of Eton and parts of the parishes of Chepping Wycombe (Rural) and Wooburn in the rural district of Wycombe all in the county of Buckingham and other powers were conferred upon the limited company :

And whereas under the provisions of the said Act and Orders the amount of the share capital of the limited company for the purposes of their water undertaking

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A.D. 1933. is limited to one hundred and seventy thousand pounds and the amount of money to be borrowed by the limited company and secured by mortgage of their undertaking is limited to one-third of the amount of the capital of the limited company actually raised in respect of their said undertaking by the issue of shares including any premiums obtained on the sale of such shares :

And whereas the following is a statement of the share capital and loan capital of the limited company created and issued or raised :—

SHARE CAPITAL.

Description of shares.	Maximum dividend.	Nominal amount of shares.	Total paid up.	Pre-miums.
	Per cent.	£	£	£
Original shares -	10	1	12,000	—
Additional -	7	1	69,100	15,888
			81,100	15,888

LOAN CAPITAL.

Description of security.	Rate of interest.	Amount borrowed.	Pre-miums.
	Per cent.	£	£
Mortgage debentures - - -	4	4,550	—
Mortgage debentures - - -	5½	10,750	—
Mortgage debentures - - -	6	2,975	—
Mortgage debentures - - -	5	10,000	298
		28,275	298

And whereas it is expedient that the limited company should be dissolved and that the members thereof should be re-incorporated as in this Act provided into a company (hereinafter referred to as "the Company") with power to supply water within the limits defined by this Act :

And whereas it is expedient that the undertaking of the limited company should be vested in the Company

and that the existing works of the limited company should be continued and that the Company should be authorised to make and maintain additional waterworks and that such powers should be conferred upon them and such other provision made with respect to their undertaking as are in this Act mentioned : A.D. 1933.  
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And whereas plans and sections of the works authorised by this Act showing the lines and levels thereof and a book of reference to the plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the county council of Buckingham and those plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 :—

## PART I.

### PRELIMINARY.

1. This Act may be cited as the Amersham Beaconsfield and District Waterworks Act 1933. Short title.

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

Part I.—Preliminary.

Part II.—Incorporation of Company.

Part III.—Financial provisions.

Part IV.—Administrative provisions.

Part V.—Waterworks and lands.

Part VI.—Supply of water &c.

Part VII.—Miscellaneous.

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Incorporation of  
general  
Acts.

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

- (a) The Lands Clauses Acts Provided always that any question of disputed compensation under this Act or any Act incorporated herewith (other than a question required to be determined by two justices) shall be determined by a single arbitrator to be agreed upon between the Company and the person claiming the compensation or in default of such agreement appointed by the Minister of Health on the application of either party :
- (b) 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 said provisions for the purposes of this Act the expression "the railway" shall mean the works by this Act authorised and "the centre of the railway" shall mean the centre lines of such works :
- (c) The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) and Part I (relating to cancellation and surrender of shares) Part II (relating to additional capital except the provisions thereof which limit the rate of dividend on preference capital) and Part III (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts :
- (d) The Waterworks Clauses Acts 1847 and 1863 (except the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" in section 44 of the Waterworks Clauses Act 1847) Provided that for the purposes of this Act the references to the "clerk of the peace" in sections 7 to 10 inclusive of the Waterworks Clauses Act 1847 shall be read as references to the "clerk of the county council."

4. 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 respective meanings And—

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Interpre-  
tation.

“ the Company ” means the Amersham Beaconsfield and District Water Company incorporated by this Act;

“ the limited company ” means the Amersham Beaconsfield and District Waterworks Company Limited;

“ the appointed day ” means the first day of April one thousand nine hundred and thirty-four;

“ the limits of supply ” means the limits within which the Company are from time to time authorised to supply water;

“ the new works ” means the works described in the section of this Act of which the marginal note is “ Power to construct waterworks ”;

“ the waterworks ” means the existing waterworks and works connected therewith of the limited company together with the new works;

“ the undertaking ” means the undertaking of the Company for the time being authorised;

“ the directors ” means the directors of the Company; and

“ telegraphic line ” has the same meaning as in the Telegraph Act 1878.

## PART II.

### INCORPORATION OF COMPANY.

5. As from the appointed day the limited company shall be dissolved and the several persons who immediately before the appointed day were members of the limited company and all other persons who have subscribed to or shall become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a company for the purposes hereinafter mentioned and shall be and are hereby incorporated by the name of the Amersham Beaconsfield and District Water Company

Incorpora-  
tion of  
Company.

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A.D. 1933. — and by that name shall be a body corporate with perpetual succession and a common seal and with power to take hold and dispose of lands and other property for the purposes of this Act and of the undertaking.

General purposes of Company. 6. The Company shall be established for the purposes of supplying water to and within the limits of supply and generally to carry on the business of a water company and for other the purposes of this Act.

Property of limited company vested in Company. 7. Subject to the provisions of this Act all the lands waterworks erections buildings property rights and easements which immediately before the appointed day are vested in the limited company or any person in trust for them or to which the limited company are in anywise entitled and all pipes plant apparatus stocks matters and things which have been purchased or provided by and are immediately before the appointed day the property of the limited company and all moneys securities credits effects and other property whatsoever which immediately before the appointed day belong to the limited company or to any trustee on their behalf and the benefit of all contracts and engagements entered into by or on behalf of the limited company and immediately before the appointed day in force and the undertaking of the limited company shall on and from the appointed day be by virtue of this Act transferred to and vested in the Company to the same extent and for the same estate and interest as the same were previously to the appointed day vested in the limited company or any trustee on their behalf and may according to the provisions of this Act be held and enjoyed sued for and recovered maintained altered discontinued removed and dealt with by the Company as they think fit.

Repeal of Act and Orders and avoidance of memorandum and articles of association of limited company. 8.—(1) Subject to the provisions of this Act the unrepealed provisions of the Act and Orders specified in Part I of the First Schedule to this Act shall as from the appointed day be and the same are hereby repealed except the provisions thereof as set forth in Part II of that schedule and the memorandum and articles of association of the limited company shall as to any prospective operation be wholly void and the limited company and the shareholders thereof shall subject as aforesaid be exempted from all the provisions restrictions and requirements of the said Act and Orders or of any



other Act which applied to the limited company and the members thereof as such : A.D. 1933.

Provided that nothing in this Act contained shall affect the previous operation of the said Act and Orders or the said memorandum and articles or anything done or suffered or any right obligation or liability acquired accrued or incurred thereunder and with respect to all such rights obligations and liabilities the Company and the proprietors thereof and the property of the Company shall to all intents and purposes represent the limited company and the members thereof as such and the property of the limited company.

(2) The provisions of the said Act and Orders which as amended by section 77 of the Local Government Act 1929 are set out in Part II of the First Schedule to this Act shall have and continue to have the same effect as if this Act had not been passed except that the Company may exercise the powers conferred and shall be subject to the obligations imposed by the said provisions in all respects as if the Company had been therein referred to instead of the limited company :

Provided that nothing in this section shall be construed as extending or enlarging the scope of any of the provisions of the said Act or Orders which apply to or affect a special portion only of the undertaking or the limits of supply of the limited company or are otherwise specifically of limited application.

9. All purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made before the appointed day by to or with the limited company or any trustee or person acting on behalf of the limited company or by to or with any person to whose rights and liabilities they have succeeded and in force at the appointed day shall be as binding and of as full force and effect in every respect against or in favour of the Company and may be enforced as fully and effectually as if instead of the limited company or the trustee or person acting on behalf of the limited company the Company had been a party thereto. Contracts prior to appointed day to be binding.

10. Nothing in this Act contained shall release discharge or suspend any action or other proceeding which was pending by or against the limited company or any member thereof in relation to the affairs of the Actions &c. not to abate.

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A.D. 1933. — limited company or to which the limited company or any member thereof in relation to such affairs were parties immediately before the appointed day and any such action or other proceeding may be maintained prosecuted or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or in favour of or against the limited company or any member thereof if this Act had not been passed the Company and the proprietors thereof being in reference to the matters aforesaid in all respects substituted for the limited company and their members respectively.

Indemnity. **11.** Every person who (being authorised so to do) before the appointed day entered into any bond covenant contract or engagement on behalf of the limited company shall be indemnified out of the funds and property of the Company against all liability (including costs charges and expenses) which he may sustain or incur or be put to by reason of his having entered into such bond covenant contract or engagement.

Company to satisfy liabilities of limited company. **12.** Subject to the provisions of this Act from and after the appointed day the Company shall in all respects be subject to and shall discharge all obligations and liabilities to which the limited company immediately before the appointed day were subject and shall indemnify the members directors officers and servants of the limited company and their respective representatives from all such obligations and liabilities and from all expenses and costs in connection therewith.

Recovery of water rates &c. **13.** All water rates and sums of money which immediately before the appointed day were due or accruing to the limited company shall be payable to and may be collected and recovered by the Company in like manner as if they had become payable for the like matters supplied or done under this Act.

As to payment of debts owing before appointed day. **14.** All persons who immediately before the appointed day owed any money to the limited company or to any person on their behalf shall pay the same with all interest (if any) due or accruing upon the same to the Company and all debts and moneys which immediately before the appointed day were due or



recoverable from the limited company or for the payment of which the limited company were or but for this Act would be liable shall be paid with all interest (if any) due or accruing upon the same by or be recoverable from the Company.

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15. Notwithstanding the avoidance of the memorandum and articles of association of the limited company all certificates for shares in the limited company (until cancelled under the provisions of this Act) and all sales transfers and dispositions of any such shares' made or executed but not registered before the appointed day shall be valid and have due effect given to them as if they were respectively (a) certificates for stock of the Company of the designations and to the amounts allocated by this Act to the holders of the shares referred to in such certificates or (b) sales transfers or dispositions of stock of the Company of the designations and to the amounts allocated by this Act to the holders of shares in the limited company of the designations and to the amounts of the shares sold transferred or disposed of together with any sum in cash payable under the provisions of this Act to the holders of such shares.

Certificates  
&c. to  
remain in  
force.

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

Books &c.  
continued  
evidence.

17. The books kept by the limited company for entering the names and designations of the members thereof with the numbers of their shares and the proper distinguishing number of each share and the register of mortgages of the limited company shall until a new register of stockholders and a new register of mortgages shall respectively be provided by the Company continue to be kept for the same purpose by the Company and be taken and considered as the register of shareholders or register of mortgages (as the case may be) required to be kept by the Companies Clauses Consolidation Act 1845 as amended (in its application to the Company) by this Act.

Present  
registers  
of members  
to be  
continued.

18. All officers and servants of the limited company who shall be in the employ of the limited company at the appointed day shall as from the appointed day hold

Officers to  
continue  
till removed.

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A.D. 1933. — under the Company the same respective offices and employments on the same terms and conditions as they held under the limited company on that day and shall be subject and liable to the like conditions obligations pains and penalties and to the like powers of removal and to the like rules restrictions and regulations in all respects whatsoever as if they had been appointed by the Company.

Saving rights of limited company until appointed day.

19. Nothing in this Act shall prejudice or affect the exercise or enjoyment by the limited company of any of their rights powers or privileges during the period between the passing of this Act and the appointed day but all such rights powers and privileges may be exercised and enjoyed by the limited company during the said period as if this Act had not been passed.

PART III.

FINANCIAL PROVISIONS.

Capital.

20.—(1) The capital of the Company shall be one hundred and seventy thousand six hundred and sixteen pounds of which capital one hundred thousand six hundred and sixteen pounds is in this Act called "the original capital" and shall be substituted for the existing share capital of the limited company and seventy thousand pounds is in this Act called "the additional capital" and may be raised in manner in this Act mentioned.

(2) On the appointed day there shall be created by virtue of this Act and without any further or other authority one hundred thousand six hundred and sixteen pounds of ordinary stock.

Allocation of original capital.

21.—(1) Forthwith after the appointed day the ordinary stock created by virtue of this Act shall subject to the provisions of the section of this Act of which the marginal note is "As to fractional parts of one pound" be allocated as follows:—

The said ordinary stock shall be divided among and vested in the several persons who immediately before the appointed day were registered as holders of the ordinary shares of the limited company in the proportion of one pound thirteen shillings and fourpence of such stock

for each existing share bearing a maximum dividend of ten per centum per annum held by them respectively and one pound three shillings and fourpence of such stock for each existing share bearing a maximum dividend of seven per centum per annum held by them respectively.

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(2) All stock so created and vested shall be deemed to be fully paid up.

22. Where under the foregoing provisions of this Act a holder of any existing ordinary shares of the limited company would be entitled to be registered as the holder of any amount of ordinary stock of the Company including any fractional part of one pound of such stock the Company in lieu of registering such holder and issuing to him a certificate as holder of an amount of stock including such fractional part shall pay to such holder such a sum in cash as shall be equal to the value (to be determined by the auditors of the Company) of such fractional part and shall register such holder and issue to him a certificate as holder of the amount of stock of the Company to which he shall be entitled as aforesaid excluding such fractional part and the receipt of such holder for the sum in cash so to be paid as aforesaid shall be a sufficient discharge to the Company in respect of such fractional part. The directors may either cancel all or any of the stock in respect of which such payment has been made or issue the same to any willing purchaser thereof subject to the provisions of this Act with respect to minimum holdings of stock and any loss or expense which may be incurred in connection with such issue shall be borne by the Company.

As to fractional parts of one pound.

23. Trustees executors or administrators and all other holders in any representative or fiduciary capacity of any share or shares in the limited company are hereby expressly authorised and required to accept any stock and sums in cash vested in or paid to them pursuant to this Act and to hold dispose of or otherwise deal with the same as they might have disposed of or otherwise dealt with the share or shares in the limited company for which such stock and sums in cash (if any) are substituted and are hereby indemnified in respect of all acts bona fide done by them in pursuance of this Act.

Trustees to accept substituted stock.

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As to  
mortgage  
debentures  
of limited  
company.

24.—(1) The mortgage debentures of the limited company outstanding at the appointed day shall as from that day become and be mortgage debentures of the Company charged upon the undertaking in all respects as if those debentures had been issued by the Company on the dates on which they were respectively issued by the limited company and as if the Company had been named therein instead of the limited company.

(2) If and when the Company redeem or pay off the said mortgage debentures or any of them they may re-borrow on mortgage the amount of the debentures so redeemed or paid off or (if and to the extent to which they do not so re-borrow) the said amount shall be deemed to be an amount which (in addition to any other borrowing powers for the time being exerciseable by them) they may raise by the creation and issue of debenture stock and such debenture stock shall be deemed to have been created by virtue of this Act and may be issued by the directors at such times to such persons and upon and subject to such terms and conditions as they may think fit.

Stock to be  
held on  
same trusts  
&c. as  
shares of  
limited  
company.

25. The ordinary stock created by virtue of this Act shall be subject and liable to the same trusts powers provisions declarations agreements charges liens and incumbrances as immediately before the appointed day affected the share or shares for which the same are respectively substituted and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any agreement deed or other instrument or any testamentary disposition made before the appointed day and affecting any such share or shares and every such agreement deed or other instrument or testamentary disposition shall take effect with reference to the whole or a proportionate part as the case may be of the ordinary stock substituted for such share or shares.

Exchange of  
certificates  
&c.

26. The Company shall call in and cancel the existing certificates of shares in the limited company and issue in lieu thereof certificates of the stock to which the holders of such shares are by this Act respectively entitled but no holder of any such share shall be entitled to any certificate of proprietorship under this Act until he shall have delivered up to the Company to be cancelled

the existing certificate of proprietorship of the share or shares in the limited company issued to him before the appointed day or shall have proved to the reasonable satisfaction of the directors the loss or destruction thereof but if any holder of any such existing share neglect or omit to send or deliver to the Company his existing certificate or certificates for the period of one year after notice in writing sent by post to the address of such holder appearing in the shareholders' address book of the limited company the Company may retain any dividend declared or made payable upon or in respect of the stock substituted under the provisions of this Act for such share or shares until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and an indemnity is given against any claim in respect of such lost or destroyed certificate or certificates to the satisfaction of the directors.

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27. The Company may from time to time raise the additional capital by the creation and issue at their option of additional ordinary stock or of preference stock or wholly or partially by one or other of those modes but no such stock shall vest in the person accepting the same until the full price of such stock including any premium obtained upon the sale thereof shall have been paid in respect thereof.

As to raising additional capital.

28. Except as otherwise provided by this Act any ordinary stock created under the section of this Act of which the marginal note is "As to raising additional capital" and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if such ordinary stock were part of the ordinary stock of the Company.

New capital to rank with existing capital of same class.

29.—(1) Subject to the provisions of this Act all ordinary and preference stock issued by the Company after the passing of this Act shall be issued in accordance with the provisions of this section.

Sale of stock by auction or tender.

(2) All stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the



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as follows :—

- (a) Notice of the intended sale shall be given in writing to the clerk to the council of every county district wholly or partly within the limits of supply and to the secretary of the London Stock Exchange at least seven days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the said limits;
- (b) A reserve price shall be fixed and notice thereof shall be sent by the Company in a letter to be received by the Minister of Health not less than twenty-four hours before but shall not be opened till after the day of auction or last day for the receipt of tenders as the case may be;
- (c) In the case of a sale by auction no lot offered for sale shall comprise stock of greater nominal value than one hundred pounds and a bid shall not be recognised unless it is in advance of the last preceding bid ;
- (d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same price except that the offer by tender of any holder of ordinary or preference stock of the Company or of any employee or of a consumer of water supplied by the Company may be accepted in preference to the offer of the same price by any person not such a holder employee or consumer as aforesaid ;
- (e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any stock which has been so offered for sale and not sold may be offered at the reserve price to the holders of ordinary and preference stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees

of the Company and to the consumers of water supplied by the Company in such proportions as the directors may think fit or to one or more of those classes of persons only. Provided that in a case of an offer to holders of stock if the aggregate amount of stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively. A.D. 1933.

(4) Any stock which has been offered for sale in accordance with subsection (2) or with subsections (2) and (3) of this section and is not sold may be disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Company shall send a report thereof to the Minister of Health stating the total amount of the stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the stock.

**30.**—(1) The Company may without further or other authority borrow on mortgage of the undertaking in respect of the original capital any sum or sums not exceeding in the whole (inclusive of the amount of the mortgage debentures referred to in the section of this Act of which the marginal note is “As to mortgage debentures of limited company”) the sum of fifty thousand three hundred and eight pounds. Power to borrow.

(2) The Company may also subject to the provisions of this Act borrow on mortgage of the undertaking in respect of the additional capital any sum or sums not exceeding in the whole one-half of that capital which at the time of borrowing has been raised under the powers of this Act but no sum shall be borrowed in respect of any capital so raised until the Company has proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock in respect of which it is proposed to borrow together with the premium (if any) realised or after allowing for the discount (if any) given on the sale thereof has been fully paid up.

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Debenture  
stock.

**31.** The Company may create and issue debenture stock subject to the provisions of Part III of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of the mortgage debentures referred to in the section of this Act of which the marginal note is "As to mortgage debentures of limited company" and of all debenture stock and mortgages at any time after the passing of this Act created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and the mortgages were authorised) and shall subject as is mentioned in the section of this Act of which the marginal note is "Priority of mortgages and debenture stock over other debts" have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Priority of  
mortgages  
and  
debenture  
stock over  
other debts.

**32.** All moneys raised by the Company on mortgage or debenture stock under the provisions of this Act or secured by the mortgage debentures referred to in the section of this Act of which the marginal note is "As to mortgage debentures of limited company" shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act. Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted by the limited company or to be granted by the Company in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to or vested in the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock.

Redeemable  
preference  
stock and  
debenture  
stock.

**33.**—(1) In this section unless the context otherwise requires—

"Stock" means and includes preference stock and debenture stock;

"Issue" includes re-issue;

“ Redeemable stock ” means any stock issued under the powers of this section so as to be redeemable; A.D. 1933.

“ Redeemed stock ” means any redeemable stock which has been redeemed and is available for issue under the provisions of this section.

(2) Subject to the provisions of this section the directors may from time to time by virtue of this Act and without further or other sanction issue so as to be redeemable any stock created by the Company after the passing of this Act :

Provided that no redeemed stock shall be issued except for the purposes of effecting the redemption of redeemable stock under the provisions of this section unless the issue is authorised by a resolution of the Company passed at a special meeting convened for the purpose.

(3) Redeemable stock may be redeemed either by paying off the stock or by issuing to the holder of the stock (subject to his consent) other stock in substitution therefor and for the purpose of raising money to pay off or of providing stock in substitution for any redeemable stock the Company may create new stock or the directors may issue any redeemed stock so as to be redeemable or irredeemable as they may think fit :

Provided that—

(a) no new stock shall be created nor shall any redeemed stock be issued so as to make the total amount of any particular class of stock exceed the amount of stock of that class which the Company are for the time being authorised to create except during any necessary interval between the creation or (in the case of redeemed stock) the issue of the stock and completion of the redemption of the redeemable stock for the purpose of redeeming which the stock of such particular class is proposed to be so created or issued; and

(b) during such interval as aforesaid the amount raised by means of any preference stock so created or issued shall not be deemed to be paid-up share capital for the purposes of any enactment regulating the borrowing powers of the Company.

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(4) When any redeemable stock has been redeemed the amount (exclusive of any sum obtained by way of premium) which was last raised by its issue shall cease to be taken into account in calculating the extent to which the powers of the Company of raising money by the creation and issue of share capital or by borrowing on mortgage of the undertaking or by the creation and issue of debenture stock have been or may be exercised but nothing contained in this subsection or done in pursuance thereof shall affect the validity of any mortgage or debenture stock of which the grant or issue by the Company was lawful in the circumstances existing at the date of such grant or issue :

Provided that the nominal amount of any stock issued solely in substitution for other stock shall be deemed to be the amount raised by such issue.

(5) Redeemable stock shall bear such rate of dividend or interest (not exceeding any maximum rate prescribed in respect of the particular class of stock) and shall be redeemable at such time and in such manner and subject otherwise to such terms and conditions as the directors may before the issue thereof determine :

Provided that the terms and conditions of redemption upon which any redeemable stock is issued shall be stated in any offer by the Company of such stock for sale and in the certificate of such stock and no term or condition of redemption which is not so stated shall be binding upon the holder of the stock.

(6) The Company shall not redeem out of revenue any redeemable stock except to the extent of any discount allowed on the issue or any premium payable on the redemption thereof.

(7) Any preference stock issued solely in substitution for redeemable stock shall not be subject to the provisions of the section of this Act of which the marginal note is "Sale of stock by auction or tender."

Appoint-  
ment of  
receiver.

**34.** The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for



a receiver is made shall not be less than five thousand pounds in the whole. A.D. 1933.

**35.** All moneys raised under this Act including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of stock under the provisions of this Act shall not be considered as part of the capital of the Company entitled to dividend. Application of moneys.

**36.**—(1) Any ordinary stock preference stock and debenture stock of the Company may be issued and be held in amounts of ten pounds or any integral number of pounds exceeding ten and not otherwise and the Company shall not be under any obligation to register a transfer of any such stock which may reduce the holding of the transferor below or make the holding of the transferee less than ten pounds of stock of that class : Minimum holdings of stock and debenture stock.

Provided that this section shall not apply to the holder of any shares of the limited company to whom a less amount than ten pounds of stock is issued under the section of this Act of which the marginal note is "Allocation of original capital."

(2) Notice of this enactment so far as applicable shall be stated in all certificates of ordinary stock preference stock or debenture stock of the Company as the case may be.

**37.** The Company shall not be bound to see to the execution of any trusts whether express implied or constructive to which any stock or debenture stock may be subject and the provisions of section 20 of the Companies Clauses Consolidation Act 1845 shall mutatis mutandis extend and apply to any stock or debenture stock of the Company as if the same were shares in the capital of the Company. Company not bound to regard trusts.

**38.** The Company shall not in any year pay out of their profits any larger dividend on the original capital than six pounds in respect of every one hundred pounds of such capital as shall have been substituted for shares issued by the limited company and of every one hundred pounds actually paid up of additional capital as shall be issued as ordinary stock unless a larger dividend be at any time necessary to make up the deficiency of any Limit of dividends.

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A.D. 1933. — previous dividend of the Company or the limited company which shall have fallen short of the maximum rate or than six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

As to reserved and contingency funds.

**39.**—(1) The aggregate amount which may be carried by the Company in any year to any reserved fund formed in pursuance of section 76 of the Waterworks Clauses Act 1847 and to any contingency fund formed under section 122 of the Companies Clauses Consolidation Act 1845 shall together not exceed a sum equal to one per centum of the capital for the time being expended by the Company for the purposes of the undertaking.

(2) The aggregate amount standing to the credit of any such reserved fund and contingency fund of the Company as aforesaid shall together not at any time exceed a sum equal to ten per centum of the capital for the time being expended by the Company for the purposes of the undertaking.

Limitation on carry forward.

**40.** It shall not be lawful for the Company to carry forward at the end of any year to the credit of the profit and loss (net revenue) account any sum exceeding the total of the following amounts (that is to say) :—

- (a) The amount required by the Company for paying any dividend or interest which the Company are entitled or required to pay but have not paid in respect of that year;
- (b) An amount equal to the total sum which the Company would be lawfully entitled to distribute as dividends on their preference and ordinary capital in respect of the next following year; and
- (c) An amount equal to the total sum which the Company will be required to pay during the next following year as interest on any mortgages or debenture stock.

As to dividends on shares of limited company.

**41.** The Company shall as soon as practicable after the appointed day pay to the persons who immediately before the appointed day held ordinary shares of the limited company or their successors in title to

such shares out of the funds of the limited company which if this Act had not passed would have been applicable to dividend dividends (less income tax) at such rates as after taking into account any interim dividend the limited company could lawfully have paid thereon out of such funds for the then last preceding year. A.D. 1933.

#### PART IV.

##### ADMINISTRATIVE PROVISIONS.

42. The first ordinary meeting of the Company shall be held within six months after the appointed day. First ordinary meeting.

43. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the future ordinary meetings of the Company shall be held once only in each year in such month as the directors may from time to time determine. Meetings of Company.

44. For the purpose of constituting a meeting of the Company whether ordinary or extraordinary the prescribed quorum referred to in section 72 of the Companies Clauses Consolidation Act 1845 shall be three holders of stock. Quorum for meetings of Company.

45.—(1) At all general meetings of the Company every holder of ordinary stock shall be entitled to one vote in respect of every amount of one pound of such stock held by him. Defining right of voting.

(2) Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any stock to which a preferential dividend shall be assigned.

46. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the attorney of any stockholder duly authorised in writing may appoint a proxy to vote for and on behalf of the stockholder and for that purpose may execute on behalf of the stockholder the necessary form of proxy : As to appointment of proxies.

Provided that except in cases where the instrument appointing the attorney shall have been previously registered with the Company the same or (in the case of an instrument deposited with the central office of the Supreme Court) an office copy thereof shall be transmitted

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A.D. 1933. — to the secretary of the Company at the same time as the instrument appointing the proxy.

Joint holders.

47. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any stock any one of those persons may vote at any meeting either personally or by proxy in respect of the stock as if he were solely entitled thereto but if more than one of the joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the stock shall alone be entitled to vote in respect thereof.

Number and qualification of directors.

48.—(1) The number of directors shall be six but the Company may vary the number provided that the number be not at any time more than nine or less than three.

(2) On and from the appointed day the qualification of a director shall be the possession in his own right of ordinary stock of the Company to the nominal amount of not less than one hundred pounds.

Quorum for directors' meeting.

49. The quorum of a meeting of directors shall be three but if the number of directors be reduced to three the quorum shall be two.

First and subsequent directors.

50. John Eyre Edmund Alderson Sandford Fawcett Frank Nash Percy Charles Raffety Gerard Masterman Heath Weller and Leonard Henry West shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the appointed day At that meeting the stockholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act being if they continue qualified eligible for re-election At the ordinary meeting to be held in every year after the first ordinary meeting the stockholders present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 The several persons elected at any such

meeting being neither removed nor disqualified nor A.D. 1933.  
having died or resigned shall continue to be directors —  
until others are duly elected in their stead.

**51.** Notwithstanding anything in the Companies Contracts &c. not to disqualify for office of director.  
Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Company by reason of his holding any office or place of trust or profit under the Company or by reason of his or any partners of his being or becoming interested in any contract with the Company either on his own behalf or as a member of any other company or any corporation local authority or partnership nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or of his or any partners of his becoming interested in any such contract :

Provided that in the case of his or any partners of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract or of the interests of any such partners of his shall be disclosed by him at the meeting of the directors at which the contract is determined on if his or their interest then exists or in any other case at the first meeting of the directors after the acquisition of his or their interest or after his appointment and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

**52.** The continuing directors may act notwithstanding any vacancy in their body but so that if at any time the number of directors holding office shall be less than the minimum number prescribed by this Act the directors shall not except for the purpose of filling vacancies and allotting stock to any proposed director or directors act so long as the number is below such minimum. Continuing directors.

**53.**—(1) Except in the case of a director retiring by rotation and offering himself or being proposed for re-election or except in the case of a director being elected by the board of directors to fill a casual vacancy no person shall be capable of being elected a director of the Company unless notice in writing that such person Notice of candidature of or of opposition to re-election of director.



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A.D. 1933. — intends to offer himself or will be proposed for the office of director shall have been given to the secretary of the Company or left at the principal office of the Company fourteen days at least before the day of election and the secretary of the Company shall during such fourteen days and on the day of election fix a copy of every such notice so delivered in some conspicuous place in such office.

(2) In the case of a retiring director or directors notice of opposition to his or their re-election shall be given in like manner.

(3) No person shall be eligible to be elected a director at any general meeting of the Company unless he shall have been the holder of the qualifying amount of stock for at least two months prior to his election.

As to  
appoint-  
ment of  
managing  
director.

**54.**—(1) The directors may appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to time and may remove or dismiss him or them from office and appoint another or others in his or their place or places.

(2) A managing director shall not while holding that office be subject to retirement by rotation and shall not be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

(3) The remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.

(4) The directors may entrust to and confer upon any managing director such of the powers exercisable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers Provided that the directors shall be responsible for the acts of any managing director acting under the powers of this section.

Auditors.

**55.** The prescribed number of auditors shall be two or the Company may at any time and from time to time appoint any firm to be the auditors of the Company The auditors or in the case of a firm being so appointed

as auditors the members of such firm need not hold stock of the Company. If and so long as a firm appointed under the provisions of this section are the auditors of the Company the provisions of this Act and of any Act incorporated herewith relating to the prescribed number of auditors shall not apply to the Company. A.D. 1933.  
—

**56.** In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 they may determine the remuneration of the secretary. Remuneration of secretary.

**57.**—(1) It shall be lawful for the directors to declare and pay in any year an interim half-yearly dividend out of the profits of the Company on the ordinary and preference capital of the Company without the sanction of a general meeting. Provided that the amount of any interim half-yearly dividend shall not as the case may be exceed one-half of the amount of the maximum dividend on the ordinary capital or one-half of the annual dividend assigned to the preference capital in respect of which the interim dividend is declared. Interim dividends and annual accounts.

(2) The balance sheet and accounts made up by the Company in accordance with section 116 of the Companies Clauses Consolidation Act 1845 shall so far as the same relate to the profit or loss of the Company relate to the transactions of the Company in the course of the preceding year.

**58.**—(1) The directors may close the register of transfers of any ordinary or preference stock of the Company for a period not exceeding fourteen days previous to the payment of any interim dividend on any such ordinary or preference stock and may close the registers of transfers of mortgage debentures or debenture stock of the Company for a period not exceeding fourteen days previous to the payment of any interest on any such mortgage debentures or debenture stock and the directors may in any such case fix a day for the closing of any register which they are authorised to close under the provisions of this section. Seven days' notice of the closing of any such register shall be given by advertisement in some newspaper published and circulating within the county of Buckingham. Closing of transfer books.

(2) Any transfer of stock or mortgage debentures or debenture stock lodged for registration with the Company

A.D. 1933. — while the transfer books relating to such stock or to such mortgage debentures or debenture stock are so closed shall as between the Company and the person claiming any such transfer but not otherwise be considered as made subsequently to the payment of any such dividend or interest as the case may be.

Substitution  
of card  
index for  
share-  
holders'  
address  
book.

59. Notwithstanding anything contained in section 10 of the Companies Clauses Consolidation Act 1845 the Company may substitute for the shareholders' address book provided under that section a card or other index containing the names and addresses of the several stockholders of the Company and that section in its application to the Company shall be read and have effect accordingly.

#### PART V.

#### WATERWORKS AND LANDS.

Power to  
construct  
waterworks.

60. Subject to the provisions of this Act the Company may make and maintain in accordance with the deposited plans and sections and upon the lands delineated on those plans and described in the deposited book of reference the following works in the county of Buckingham (that is to say) :—

Work No. 1 A well and pumping-station situate in the parish of Gerrards Cross in the rural district of Eton in part of the enclosure numbered 146A in that parish on the 1/2500 Ordnance map (Buckinghamshire sheet No. XLVIII.15 edition of 1925);

Work No. 2 A line or lines of pipes situate in the said parish of Gerrards Cross commencing at the well or pumping-station (Work No. 1) hereinbefore described and terminating at the service reservoir or water tower (Work No. 3) hereinafter described;

Work No. 3 A service reservoir or water tower situate in the said parish of Gerrards Cross in part of the enclosure numbered 163 in that parish on the 1/2500 Ordnance map (Buckinghamshire sheet No. XLVIII.15 edition of 1925);

Work No. 4 A service reservoir or water tower A.D. 1933.  
situate in the parish of Penn in the rural district  
of Amersham in part of the enclosure numbered  
109 in that parish on the 1/2500 Ordnance map  
(Buckinghamshire sheet No. XLVII.3 edition  
of 1925);

and the Company may enter upon take and use all or  
any of the lands delineated on the deposited plans and  
described in the deposited book of reference.

**61.** In addition to the new works the Company Subsidiary  
works.  
subject to the provisions of this Act may upon any lands  
delineated on the deposited plans make and maintain  
all such adits headings boreholes buildings machinery  
works and apparatus of whatever character as may be  
necessary or convenient in connection with or subsidiary  
to any of the new works but nothing in this section shall  
exonerate the Company from any indictment or other  
proceeding for nuisance in the event of any nuisance being  
caused or permitted by them :

Provided that any electrical works or apparatus  
made or maintained under the provisions of this section  
shall be so constructed maintained and used as to prevent  
any interference with any telegraphic line belonging  
to or used by the Postmaster-General or with telegraphic  
communication by means of any such line.

**62.** In the construction of the new works the Limits of  
deviation.  
Company may deviate laterally to any extent not  
exceeding the limits of lateral deviation shown on the  
deposited plans and where on any street or road no such  
limits are shown the boundaries of such street or 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 three feet upwards  
and to any extent downwards.

**63.** Notwithstanding any other provision of this Act Power to  
acquire  
easements  
compul-  
sarily in  
certain  
cases.  
or of any Act wholly or partly incorporated herewith  
the Company shall not be required nor shall they be  
entitled (except with the consent of the owners) to  
purchase any stream drain dyke or sewer or any part  
thereof respectively which may be crossed or interfered  
with in constructing any of the new works but they  
may acquire such easements and rights over or under

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A.D. 1933. — any such stream drain dyke or sewer as they may require for making maintaining working and using any such work and may give notice to treat in respect of such easements and rights describing the nature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements and rights as fully as if the same were lands within the meaning of those Acts.

Period for compulsory purchase of lands.

64. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the appointed day.

Correction of errors in deposited plans and book of reference.

65. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices acting for the county of Buckingham for the correction thereof and if it appear to the justices hearing the application that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate or a copy thereof shall be deposited with the clerk of the county council of the county of Buckingham and a duplicate thereof with the clerk of the county district in which the lands are situate and if the lands are situate in a rural parish having a parish council also with the clerk of that council and such certificate or copy and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

Period for completion of works.

66. If the new works are not completed within a period of five years from the appointed day then on the expiration of that period the powers by this Act granted



for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed : A.D. 1933.  
—

Provided that the Company may extend enlarge alter reconstruct renew or remove any of the new works and in the case of the line or lines of pipes lay down additional lines of pipes as and when occasion may require.

**67.** The Company may maintain continue alter improve enlarge extend renew reconstruct and repair the existing well and pumping-station and works connected therewith constructed by the limited company in the parish of Amersham in the rural district of Amersham in the county of Buckingham in part of the enclosure numbered 259 in that parish on the 1/2500 Ordnance map (Buckinghamshire sheet XLIII.5 edition of 1925) and the construction of the said well and pumping-station and other works is hereby sanctioned and confirmed. Confirmation of existing works.

**68.** Subject to the provisions of this Act the new works and the works referred to in the section of this Act of which the marginal note is "Confirmation of existing works" shall for all purposes whatsoever form part of and be comprised in the undertaking. Works to form part of undertaking.

**69.** Subject to the provisions of this Act the Company may pump collect impound take use divert and appropriate for the purposes of the undertaking all underground streams springs and waters as can be taken or intercepted by means of the waterworks. Power to take waters.

**70.** The Company shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament. Limiting powers to abstract water.

**71.—**(1) The Company may with the consent of the road authority (such consent not to be unreasonably withheld) during the execution and maintenance of the new works temporarily stop up and interfere with any street for the purpose of executing such works and may Temporary stoppage of streets.

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A.D. 1933. — for any reasonable time divert the traffic therefrom and prevent all persons other than those bona fide going to or returning from any house or other premises in the street from passing along and using the same.

Any dispute as to whether any such consent has been unreasonably withheld shall be referred to arbitration.

(2) The Company shall provide reasonable access for foot passengers bona fide going to or returning from any such house or other premises and for foot passengers and vehicular traffic bona fide going to or from any railway station or depot of a railway company or committee near to which any such work is being executed.

Discharge of  
water into  
streams.

72.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying or examining the waterworks the Company may cause the water in any such work to be discharged into any available stream or watercourse Provided that any such water when entering the stream or watercourse shall so far as may be reasonably practicable be free from mud or solid or offensive matter.

(2) In the exercise of the powers conferred by this section the Company shall do as little damage as may be and shall make full compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration.

(3) The powers conferred by this section shall not be exercised so as to damage or injuriously affect the railways or works of any railway company or committee.

Power to  
lay mains  
beyond  
limits of  
supply.

73. The Company may for the purposes of laying pipes for supplying water within the limits of supply exercise as regards so much of the road leading from Chalfont St. Giles to Beaconsfield via Pitlands Wood as is situate in the parish of Chalfont St. Peter in the rural district of Amersham the powers conferred upon them by the Waterworks Clauses Act 1847 with reference to the breaking up of streets for the purpose of laying pipes as if such street or road were within the limits of supply but nothing in this section shall authorise the Company to supply water beyond such limits.

74. The Company may on all or any of the lands for the time being held by them execute for the purposes of or in connection with the undertaking any of the works mentioned in section 12 of the Waterworks Clauses Act 1847 other than wells and works for the taking and intercepting of water. Provided that the Company shall not under the powers of this section create or permit the creation or continuance of any nuisance on any such lands.

A.D. 1933.  
—  
As to  
exercise of  
powers of  
section 12  
of Water-  
works  
Clauses  
Act 1847.

75. The Company may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply such premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation with this Act:

Power to  
lay pipes in  
private  
streets.

Provided that nothing in this section shall apply to any street belonging to and forming the approach to any station or depot of any railway company or committee except with the consent of such railway company or committee as the case may be which consents respectively shall not be unreasonably withheld nor shall the Company in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

76. Subject to the provisions of the Waterworks Clauses Act 1847 the Company may (with the consent of the road authority) in or under any street repairable by the inhabitants at large or dedicated to public use and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use construct and maintain apparatus for augmenting the pressure of water in the mains of the Company and may in any such street as aforesaid provide and maintain all such means of access and approach to such apparatus as may be necessary or convenient:

Power to  
construct  
apparatus  
under  
streets.

Provided that the consent of the road authority shall not be unreasonably withheld and any question which may arise as to whether or not such consent has been unreasonably withheld shall be referred to and settled by arbitration:

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Provided also that when in the opinion of the Company the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to public use is unreasonably withheld the Company may appeal to a court of summary jurisdiction who shall have power to allow the construction and maintenance of such apparatus subject to such terms and conditions as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid :

Provided further that the Company shall not under the powers of this section except with the consent in writing of any railway joint committee construct any apparatus in or upon any bridge carrying a street over a railway of such committee or the approaches thereto or under any bridge carrying a railway of such committee over a street or in any street crossing the railway of such committee on the level or in any street belonging to and repairable by such committee and forming the approach to any station or depot of such committee but such consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be referred to the arbitration of a single arbitrator to be appointed failing agreement by the Minister of Transport.

Persons  
under  
disability  
may grant  
easements  
&c.

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

Retention  
and disposal  
of lands.

**78.** Notwithstanding anything in this or any other Act to the contrary the Company may retain hold and use for such time and for such purpose as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit

and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take money for equality of exchange.

A.D. 1933.

**79.** The Company on selling any lands held by them for the purposes of the undertaking and not required for those purposes may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Reservation  
of water  
rights &c.

**80.** In addition to any lands acquired or held by the limited company or which the Company are now authorised to acquire or hold the Company may by agreement purchase or take leases of and hold further lands for the purposes of the undertaking or any easement (not being an easement of water in which persons other than the grantors have an interest) in over or affecting any such lands but the quantity of lands held by the Company in pursuance of this section shall not at any time exceed twenty acres Provided that the Company shall not create or permit any nuisance on any such lands nor erect any buildings thereon except such as are required for or are connected with or incident to the purposes of the undertaking.

Acquisition  
of lands by  
agreement.

**81.—(1)** For the purpose of protecting against pollution nuisance encroachment or injury any of the waters which the Company are from time to time empowered to take the Company may by agreement purchase take on lease or otherwise acquire any lands easements or rights and may hold such lands and any

Power to  
hold lands  
and exercise  
powers for  
protection  
of waters.



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A.D. 1933. other lands which they may have acquired for the purposes of the undertaking so long as they shall deem it necessary or expedient for those purposes :

Provided that the Company shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or connected with the undertaking but the restrictions of this section shall not apply in respect of lands leased or sold by the Company.

(2) The Company may in and upon the lands referred to in subsection (1) of this section construct and lay down drains sewers watercourses catchpits and other works and conveniences necessary or proper for the purpose of intercepting or taking any foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Company are from time to time empowered to take from being polluted and the Company may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

(3) The Company may make and carry into effect agreements with the owners lessees or occupiers of any lands with reference to the execution by the Company or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of any waters which the Company are from time to time empowered to take.

Dwelling-houses for persons in Company's employ.

82. The Company may purchase or take on lease dwelling-houses for persons employed by them for the purposes of the undertaking and may erect maintain and let dwelling-houses for and to such persons upon any lands for the time being belonging to the Company for the purposes of the undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Company for the purposes of the undertaking.

**83.** For the protection of the Great Western and Great Central Railways Joint Committee (hereinafter referred to as "the joint committee") the following provisions shall unless otherwise agreed in writing between the joint committee and the Company apply and have effect with respect to the line or lines of pipes (Work No. 2) by this Act authorised and with respect to the pipes authorised to be laid by the Company under the powers conferred upon them by the section of this Act of which the marginal note is "Power to lay mains beyond limits of supply" (all or any of which pipes are hereinafter in this section referred to as "the waterworks") (that is to say):—

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For protec-  
tion of Great  
Western and  
Great Cen-  
tral Rail-  
ways Joint  
Committee.

- (1) In constructing laying down and executing and also (except in cases of emergency) in effecting the repairs or renewals of the waterworks which may be situate upon across over under or in any way affecting the railway or works of the joint committee the same shall be done by and in all things at the expense of the Company except as in this section is otherwise provided and under the superintendence (if the same be given) and to the reasonable satisfaction of the engineer of the joint committee and at such time or times as he shall reasonably approve and so as not to interfere with the structure of any such railway and except in cases of repair according to plans sections and particulars to be submitted to and reasonably approved by the said engineer before the waterworks shall be executed. Provided that if the said engineer shall not signify his approval or disapproval of such plans sections and particulars within twenty-eight days after they shall have been submitted to him he shall be deemed to have approved thereof:
- (2) The Company shall restore and make good to the reasonable satisfaction of the said engineer the railway and works of the joint committee and the roads which the joint committee are liable to maintain over or under any bridge or over the approaches to any such bridge so far as the same may be disturbed or interfered with by or owing to any of the operations of the Company:

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- (3) If the joint committee so elect they may themselves execute and maintain the waterworks (other than the actual laying down and maintenance of the pipes) and may recover the reasonable costs of so doing from the Company (including compensation payable to any workmen or their legal representatives or dependants who may be injured or killed whilst employed by the joint committee in and about such works) :
- (4) The waterworks shall be constructed executed and maintained so as to cause as little injury as may be to the railway or works of the joint committee and so as not to cause any interruption to the passage or conduct of traffic over such railway and if any such injury or interruption shall arise from the acts or operations of the Company or by reason of the failure of the Company to maintain the waterworks or if any bursting leakage or failure of the waterworks over under or near to any railway or works of the joint committee shall cause any injury to such railway or works all such injury shall forthwith be made good by the Company at their own expense and to the reasonable satisfaction of the said engineer and the Company shall be responsible for and save harmless and indemnify the joint committee from all claims in respect of any such injury or interruption and shall make compensation to the joint committee for and in respect thereof including any compensation payable as aforesaid and compensation for any disturbance of traffic which the construction or maintenance of the waterworks may entail :
- (5) In the event of the Company failing to make good such injury as aforesaid or failing to maintain the waterworks (where they pass under or over or in any way affect the railway or works of the joint committee) in substantial repair and good order to the reasonable satisfaction in all respects of the said engineer or in case of emergency the joint committee may make good the same and make and do in and upon

as well the lands of the Company as their own lands all such repairs and things as may be reasonably requisite and recover the reasonable expense thereof (including compensation payable as aforesaid) from the Company : A.D. 1933.  
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- (6) If it should be necessary during the construction of the waterworks or by reason of the existence of the same to alter any of the telegraph telephone or signal posts or wires or other work or apparatus belonging to or on the railway of the joint committee the joint committee may effect such alterations and the Company shall repay to them the reasonable expenses incurred by them in and connected with such alterations :
- (7) The Company shall not under the powers of this Act acquire compulsorily any lands of the joint committee save and except that the Company may acquire and the joint committee on being required so to do by the Company shall sell to the Company such a right or easement as may be necessary to enable the Company to construct and maintain Work No. 2 by this Act authorised over under or across the railway of the joint committee and the Company shall pay to the joint committee for any right or easement which they may so require the joint committee to sell such sum as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Acts with respect to the acquisition of lands otherwise than by agreement :
- (8) The Company shall bear and on demand pay to the joint committee the reasonable expense (including compensation payable as aforesaid) of the employment by them during the construction and maintenance of the waterworks over under or across or in any way affecting the railway of the joint committee of such signalmen or watchmen to be appointed by the joint committee as may be reasonably necessary for watching and protecting the said railway

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and the conduct of the traffic thereon with reference to and during the execution and maintenance of the waterworks and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Company or their contractors or any person or persons in the employ of the Company or their contractors :

- (9) If the joint committee at any time or times hereafter in pursuance of any powers existing at the passing of this Act require to construct any additional or other works upon their lands or railway or to extend alter or repair their railway or other works upon across over or under the waterworks which may have been constructed or laid the joint committee may after giving to the Company fourteen days' notice in writing under the hand of their secretary or general manager or in case of emergency after giving such notice as is reasonably practicable divert support or carry the waterworks across over or under their railway at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be and so as not to interrupt or interfere with the supply of water without being liable to pay compensation in respect of such diversion supporting carrying or dealing with such works Provided that any works executed by the joint committee under this subsection shall be executed in accordance with plans sections and specifications previously submitted to and reasonably approved by the Company and to the reasonable satisfaction of the Company :
- (10) Any additional expense which the joint committee may reasonably incur in widening altering reconstructing repairing or maintaining in pursuance of any powers existing at the passing of this Act their railway or other works by reason of the existence of the waterworks laid or executed upon across over or under the same shall be paid by the Company :



- (11) Except as in this section otherwise expressly provided any difference arising between the Company and the joint committee respecting any of the matters referred to in this section shall be referred to and determined by arbitration. A.D. 1933.

## PART VI.

### SUPPLY OF WATER &C.

**84.**—(1) The limits of this Act for the supply of water by the Company shall be the area in the county of Buckingham described in the Second Schedule to this Act. Limits of supply.

(2) From and after the appointed day all the powers duties and obligations of the mayor aldermen and burgesses of the borough of Chepping Wycombe (hereinafter referred to as "the corporation") with reference to the supply of water in the area hereinafter in this subsection referred to shall cease and determine except so far as may be necessary to enable the corporation to lay mains through the said area for the purpose of connecting different parts of the limits of the corporation for the supply of water.

The said area comprises so much of the parish of Chepping Wycombe (Rural) in the rural district of Wycombe as is coloured red upon the Ordnance map of which copies have been signed in triplicate by the Right Honourable the Earl of Onslow the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy whereof has been deposited in the Parliament Office of the House of Lords one copy in the Committee and Private Bill Office of the House of Commons and one copy at the office of the Company.

(3) From and after the appointed day all the powers duties and obligations of the Rickmansworth and Uxbridge Valley Water Company with reference to the supply of water in the detached portion of the parish of Chalfont St. Peter in the rural district of Amersham shall cease and determine.

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Power to  
local  
authority  
to supply if  
Company  
fails to  
supply.

**85.**—(1) If at any time the Company are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of this Act in any part of the district of any local authority within the limits of supply the local authority of such district may provide a supply in the whole or any such part of their district within the limits of supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any such part of such district as if in either case this Act had not passed.

(2) If any difference shall arise between the Company and any such local authority company body or person as to whether the Company are furnishing or prepared on demand to furnish a sufficient supply of water in any area to which this section applies such difference shall be settled by an arbitrator to be appointed on the application of either party by the Minister of Health.

As to  
pressure.

**86.** The water supplied by the Company need not at any time be delivered at a greater height than can be reached by gravitation from the service reservoir from which the supply is given.

Application  
of section 35  
of Water-  
works Clauses  
Act 1847.

**87.** Section 35 of the Waterworks Clauses Act 1847 shall in its application to the Company be read and construed as if the words "one eighth part" were substituted therein for the words "one tenth part."

Cisterns.

**88.** The Company may require that any dwelling-house erected after the passing of this Act situate on land at a higher level than fifty feet below the service reservoir or tank from which a supply of water is furnished by them to such dwelling-house shall be provided with a cistern or cisterns capable of containing a total quantity of water sufficient to provide an adequate supply to such dwelling-house for a period of twenty-four hours and the Company shall not be bound to supply such dwelling-house until the same is provided with a cistern or cisterns in conformity with the requirements of this section.

As to  
section 72  
of Water-  
works  
Clauses  
Act 1847.

**89.** Section 72 of the Waterworks Clauses Act 1847 as incorporated with this Act shall in relation to the undertaking be read and have effect as if for the references therein to "ten pounds" and "annual value" respectively there were substituted references to fifteen

pounds and to the net annual value ascertained by the valuation list in force for the time being under the Rating and Valuation Act 1925. A.D. 1933.

**90.**—(1) Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Company so determine pay the rate for the supply but the rate may be recovered from the occupier and may if the occupier be not himself liable therefor under any lease or agreement be deducted by him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate. Rates payable by owners of small houses.

(2) Nothing in this section shall limit or affect the operation of section 72 (Owners of houses not exceeding ten pounds rent to be liable to water rates) of the Waterworks Clauses Act 1847 as incorporated with this Act.

**91.** The Company may supply water for other than domestic purposes on such terms and conditions as the Company think fit and may supply water by measure either for domestic or other purposes and the moneys payable for the supply of water under this section shall be recoverable in the same manner as water rates. Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes. Supply by measure.

**92.** The price to be charged for a supply of water by measure shall not exceed three shillings per thousand gallons. Provided that except as otherwise by this Act expressly provided the Company shall be entitled to charge for water supplied by measure in any quarter of a year a minimum sum (exclusive of meter rent) which shall be not less than ten shillings. Price of supply by measure.

**93.**—(1) If the Company or a county council or a local authority having jurisdiction within the limits of supply apply to the Minister of Health for a revision of the rates and charges for the supply of water authorised Revision of rates and charges.

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by this Act or for the time being in force under any order of the said Minister made in pursuance of this section and the Minister is satisfied that the cost of labour and materials or other circumstances affecting the undertaking have substantially altered he may by order (subject to the provisions of subsection (3) of this section) vary either by way of increase or decrease such rates and charges or any of them and such order shall fix the date on which the rates and charges so varied shall come into force. Provided that in the absence of exceptional circumstances the said Minister shall not vary any of the said rates and charges at less intervals than five years.

(2) The making of any new valuation list under Part II of the Rating and Valuation Act 1925 shall be deemed to be a circumstance affecting the undertaking within the meaning and for the purposes of this section.

(3) The rates and charges prescribed in any such order shall be of such respective amounts as to produce (after providing for all proper expenses of and in connection with the working management and maintenance of the undertaking and making good depreciation and providing for any contribution which the Company may carry to any reserve fund or contingency fund formed under the provisions of this or any other Act and paying all other costs charges and expenses (if any) properly chargeable to revenue) a reasonable return on the share capital and capital stock of the Company due regard being had to any capital which may be reasonably expected to be expended by the Company during the five years immediately following the date of such order.

Supply to  
houses  
partly used  
for trade &c.

**94.**—(1) The Company shall not be bound to supply with water otherwise than by meter—

- (a) any buildings used by an occupier as a dwelling-house whereof a part is used by the same occupier for any trade or manufacturing purpose for which water is required; or
- (b) any public institution mental or other hospital (whether public or private) sanatorium school club hotel assembly hall restaurant public-house or inn; or
- (c) any boarding-house capable of accommodating twelve or more persons including the persons usually resident therein.

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(2) Where a supply of water to a farmhouse is used for farming purposes the Company may require that the supply for farming purposes shall be taken by measure but nothing in this section shall authorise the Company to refuse a supply of water for domestic purposes to a farmhouse at the rates authorised by this Act.

(3) The minimum quarterly charge for a supply of water by measure to any of the premises in this section mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same net annual value.

**95.**—(1) Where a person who takes a supply of water for domestic purposes desires to use the water for horses or washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Company may if a stand-pipe or tap be fixed on such premises charge (except where the water so used is taken by meter) such sum not exceeding ten shillings per annum as they may prescribe and (where more motor cars than one are kept) a further sum not exceeding five shillings per annum for each motor car beyond the first. Provided that if a hose-pipe or other similar apparatus be used in connection with the said stand-pipe or tap the Company may charge an additional sum not exceeding ten shillings per annum as they may prescribe and (where more motor cars than one are kept) a further additional sum not exceeding five shillings per annum for each motor car beyond the first.

Charges for  
horses and  
washing  
vehicles.

(2) Any sums chargeable under this section shall be in addition to the rates authorised for the supply of water for domestic purposes and shall be recoverable in all respects with and in the same manner as the said rates.

(3) Where water supplied by the Company to a person who takes a supply both for domestic purposes and by meter for trade or other purposes is used by him by means of a hose-pipe or other similar apparatus for horses or for washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Company may if they think fit require that all water so used by means of such hose-pipe or other apparatus shall be taken



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A.D. 1933. — by meter and paid for at the rates for the time being in force for the supply of water by meter.

Charges for supplies for refrigerating apparatus &c.

96. Where a person who takes a supply of water for domestic purposes from the Company desires to use any water so supplied for or in connection with a refrigerating apparatus or for or in connection with any apparatus (other than apparatus used for softening water for domestic supplies which does not require water for cleaning cooling regenerating or for motive power or similar purposes) depending while in use upon a supply of continuously running water the Company shall be entitled to require that all water so used shall—

- (a) be taken by meter and paid for accordingly and in that event the minimum quarterly charge for the water shall be ten shillings; or
- (b) be paid for at such rates as may be agreed between the consumer and the Company.

As to net annual value of two or more houses in one occupation.

97. Where two or more houses or buildings or parts of a house or building or of two or more houses or buildings connected by any means of communication not being a public highway are in the occupation of one and the same company body firm or person they shall be deemed for the purpose of determining the amount of the water rate chargeable by the Company in respect of any supply of water for domestic purposes furnished by the Company to any one or more of such two or more houses or buildings or such two or more parts of a house or building or of two or more houses or buildings to be one tenement having a net annual value equal to the aggregate of the net annual values of the separate houses or buildings or parts of a house or building or of houses or buildings so occupied.

Special terms for supplies to caravans shacks &c.

98.—(1) Notwithstanding anything in this Act contained a person shall not be entitled to demand or continue to receive from the Company a supply of water to any caravan shack hut tent or other like structure unless he has agreed with the Company to take a supply of water by meter and to pay to the Company such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing the supply or supplies required by him and will cover other standing charges incurred by them in

order to meet the possible maximum demand for his caravan shack hut tent or structure and will yield a reasonable return on the cost of the water consumed or used by him and unless he has secured to the reasonable satisfaction of the Company by way of deposit or otherwise payment of such a sum as may be reasonable having regard to the possible maximum demand of such person for his caravan shack hut tent or structure.

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(2) The sum to be so paid and the security to be so given shall be determined in default of agreement by a court of summary jurisdiction who may also order by whom the costs of the proceedings before them shall be paid and the decision of the justices shall be final and binding on all parties.

**99.** Notwithstanding anything in section 70 of the Waterworks Clauses Act 1847 contained the Company shall be entitled to demand payment of water rates in advance by equal quarterly payments on the first day of January the first day of April the first day of July and the first day of October in each year.

As to quarterly dates for payment of water rates.

**100.** The Company may if they think fit allow discounts or rebates to consumers of water in consideration of prompt payment of rates for the supply of water for domestic purposes not exceeding in any case five per centum Provided that such discounts or rebates shall be at the same rate under like circumstances to all consumers Provided also that if and so long as the Company allow such discounts or rebates notice of the effect of this enactment shall be endorsed on every demand note for water rates.

Discount for prompt payment of water rates.

**101.—(1)** The Company shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Separate communication pipes may be required.

(2) If the owner of any house supplied with water by the Company when so required in pursuance of the preceding subsection fails within a period of one month after the receipt of such requirement to provide a separate pipe from the main pipe into such house the Company may themselves do the work necessary in that behalf and may recover from such owner the cost incurred by them in so doing summarily as a civil debt.

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Mainten-  
ance of  
common  
pipe.

**102.** Where several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Company in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the manager of the Company.

Company to  
connect  
communi-  
cation pipes  
with mains.

**103.** Notwithstanding anything contained in any Act relating to the Company the Company shall have the exclusive right of executing any works on any of the water mains of the Company for connecting any communication or service pipes therewith and the Company shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Company execute on any such main (subject to the provisions so far as applicable of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes) any work and supply all fittings and materials which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and any expenses incurred by the Company in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Stopcocks  
to be fitted  
in communi-  
cation pipes.

**104.** In the case of all buildings erected after the passing of this Act within the limits of supply and connected by a communication pipe to the mains of the Company the Company may require the owner at the time when the pipes are laid to insert or to have inserted a stopcock in such communication pipe in a position as near as is reasonably practicable to the main of the Company from which the supply is given to the said premises and if such owner make default the Company may insert a stopcock in such communication pipe and recover the expense from the owner as a civil debt.

Notice of  
discon-  
tinuance.

**105.** A notice to the Company from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Company or be given personally at the office of the Company.

**106.**—(1) The Minister of Health if he is satisfied that the owner or occupier of any premises outside the limits of supply desires to obtain a supply of water from the Company may on the application of the Company subject to the provisions of this section by order authorise the Company to supply water to those premises on such conditions as may be specified in the order.

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Supply of water by Company to premises outside limits of supply.

(2) An order under this section may contain such modifications of any enactment applying to the Company as in the opinion of the Minister of Health are necessary in order to give full effect to the order.

(3) An order shall not (unless in the opinion of the Minister of Health consent is unreasonably withheld) be made except with the consent of the local authority within whose area and of any undertakers for the supply of water within whose limits of supply the premises are situate.

(4) (a) An order made under this section shall cease to have effect with respect to any premises when the local authority within whose area or the undertakers for the supply of water within whose limits of supply the premises are situate are able and willing to give a supply of water to such premises and give not less than one month's notice thereof to the Company.

(b) When such local authority or undertakers commence to supply water to any premises in pursuance of this subsection they shall pay to the Company such portion of the expenditure incurred by the Company within the area of the local authority or within the limits of supply of the undertakers as the case may be in giving a supply to the premises as may be agreed or failing agreement as may be determined by arbitration.

(5) An order made under this section shall not authorise the Company to supply water to any premises outside the area included within the limits shown on the "deposited map" as such map is defined by section 119 of the Thames Conservancy Act 1932.

**107.** Where the limits of supply are bounded by or abut upon any street or road outside such limits the Company may for the purpose of supplying water to the owner or occupier of any premises abutting upon such street or road and being within such limits exercise with respect to such street or road the like powers of

As to streets and roads forming boundary of limits of supply.

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breaking up the same for the purpose of laying maintaining inspecting repairing and renewing pipes as are exerciseable by them with respect to streets or roads within the said limits and subject to the like conditions and the owner or occupier of any such premises may for the purpose of laying any communication pipes or of complying with any obligation to maintain any pipe or apparatus which he is liable to maintain exercise the like power of opening the ground between any main or pipe of the Company and his premises and of opening and breaking up so much of the pavement of the street and any sewer or drain therein as shall be between such main or pipe and his premises as if such street or road were within the limits of supply Provided that nothing in this section shall entitle or require the Company to supply water to the owner or occupier of any premises abutting upon any such street or road as aforesaid and being outside the limits of supply.

Contracts  
for supply-  
ing water in  
bulk.

**108.**—(1) The Company may enter into and carry into effect agreements with any authority company or persons for the supply of water beyond the limits of supply to any such authority company or persons respectively 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 any authority company or person supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply but nothing in this section shall authorise the Company to lay any mains or other pipes or interfere with any street beyond the limits of supply.

(2) Notwithstanding anything contained in this Act the Company shall not supply water in bulk or otherwise for distribution or consumption outside the county of Buckingham.

(3) Nothing in this section shall authorise the Company to supply water in bulk outside or for consumption or use outside the area included within the limits shown on the "deposited map" as such map is defined by section 119 of the Thames Conservancy Act 1932.



**109.** The Company may enter into and carry into effect agreements with any authority company body or person supplying water under parliamentary authority for the purchase of water in bulk by the Company for such price and on such terms and conditions and for such period as may be agreed upon and any water so purchased may be used by the Company for the purposes of the undertaking.

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Purchase of  
water in  
bulk.

**110.** The Company may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

Power to  
sell meters.

**111.**—(1) Where water is supplied by measure the register of the meter or other instrument for measuring water shall be prima facie evidence of the quantity of water consumed and in respect of which any water rate rent or charge is charged and sought to be recovered by the Company Provided always that if the Company and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties the costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

As to  
register of  
meters.

(2) In the event of any meter used by a consumer of water being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be and in the case of a surcharge shall be recoverable in the like manner as rates for water are recoverable by the Company.

**112.**—(1) The Company may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets and other fittings as are required or permitted by their regulations and may provide all materials and do all work necessary or proper

Power to  
supply  
fittings.

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A.D. 1933. — in that behalf and the reasonable charges of the Company in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof.

Power to  
remove  
meters and  
fittings.

**113.** The Company by their agents or workmen after forty-eight hours' notice in writing under the hand of the secretary or some other officer of the Company to the occupier or if there is no occupier then to the owner or lessee of any house building or land in which any pipe meter or fitting belonging to the Company is laid or fixed and through or in which the supply of water is from any cause other than the default of the Company discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Notice to  
Company of  
connection  
or discon-  
nection of  
meters.

**114.** Before any person connects or disconnects any meter by means of which any of the water of the Company is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Company of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Company and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Injuring  
meters and  
fittings.

**115.—**(1) Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water

or any fittings belonging to the Company or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Company shall (without prejudice to any other right or remedy for the protection of the Company) be liable to a fine not exceeding five pounds and the Company may in addition thereto recover the amount of any damage by them sustained. A.D. 1933.

(2) In any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Company or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Company the Company may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter or other instrument of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Company by the person so offending and may be recovered by them as water rates are recoverable.

(3) The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Company when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be prima facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

**116.**—(1) The Company may make byelaws—

(a) for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes

Byelaws for preventing waste &c. of water.

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*and District Waterworks Act, 1933.*

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meters cocks ferrules valves soil-pans water-closets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination;

(b) as to the testing and stamping of taps cocks ferrules valves flushing cisterns flushing apparatus and other similar fittings or apparatus and prescribing the charge to be made for such testing and stamping.

(2) Such byelaws shall apply only in the case of premises to which the Company are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(3) All such byelaws shall be subject to the provisions contained in sections 182 183 184 and 186 of the Public Health Act 1875 and all penalties imposed for the breach of any such byelaws shall be recoverable in manner provided by that Act for the recovery of penalties and those sections shall for the purposes of this section be construed as if the Company were a local authority within the meaning of those sections and the secretary of the Company were the clerk of the local authority.

(4) A copy of all such byelaws in force for the time being shall be kept at the office of the Company. All persons may at all reasonable times inspect such copy without payment and the Company shall cause to be delivered a printed copy of all byelaws for the time being in force to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

(5) The Company shall on or before the date upon which notice of any such byelaws is first given in any local newspaper in pursuance of section 184 of the Public Health Act 1875 send a copy of the byelaws to the local authority for every district in which the byelaws are intended to be in force.

(6) In case of failure of any person to observe such byelaws as are for the time being in force the Company

may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such bye-laws and the expense of every such repair replacement or alteration shall be recoverable by the Company as the water rates in respect of the premises are recoverable. A.D. 1933.

(7) Any person who shall forge or counterfeit any stamp or mark used by the Company or by the authority of the Company for any of the purposes of this section or who shall use or supply anything marked with any such stamp or mark knowing the same to be forged or counterfeited shall for every such offence be liable to a penalty not exceeding twenty pounds.

117. Subject to the provisions of the Waterworks Clauses Act 1847 the Company may for the purpose of measuring the quantity of water supplied or preventing and detecting waste affix and maintain meters and other apparatus on the service pipes and mains of the Company and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose temporarily stop up break up and interfere with public and private streets roads lanes footways courts passages tramways sewers pipes wires and apparatus Provided that the Company shall not interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 : Meters &c. to measure water or detect waste.

Provided also that the Company shall not enter upon break up or interfere with the railways or works or any street or road or any electric lines wires or apparatus belonging to or maintained by any railway company or committee without the consent of such railway company or committee as the case may be (which consents respectively shall not be unreasonably withheld) or unreasonably interfere with or render less convenient the access to or exit from any railway station or railway depot.



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Opening  
of ground  
by persons  
liable to  
maintain  
pipes &c.

**118.**—(1) For the purposes of complying with any obligation under the Waterworks Clauses Acts 1847 and 1863 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Company may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street execute such works on behalf of such owner or occupier and any expense incurred by the Company shall be repaid by the owner or occupier with whom the agreement is made.

Power to  
Company  
to repair  
communi-  
cation pipes.

**119.** If in the opinion of the Company any waste of water or injury or risk of injury to person or property is caused or likely to be caused by reason of any injury to or defect in any communication pipe which the Company are not under obligation to maintain it shall be lawful for the Company to execute such repairs to the communication pipe as they may think necessary or expedient in the circumstances of the case without being requested so to do and if any injury to or defect in the communication pipe shall have been found the expenses incurred by the Company for the purpose of ascertaining the cause of injury or defect and executing the repairs (including the expenses of breaking up filling in reinstating and making good any road pavement or soil for those purposes) shall be recoverable by the Company from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier in like manner as the water rates in respect of the premises are recoverable Provided that except in case of emergency the Company shall not under the powers of this section enter into any house or private premises unless they shall have given to the occupier of such house or premises and (in any case where the communication pipe is repairable by the owner of the said house or premises) to such owner not less than twenty-four hours' previous notice of their intention so to enter.

**120.** Every person who shall wilfully (without the consent of the Company) or negligently close or shut off any valve cock or other work or apparatus belonging to the Company whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Company) be liable on conviction to a penalty not exceeding five pounds and the Company may in addition thereto recover the amount of any damage by them sustained. Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

A.D. 1933.

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Penalty for closing valves and apparatus.

**121.** Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of a supply of water by the Company who shall without the authority of the Company turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Company and provided or available for the purpose of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and that section shall extend and apply accordingly.

Extension of section 60 of Waterworks Clauses Act 1847.

**122.** In addition to the powers conferred by section 57 of the Waterworks Clauses Act 1847 any duly authorised officer of the Company may at all reasonable times between the hour of four o'clock in the afternoon and one hour after sunset enter into any house or premises supplied with water by the Company in order to examine if there be any waste or misuse of such water and if any person hinder any such officer from entering or making such examination as aforesaid he shall for every such offence be liable to a penalty not exceeding five pounds.

Extension of power to inspect premises.

**123.** The sections of the Waterworks Clauses Act 1847 relating to fireplugs shall in their application to the Company and to any urban or rural district within the limits of supply have effect as if the council of such district were therein substituted for the town commissioners and as if the reference in section 38 of the said Act to the proper position or number of fireplugs included a reference to the pattern and price of the fireplugs :

Provisions as to fireplugs.

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Provided that if the pattern of any fireplug which may in case of any difference of opinion be settled under the provisions of the said section 38 shall cause or allow a waste of water or an access of air to the mains of the Company then the Company may have the same removed and the expense of such removal shall be borne by the district council affected and the Company in equal shares.

PART VII.

MISCELLANEOUS.

For protec-  
tion of  
Bucks  
County  
Council.

124. The following provisions for the protection of the county council of the administrative county of Buckingham (in this section referred to as "the county council") shall unless otherwise agreed between the Company and the county council have effect with respect to the exercise by the Company of their powers under this Act:—

- (1) In this section unless the context otherwise requires the expressions "road" and "bridge" mean respectively a road and a bridge under the management or control of the county council and the expression "approach" means the approach to any such bridge:
- (2) Section 30 of the Waterworks Clauses Act 1847 as incorporated with this Act shall in relation to any road bridge or approach have effect as if the word "fourteen" were substituted for the word "three" in that section:
- (3) All new mains pipes and works (not being replacements of existing mains pipes and works) to be laid in or along any road or in or upon or across any bridge or approach shall be laid in such position as the county council in writing under the hand of their surveyor may reasonably direct:
- (4) If the county council desire to alter the level of or deviate any road or the approaches to any bridge in or along which any mains pipes or works of the Company shall have been laid and such alteration or deviation would vary

to a greater extent than nine inches the cover of or otherwise materially affect such mains pipes or works the county council shall give notice in writing to the Company under the hand of the clerk or surveyor to the county council and the Company shall with all reasonable dispatch on receiving further notice in writing under the hand of the clerk or surveyor to the county council so to do alter the position of any such mains pipes or works in the manner and to the extent prescribed by such notice or as in case of difference shall be determined in the manner prescribed in this section and the county council shall repay to the Company the expenses reasonably incurred by the Company in effecting any such alteration of the position of any such mains pipes or works :

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- (5) If the county council desire at any time to remove alter rebuild widen or repair any bridge or the roadway over the same over or near or attached to which any mains pipes or works of the Company constructed after the date of the passing of this Act are carried in the same manner as the county council might have removed altered rebuilt widened or repaired such bridge or the roadway over the same if this Act had not been passed and the said mains pipes or works had not been laid over or near or attached to such bridge the county council shall not save as required by section 39 of the Local Government Act 1929 make any compensation to the Company for any expense or loss to which the Company may be put by reason or in consequence of any such removal alteration rebuilding widening or reparation and in the event of any such bridge or the roadway over the same over or near or attached to which any such mains pipes or works are laid being removed altered rebuilt widened or repaired as aforesaid the Company shall at their own cost in all things alter the position of any works by which such mains or pipes are carried over or near or attached

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to such bridge or the roadway over the same  
Provided that during the removal alteration  
re-building widening or reparation of such  
bridge or the roadway over the same as afore-  
said the county council shall afford all reason-  
able facilities to enable the Company temporarily  
to carry such mains and pipes across any  
stream or brook so as not to interrupt the  
continuous supply of water or to diminish  
the pressure of such supply through such  
mains or pipes :

- (6) All works shall be so executed by the Company  
as not to stop or (so far as reasonably prac-  
ticable) impede or interfere with the traffic  
on any road or over any bridge or approach  
and no greater consecutive length than two  
hundred yards of any road bridge or approach  
shall be broken up at any one time :
- (7) If any difference shall arise under this section  
the same shall be determined by an arbitrator  
to be agreed between the parties or failing  
agreement to be appointed on the application  
of either party after notice to the other by  
the President of the Institution of Civil Engineers  
and subject as aforesaid the provisions of the  
Arbitration Act 1889 shall apply to any such  
arbitration.

Guarantees  
by district  
councils.

**125.**—(1) Any urban or rural district council whose  
district is in whole or in part within the limits of supply  
may give and enter into any guarantee or contract  
for securing payment to the Company of such periodical  
or other sum or sums at such time or times in such  
manner and subject to such stipulations as may be agreed  
by and between such council and the Company for the  
purpose of or with respect to the providing or laying  
down by the Company of any main pipe or works for  
the supply of water within any part of such district.

(2) The giving of such guarantee and the perform-  
ance of any contract in relation thereto shall be deemed  
to be a purpose for which under the provisions of any  
general Act relating to the powers of such council they  
may incur expenditure and any such council may raise



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in like manner as money may be raised under the provisions of any such general Act any money which may become payable to the Company under this section : A.D. 1933.

Provided that subject to the provisions of the Local Government Act 1929 any expenditure incurred by a rural district council in pursuance of this section shall be defrayed as special expenses on the contributory places in respect of which the guarantee or contract is entered into.

(3) Nothing in this section shall be deemed to authorise any such urban or rural district council to use any water supplied by the Company under any such guarantee or contract as aforesaid in any part of the district of such council which is beyond the limits of supply and within the limits for the supply of water of any other authority supplying water under parliamentary authority without the consent of such other authority.

**126.** Any requisition which may be made under section 35 of the Waterworks Clauses Act 1847 as incorporated with this Act by owners or occupiers of houses requiring a supply of water may be made by the local authority of the district on behalf of such owners and occupiers and shall be binding on the Company if the local authority execute an agreement binding themselves to pay for three successive years at least for the supply of water to the houses in respect of which the requisition was made the amount which would have been payable under the said section in its application to the Company by such owners or occupiers. Power to local authorities to guarantee on behalf of owners and occupiers.

**127.** It shall be lawful for the Company to make superannuation and other allowances and to pay or contribute towards pensions or gratuities to any officers servants or employees of the Company and for that purpose to apply the funds and revenues of the Company. Power to make superannuation and other allowances.

**128.** The directors may subscribe or make donations to infirmaries and hospitals and convalescent homes and other similar institutions and objects or to industrial exhibitions or to benevolent accident or sick funds of the officers servants and employees of the Company and may for any of those purposes apply the funds and revenues of the Company. Power to directors to make donations subscriptions &c.

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For protec-  
tion of Ux-  
bridge and  
District  
Electric  
Supply  
Company  
Limited.

**129.**—(1) The provisions of section 15 of the Electric Lighting Act 1882 and of sections 17 and 18 of the schedule to the Electric Lighting Clauses Act 1899 shall apply to and with respect to the exercise by the Company of the powers conferred by this Act and the Company shall not interfere with any electric lines or works of the Uxbridge and District Electric Supply Company Limited (hereinafter referred to as “the Uxbridge Company”) except in accordance and subject to such provisions.

(2) Notwithstanding anything contained in the section of this Act of which the marginal note is “Temporary stoppage of streets” the Company shall not prevent the Uxbridge Company their officers or servants from passing along or using any street temporarily stopped up under the powers of that section and in which any electric lines or works of the Uxbridge Company are situate.

Copy of  
Act to be  
registered.

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

There shall be paid to the registrar by the limited company on such copy being registered the like fee as is for the time being payable under the Companies Act 1929 on registration of any document other than a memorandum of association or the abstract required to be delivered to the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up in England.

Form and  
service of  
notices by  
Company.

**131.** Any notice to be served on a person supplied with water shall be sufficiently authenticated by the signature of the secretary of the Company being affixed thereto in writing or by a stamp or if it be a notice to pay any charge in respect of a supply of water by the name either of the secretary or of a collector of the Company being affixed thereto in print or by a stamp and any

such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises.

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**132.** Where under this Act any question or dispute is to be referred to or determined by an arbitrator or arbitration then unless other provision is made the reference shall be to a single arbitrator to be agreed upon between the parties or failing agreement appointed by the President of the Institution of Civil Engineers on the application of any party to the dispute (after notice in writing to the other or others of them) and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to the reference.

Arbitration.

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

Judges not disqualified.

**134.** Where the payment of more than one sum by any person is due under any one or more of the Acts or Orders for the time being relating to the Company any summons or warrant issued for the purposes of any one or more of such Acts or Orders in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Several sums in one summons.

**135.** Penalties imposed under any Act or Order for the time being relating to the Company for one and the same offence shall not be cumulative.

Penalties not cumulative.

**136.** Save as otherwise by this Act expressly provided all offences against any Act or Order for the time being relating to the Company and all penalties forfeitures costs and expenses imposed or recoverable under any such Act or Order or any byelaw made in pursuance thereof may be prosecuted and recovered in

Recovery of penalties &c.

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A.D. 1933. a summary manner Provided that costs or expenses  
— except such as are recoverable along with a penalty shall  
not be recovered as penalties but may be recovered  
summarily as civil debts.

Recovery of demands. **137.** Proceedings for the recovery of any demand  
made under the authority of any Act or Order for the time  
being relating to the Company whether provision is or  
is not made for the recovery in any specified court or  
manner may be taken in any county court having  
otherwise jurisdiction in the matter provided that the  
demand does not exceed the amount recoverable in that  
court in a personal action.

Costs of Act. **138.** 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 and may in whole or in part be charged  
against revenue.

The SCHEDULES referred to in the  
foregoing Act.

A.D. 1933.

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FIRST SCHEDULE.

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PART I.

THE ACT AND ORDERS RELATING TO THE LIMITED COMPANY  
REPEALED.

The Amersham Beaconsfield and District Water Order 1896 confirmed by the Water Orders Confirmation Act 1896 (59 & 60 Vict. c. clxi.).

The Amersham Beaconsfield and District Water Order 1903 confirmed by the Gas and Water Orders Confirmation Act 1903 (3 Edw. 7. c. cli.).

The Amersham Beaconsfield and District Water Act 1904 (4 Edw. 7. c. xxv.).

The Amersham Beaconsfield and District Water Order 1914 confirmed by the Gas and Water Orders Confirmation (No. 1) Act 1914 (4 & 5 Geo. 5. c. cxii.).

The Amersham Beaconsfield and District Waterworks Company Limited (Modification of Charges) Order 1922 (S.R. & O. 1922 No. 301).

The Amersham Beaconsfield and District Water Order 1927 confirmed by the Ministry of Health Provisional Orders Confirmation (No. 6) Act 1927 (17 & 18 Geo. 5. c. xxxv.).

PART II.

PROVISIONS OF ACT AND ORDERS RELATING TO THE LIMITED  
COMPANY SAVED FROM REPEAL.

*Amersham Beaconsfield and District Water Order 1896.*

12. The Undertakers may on the lands shown on the deposited plans when the same have been acquired by them and so long as they are possessed of the said lands or so long as they may be entitled to do so under agreement make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections the works hereinafter described with all needful goits conduits or pipes channels dams weirs

Power to construct waterworks and supply water.



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A.D. 1933. sluices pens locks engines pumps machinery stand-pipes tanks valves hydrants apparatus buildings walls fences and other works and conveniences connected therewith and they may subject to the provisions of this Order supply and sell water within the limits of supply.

The works authorised by this Order will be wholly situate in the county of Buckingham and are as follows:—

- (1) A well and artesian boring with pumping station works and buildings upon land situate in a field numbered 288 on the 1/2500 Ordnance map for the parish of Amersham aforesaid adjoining the London Road and belonging to Thomas William Tyrwhitt Drake:
- (2) A covered service reservoir upon land in the parish of Amersham aforesaid situate in a field numbered 593 on the 1/2500 Ordnance map for the parish of Amersham aforesaid adjoining the road from Coleshill to Amersham and belonging to Thomas William Tyrwhitt Drake:
- (3) A line of pipes forming the rising main from the said pumping station to the said reservoir:
- (4) An aqueduct or line of pipes commencing at the aforesaid reservoir passing through Coleshill aforesaid and terminating about the centre of the town of Beaconsfield with distributing branches carried along the various roads and streets in the town and parish of Beaconsfield aforesaid:
- (5) An aqueduct or line of pipes commencing from a junction with the last-mentioned aqueduct or line of pipes passing through Winchmore Hill and terminating near Holy Trinity Church in the village of Penn with a branch commencing at Winchmore Hill aforesaid and terminating near Holy Trinity Church Penn Street in the said parish of Penn:
- (6) An aqueduct or line of pipes commencing at the pumping station in the town of Amersham aforesaid and terminating at the head of the High Street in the town of Amersham aforesaid near Little Shardeloes with branches along Church Street and Whielden Street in the same town:
- (7) An aqueduct or line of pipes commencing at the said pumping station passing along the London Road and the new road to the Metropolitan Railway Station at Amersham and along the White Lion Inn Road to Chalfont Road Station of the same railway in the parish of Chalfont St. Giles terminating about the centre of the village of Chenies with distributing branches in the roads and streets also branches commencing from the

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last-mentioned aqueduct or line of pipes at Amersham Common and terminating near Bois Farm and Manor Farm respectively in the parish of Chesham Bois : A.D. 1933.

- (8) An aqueduct or line of pipes commencing from the aqueduct or line of pipes No. 7 near the Chequers public house in the town of Amersham aforesaid and carried along the London Road to the village of Chalfont St. Giles and terminating at Three Households in the same village with distributing branches in the various roads and streets.

15. For the protection of the Metropolitan Railway Company (in this section referred to as "the company") the following provisions shall notwithstanding anything contained in this Order or shown on the deposited plans or deposited sections unless otherwise agreed between the Undertakers and the company be observed and have effect (that is to say) :— For the protection of the Metropolitan Railway Company.

- (1) The Undertakers shall not without the consent in writing of the company construct lay down or execute any aqueduct line of pipes or other work in or along the private road of the company leading from Amersham Town to Amersham Station on the company's railway or in any way interfere with the said road or any part thereof :
- (2) In laying down or executing the works of laying down or effecting the repairs or renewals of any aqueduct or line of pipes or other works in the exercise of the powers contained in this Order upon across over under along or in any way affecting the lands and property now or hereafter belonging to or used or occupied by the company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the company the same shall be done under the superintendence and to the reasonable satisfaction of the engineer of the company and only according to such plans as shall be submitted to and in such manner as shall previously be reasonably approved in writing by him :
- (3) All such works shall be done by and at the expense of the Undertakers who also shall restore and make good to the like satisfaction of the engineer of the company the roads over any bridges level crossings and approaches which the company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Undertakers :
- (4) All such works repairs or renewals and operations and all matters incidental thereto shall be constructed

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executed and done so as not to cause any injury to such railways bridges level crossings approaches and viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon :

- (5) If any injury or interruption shall arise from or in any way be owing to any of the works operations and matters aforesaid or the bursting leakage or failure of any such mains pipes or works or otherwise by any means whatsoever in under or near to the railway of the company or any bridge or level crossing of the company the Undertakers shall make compensation to the company in respect thereof the amount of such compensation together with full costs to be recoverable by the company from the Undertakers by all and the same means as any simple contract debt is recoverable :
- (6) The Undertakers shall also pay to the company for any easement to be acquired by them upon across over along or under any of the railways works lands or property of the company such sum either annual or otherwise as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement and for the purposes of such arbitration the easement so to be taken shall be deemed to be lands :
- (7) In cases of urgent emergency the Undertakers may commence such works as may be actually necessary for the immediate maintenance or repair of any works of the Undertakers and shall submit such plans and obtain the approval thereto of the engineer of the company and otherwise comply with the provisions of this section as aforesaid as soon thereafter as practicable :  
Provided always that subject to the stipulations before mentioned nothing herein contained shall prevent the Undertakers from laying mains and pipes along any public street road highway or bridge crossing the railway of the company :
- (8) The Undertakers shall in the event of the company giving the consent referred to in the first clause of this section from time to time by agreement when required by the company supply the company with water in bulk or by measure upon such terms of remuneration and such conditions as may from time to time be agreed upon between the Undertakers and the company :
- (9) During the construction or laying down of the said aqueduct line of pipes or other work or the maintenance thereof or any renewals or repairs thereof across over

under along or adjoining or near to or affecting the railways property and works of the company the Undertakers shall bear and on demand pay to the company all expenses of employment by them of a sufficient number of inspectors or watchmen to be appointed by the company for watching their railways and the works thereof with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident which may arise from any of the operations or from the acts or defaults of the Undertakers or their contractors or any person or persons in the employment of the Undertakers or their contractors with reference thereto or otherwise :

A.D. 1933.

- (10) Any difference which may arise between the company and the Undertakers touching any of the matters referred to in this section shall except in the case hereinbefore otherwise provided be decided by a single arbitrator to be appointed on the application of the company or the Undertakers by the Board of Trade and the costs of such arbitration and of the parties thereto shall be in the discretion of the arbitrator.

16. The Undertakers shall not take any water from the River Thames (which expression in this section includes any tributary thereof) or from any defined surface channel discharging into the said river without the consent in writing of the Conservators of the River Thames Provided always that this section shall not apply to the pumping station of the company existing at the time of the commencement of this Order and the site whereof is shown on the map deposited at the Board of Trade in respect of such Order.

Undertakers not to take water from River Thames &c. or from land adjacent thereto.

19. The Undertakers shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the rates hereinafter specified (that is to say) :—

Rates for supply for domestic purposes.

Where the net annual value of the premises so supplied with water shall not amount to six pounds at a rate not exceeding eight shillings and eightpence per annum ;

Where such net annual value amounts to six pounds and does not exceed ten pounds the rate of eight pounds per centum upon such net annual value ;

Where such net annual value exceeds ten pounds and does not exceed twenty pounds the rate of seven pounds ten shillings per centum upon such net annual value ;

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Where such net annual value exceeds twenty pounds and does not exceed forty pounds the rate of seven pounds per centum upon such net annual value;

Where such net annual value exceeds forty pounds and does not exceed sixty pounds the rate of six pounds ten shillings per centum upon such net annual value;

Where such net annual value exceeds sixty pounds the rate of six pounds per centum upon such net annual value;

And so in proportion for any shorter period than a year :

Provided also that the Undertakers shall not be compellable to furnish any such supply as aforesaid for any less sum than five shillings in any one year nor for a less period than six months and that the Undertakers shall in no case be entitled to charge at a higher rate in respect of any house or part of a house included in any division of the above scale than that at which they would be entitled to charge if such house or part of a house were of just sufficient net annual value to bring it within the next higher division of the said scale :

The net annual value of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter in which the rate accrues or if there is no such list then by the last rate made for the relief of the poor :

Provided that where the water rate is chargeable on the net annual value of a part only of any hereditament entered in the valuation list such net annual value shall be a fairly apportioned part of the net annual value of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be determined by two justices.

Rates for  
water-  
closets &c.

20. In addition to the foregoing charges the Undertakers may charge in respect of every watercloset beyond the first (for which no additional charge shall be made) on any premises within the limits of supply a sum not exceeding five shillings per annum and for every fixed bath an additional sum not exceeding ten shillings per annum such additional sums to be paid quarterly in advance and to be recoverable in all respects with and as the water rate. Provided always that for baths containing as usually filled for use a greater quantity of water than fifty gallons the Undertakers may charge an increased rate in proportion to the size of such baths but the Undertakers shall not be compelled to supply water for any bath so constructed as to contain when as usually filled for use more than fifty gallons of water.

*Amersham Beaconsfield and District Water Act 1904.*

Power to  
construct  
works.

5. Subject to the provisions of this Act the Company in the lines and situation and upon the lands delineated on the deposited plans and described in the deposited book of reference



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*and District Waterworks Act, 1933.*

and according to the levels shown on the deposited sections may make and maintain the following works in the county of Buckingham (that is to say) :— A.D. 1933.  
—

A line or lines of pipes commencing in the parish and urban district of Beaconsfield at a point in the main road leading from Beaconsfield to Uxbridge at or near the junction with the said main road of the road leading from Chalfont Saint Giles and terminating in the parish of Gerrard's Cross in the rural district of Eton at or near a point in the said main road opposite the mile post denoting three miles from Beaconsfield :

Together with all such incidental works as may be necessary or convenient in connection therewith.

*Amersham Beaconsfield and District Water Order 1914.*

6. The construction by the Undertakers of the existing works or portions of works in this section described together with all incidental and ancillary works and apparatus connected therewith is hereby sanctioned and confirmed notwithstanding that part of the lands upon which the same have been constructed is not shown upon the plans deposited for the purposes of the Order of 1896 and the Undertakers may so long as they are possessed of the lands upon which the same are constructed or so long as they may be entitled to do so use and maintain and alter enlarge deepen and extend such works or any of them as if the same had been authorised by and constructed pursuant to the provisions of the Order of 1896 and may retain and hold for the purposes of their undertaking the lands which have been acquired by the Undertakers for the purposes of such works The said works are situate in the county of Buckingham and are as follows :— Confirmation of existing works.

The extension of the pumping station works and buildings authorised by the Order of 1896 which has been constructed upon land forming part of the field or inclosure numbered 406 on the 1/2500 Ordnance map of the county of Buckingham sheet No. XLIII.5 (1898 second edition) and the wells bores pipes and other works apparatus and conveniences situate in the said inclosure.

7. The Undertakers may on the lands shown on the deposited plans so long as they are possessed of the said lands or so long as they may be entitled to do so under agreement make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections the following works in the county of Buckingham :— Power to construct new works.

(1) A service reservoir situate in the parish of Amersham upon lands forming parts of the fields or inclosures

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A.D. 1933..

numbered 359 and 361 on the 1/2500 Ordnance map of the county of Buckingham sheet No. XLIII.9 (1898 second edition);

- (2) A conduit consisting of one or more line or lines of pipes situate in the parish of Amersham commencing at or in the service reservoir hereinbefore described and terminating by a junction with the existing main of the Undertakers in the road leading from Amersham to Beaconsfield:

Together with all such pipes mains culverts drains channels sluices valves bores adits headings water-towers filters tanks banks walls embankments pumps engines machinery and other works as may be necessary or convenient in connection with or subsidiary to the said works.

*Amersham Beaconsfield and District Waterworks Company Limited*  
*(Modification of Charges) Order 1922.*

2. The provisions of sections 19 and 20 of the Order of 1896 . . . are hereby modified so as to authorise the Company to charge for the supply of water for domestic purposes in respect of every watercloset beyond the first on any premises in respect of fixed baths . . . rates sums and prices not exceeding by more than twenty-five per centum the rates sums and prices respectively prescribed by the said sections.

*Amersham Beaconsfield and District Water Order 1927.*

Confirmation  
of existing  
works.

9. The Undertakers may maintain continue alter improve enlarge extend renew reconstruct and repair the existing wells and pumping station and works connected therewith constructed by them in the parish of Amersham in the rural district of Amersham in the county of Buckingham in part of the enclosure numbered 406 on the 1/2500 Ordnance map of Buckinghamshire (Sheet XLIII. 5th edition of 1898) and the construction of the said wells and pumping station and other works is hereby sanctioned and confirmed and the Undertakers may take impound appropriate and use for the purposes of the undertaking all such springs streams and waters which may be intercepted collected or taken by means of the said wells and pumping station and the said works connected therewith.

SECOND SCHEDULE.

A.D. 1933.

DESCRIPTION OF LIMITS OF SUPPLY.

The urban district of Beaconsfield.

In the rural district of Amersham—

Parishes of—

Amersham.  
Chalfont St. Giles.  
Chalfont St. Peter (detached).  
Chenies.  
Chesham Bois.  
Coleshill.  
Penn.  
Seer Green.

In the rural district of Eton—

Parish of Gerrard's Cross.

In the rural district of Wycombe—

So much of the parish of Wooburn as lies to the north of the railways of the Great Western and Great Central Railways Joint Committee.

So much of the parish of Chepping Wycombe (Rural) as is—

(a) coloured blue on the map referred to in section 61 (As to water limits of Corporation and Amersham Company) of the Chepping Wycombe Corporation Act 1927; and

(b) coloured red on the map referred to in the section of this Act of which the marginal note is "Limits of supply."

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