



ANNO DECIMO QUINTO & DECIMO SEXTO

VICTORIÆ REGINÆ.

Cap. clix.

An Act for enabling the Company of Proprietors of the *West Middlesex* Waterworks to obtain by Agreement a Supply of Water from the *Thames* above the Reach of the Tide, and to raise further Capital; and for other Purposes.

[30th June 1852.]

WHEREAS the following Local or Local and Personal Acts have been passed relating to the Company of Proprietors of the *West Middlesex* Waterworks (in this Act called "the Company"), to wit, the several Acts of the Forty-sixth Year of *George* the Third, Chapter One hundred and nineteen, of the Fiftieth Year of *George* the Third, Chapter One hundred and thirty-two, and of the Fifty-third Year of *George* the Third, Chapter Thirty-six, and those Acts are in this Act called "The *West Middlesex* Acts:" And whereas, under the Authority of those Acts or some of them, the Company have constructed Waterworks, and therewith they supply Water to the Inhabitants of a District at the Western Part of *London*, and they take the Water for such Supply from the River *Thames* to the Eastward of *Kew Bridge*, and they are by the first-recited Act prohibited from taking any Part of such Supply from the *Thames* to

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the Westward of *Kew Bridge*; or from any Stream falling into the *Thames* to the Westward of *Kew Bridge*: And whereas it is expedient that the Company be empowered to obtain a Supply of Water from a Point on the *Thames* to the Westward of *Kew Bridge* and above the Reach of the Tide, and for that Purpose and for other Purposes of their Undertaking to construct additional Waterworks and other Works and Conveniences: And whereas such a Supply could be obtained by the Company without the Necessity of their taking any private Land compulsorily, and it is expedient that the Company be authorized to obtain by Agreement such Supply: And whereas the total Amount of Money which the Company were by the recited Acts authorized to raise by Shares is Four hundred thousand Pounds: And whereas for about Thirteen Years after the passing of the first-recited Act the Company did not derive any Profit from their Undertaking, and they raised Three hundred and ninety-five thousand four hundred and fifty Pounds Twelve Shillings and One Penny, Part of that Four hundred thousand Pounds, and in order to raise that Amount they issued Eight thousand three hundred Shares of the nominal Amount of One hundred Pounds each, the greater Part of those Shares being issued at a considerable Discount: And whereas the Company expended the Sum of Three hundred and seventy-eight thousand four hundred and seventy-eight Pounds Six Shillings and Ninepence so raised on their Waterworks, and they have also expended out of their Income upwards of One hundred and twenty-two thousand Pounds more thereon, making an aggregate of upwards of Five hundred thousand Pounds expended by them on permanent Works: And whereas the Company have not borrowed any Sum on the Security of their Undertaking: And whereas it is expedient that the Company be empowered to raise for the Purposes of this Act a further Sum: And whereas such several Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; to wit,

Commence-
ment of Act.

I. That this Act shall commence and have effect on and from the Fourth *Wednesday* next after the passing thereof.

Short Titles
of Company's
Acts.

II. That in citing the recited *West Middlesex Acts* and this Act respectively for any Purposes it shall be sufficient to use the following Expressions, (to wit,)

As to the recited Act of the Forty-sixth Year of *George* the Third, Chapter One hundred and nineteen, the Expression "The *West Middlesex Waterworks Act, 1806*;"

As

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As to the recited Act of the Fiftieth Year of *George* the Third, Chapter One hundred and thirty-two, the Expression "The *West Middlesex* Waterworks Act, 1810 ;"

As to the recited Act of the Fifty-third Year of *George* the Third, Chapter Thirty-six, the Expression "The *West Middlesex* Waterworks Act, 1813 ;"

And as to this Act, the Expression "The *West Middlesex* Waterworks Act, 1852."

III. That "The Waterworks Clauses Act, 1847," (except the Provisions with respect to the Communication Pipes to be laid by the Undertakers, and except the Section numbered 35 in the same Act,) and the following Provisions of "The Companies Clauses Consolidation Act, 1845," (to wit,) Certain Parts of 10 & 11 Vict. c. 17. incorporated with this Act.

With respect to the borrowing of Money by the Company on Mortgage or Bond ;

With respect to the Conversion of borrowed Money into Capital ;

And with respect to the Consolidation of Shares into Stock, Shall respectively be incorporated with this Act ; and for the Purposes of this Act the Expression "the Undertakers" in "The Companies Clauses Consolidation Act, 1845," shall mean the *West Middlesex* Waterworks Company.

IV. That the Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands by Agreement, shall be incorporated with this Act, and shall apply to the new Works by this Act authorized, and to Lands required for the Purposes of such new Works. 8 & 9 Vict. c. 18. incorporated with this Act.

V. That the several Words and Expressions to which, by the Acts wholly or partially incorporated with this Act, Meanings are respectively assigned, shall have respectively in this Act the same Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction. Same Meanings to Words in incorporated Acts and this Act.

And with respect to the Capital of the Company, be it enacted as follows ; to wit,

VI. That the Capital of the Company shall be Five hundred and six thousand three hundred Pounds divided into Eight thousand three hundred Shares of Sixty-one Pounds each, and the nominal Value of the existing Shares in the Company shall be reduced from One hundred Pounds each to Sixty-one Pounds each. Amount of Capital.

VII. That the Company may raise by borrowing on Mortgage of their Undertaking, but not by Bond, any Sum not exceeding in the whole One hundred and sixty-eight thousand seven hundred and sixty-six Power to raise additional Money by Mortgage.

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six Pounds, in addition to their said Capital of Five hundred and six thousand three hundred Pounds; and if after having borrowed any Money they be desirous of paying off the same, they may raise the necessary Amount for such Purpose.

Reserve
Fund.

VIII. That the Company, with the Sanction of not less than Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a General Meeting of the Company, may from Time to Time set aside and maintain a Reserve Fund, not exceeding Twenty thousand Pounds, for any of the Purposes of the Company, and with the like Sanction may from Time to Time apply the Reserve Fund, or any Part thereof, for such Purposes.

Less than
61% of Capital
Stock not
to give Vote
or Qualifica-
tion.

IX. That if the Company at any Time consolidate all or any Part of the then existing Shares in the Capital of the Company into One general Capital Stock, any Part of such Stock less than Sixty-one Pounds shall not confer on the Holder thereof any Right of voting or any Qualification.

Arrears may
be enforced
by Appoint-
ment of a
Receiver.

X. That the Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize the Requisition for a Receiver shall be One Fourth Part of the Mortgage Debt for the Time being.

And with respect to the Supply of Water by the Company and the Works for the Supply, be it enacted as follows; to wit,

Power to take
Water from
the Thames
Westward of
Kew Bridge.

XI. That the Provision of "The *West Middlesex Waterworks Act, 1806*," prohibiting the Company or any Persons under their Order or Direction taking Water from the *Thames* to the Westward of *Kew Bridge*, or from any Stream falling into any Part of the *Thames* to the Westward of *Kew Bridge*, is hereby repealed.

Power to
construct
Works ac-
cording to
deposited
Plans;

and may pur-
chase and use
Lands.

XII. And whereas Plans showing the Lands proposed to be purchased by the Company for the Purposes of this Act, and Sections showing the Lines and Levels of the Pipes proposed to be laid in those Lands, and Books of Reference to such Plans containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of these Lands, have been deposited with the respective Clerks of the Peace for the Counties of *Middlesex* and *Surrey*: Therefore the Company, but only by Agreement, may purchase and use such of those Lands as may be requisite for the Purposes of this Act, and may after such Purchase, from Time to Time, in and upon such Lands, construct such Engine Houses, Engines, Apparatus, Works, and Conveniences as they think requisite, and may lay down
and

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and maintain in those Lines and according to those Levels such Pipes as are shown by those Plans and Sections.

XIII. That the Company may under this Act purchase Lands for extraordinary Purposes, not exceeding Ten Acres. Lands for extraordinary Purposes.

XIV. That the intended Works shall be completed within Five Years after the Commencement of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing those Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of those Works as are completed: Provided always, that this Act or anything therein contained shall not restrain the Company from extending their Works, Mains, and Pipes from Time to Time whenever it shall be necessary, for the Purpose of supplying Water within the Limits of the *West Middlesex Acts* and this Act, so to do. Period for Completion of Works.

XV. That nothing contained in this Act, or in any or either of the Acts herein recited or referred to, shall authorize or empower the Company to break up, use, or enter upon any Lands of Her Majesty for the Purpose of laying down Pipes or other Works under the *New or Longford River*, or the Banks thereof, without first submitting to the Commissioners or First Commissioner of Her Majesty's Works and Public Buildings Plans and Sections showing the Mode in which and the Means by which such Works are intended to be constructed, and obtaining their or his Approval thereof, which Approval may be given subject to such Conditions or Restrictions as the said Commissioners or the First Commissioner for the Time being respectively shall think necessary or expedient for preserving the said River or the Waters or Banks thereof from Diminution or Prejudice. Plans to be submitted to Commissioners of Works and Public Buildings before entering on Lands belonging to Her Majesty.

XVI. And whereas the Line of the intended Works by this Act authorized passes for a considerable Distance along the public Roads under the Charge of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, which public Roads are herein-after called the Metropolis Roads: Notwithstanding the Powers and Provisions in this Act contained, it shall not be lawful for the Company, by themselves, or for their Deputies, Officers, Agents, Servants, and Workmen, or for any of them, to lay down or construct any Works in any Part of the Metropolis Roads, or of the Footpaths adjoining thereto, other than in such Part, Line, and Direction as shall be pointed out by the said Commissioners, or by their General Surveyor for the Time being; and that wherever the Surface of the said Metropolis Roads shall be interfered with, no greater Inclination than One Foot in Sixty Feet shall be made. Direction for laying of Pipes under the Metropolis Roads.

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XVII. That

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All Works connected with the Metropolis Roads to be under the Superintendence of the General Surveyor.

XVII. That no Works connected with the Metropolis Roads shall in any Manner be commenced under the Powers in this Act contained until the Expiration of Ten Days after Notice in Writing of the Intention to commence such Works shall have been left at the Office of the said Commissioners, or shall have been delivered to the said General Surveyor; and the opening of the said Roads or any of them for the Purpose of laying down or constructing such Works, or for laying any Pipe, and the remaking of such Roads and all other Works of every Description connected with the said Roads at any Time hereafter to be performed by the Company, or by any Person authorized by them, shall be carried on and executed under the Direction and Superintendence and to the Satisfaction of the said General Surveyor; and in case in the laying down or Construction of the Works or any of them the Company shall do or cause any Injury or Damage to the said Metropolis Roads or any of them, or to any Brick or other Drain, Sewer, Cesspool, Water Channel, or other Convenience connected with the said Roads or any of them, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the said General Surveyor, or if by reason of the laying down or Construction of any of the Works hereby authorized or required to be constructed or performed by the Company any Alteration in the said Metropolis Roads or any of them, or of the Drains, Sewers, Cesspools, or Water Channels connected therewith, shall, in the Judgment of the said General Surveyor, be rendered necessary, then and in any of such Cases it shall be lawful for the said General Surveyor to cause all such Repairs and Alterations to be made as he in his Discretion shall think fit; and all Costs and Expenses of such Repairs and Alterations shall be paid, on Demand, by the Company, or, in default of Payment for Twenty-one Days after such Demand, may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Traffic not to be stopped during the Performance of the Works on the Roads.

XVIII. That the Company shall not at any Time during the Progress of laying down or constructing the Works hereby authorized, or of performing any other Works connected with the said Metropolis Roads, shut up or in any way impede the public Traffic along more than One Half in Width of any of the said Metropolis Roads at any One and the same Time; and if it should happen that the Half of the Road so left open should not be wide enough to allow Two Carriages to pass each other, then in such Case not more than Fifty Yards in Length of the other Half of the Road shall be occupied by the Company's Works at the same Time, unless by special Permission of the said General Surveyor.

XIX. That

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XIX. That the Company shall and they are hereby required, at their own Expense, to do and perform all such Acts and Things in the way of watching, lighting, and fencing, and all such other precautionary Measures during the Progress of laying down or constructing the Works hereby authorized, or of performing any other Works connected with the said Metropolis Roads, under the Powers of this Act, as shall be necessary and requisite for the public Safety, Convenience, and Protection of the said Metropolis Roads, and of the Travellers thereon; and the Company shall be answerable and amenable for all Accidents and Damage which may happen by reason or in consequence of any of the Works of the Company.

Precautions required to be taken during the Performance of the Works on the Roads.

XX. And whereas much Injury will be caused to the said Metropolis Roads in consequence of such Works, notwithstanding that the said Roads may be remade immediately after the laying down or Construction of such Works, inasmuch as a Continuance of Labour and Material will be necessary for a considerable Space of Time to restore the said Roads to their previous State and Condition: The Company shall and they are hereby required to pay, on Demand, to the said Commissioners, such a Sum of Money not exceeding One Shilling for every Superficial Yard of the said Roads removed or disturbed by reason or in consequence of the said Works of the Company, and over and above all Costs of remaking or relaying the said Roads, and of Repairs and Alterations which may be incurred by the said Commissioners, as the said Commissioners shall deem proper to be paid for the continued Labour and Supply of Material necessary to restore effectually the said Roads; and in default of Payment for Twenty-one Days after such Demand, the same may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Regulating the Payment to be made for Damage done to the Roads.

XXI. That it shall be lawful for the Company, within the Limits described on the said Plans in that Behalf, to obtain, draw, and impound Water from the River *Thames* in the Parish of *Hampton* in the County of *Middlesex* for the Purpose of supplying Water within the Limits and for the Purposes of this Act: Provided always, that the Works in the River *Thames* or immediately connected therewith shall be constructed according to a Plan and Working Drawings, to be approved of by the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, and to be deposited at the Office of the Town Clerk of the same City, and that such Works shall be done and performed to the Satisfaction of the Engineer for the Time being employed in the *Thames* Navigation

Power to take Water from the River *Thames*.

XXII. That

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Conduit Pipe or Main to be carried across the Thames according to Plans to be approved of by the Corporation of London.

XXII. That the Position of the Conduit Pipe or Main which is intended to convey the Water under and across the River *Thames* at *Richmond* shall be defined upon a Plan and Section which shall be approved of by the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, before the Works connected therewith shall be commenced, such Plan to be deposited in the Office of the Town Clerk of the City of *London*, and that the Works in the River *Thames* and adjoining thereto shall be done and performed to the Satisfaction of the Engineer of the *Thames* Navigation for the Time being; and that the said Conduit Pipe or Main shall be laid at such a Depth in the Bed of the River as shall allow of the Ground or Soil over the said Conduit Pipe or Main to be dredged to the Depth of Sixteen Feet under High Water, *Trinity* Standard; and that the Traffic on the said River *Thames* shall not be interrupted more than may be absolutely necessary in the Performance of the said Works, and that the Plan showing the Manner in which it is proposed to lay down the said Conduit Pipe or Main shall be approved of by the said Mayor, Aldermen, and Commons in Common Council assembled, before the same shall be carried into execution.

Company to make Alterations of the Levels of their Pipes, if required for improving the Navigation.

XXIII. That if at any Time after the passing of this Act any Alteration of the Level of the Conduit Pipe or Main to be laid by the Company under and across the River *Thames* shall be necessary, in order to admit of the Improvement of the Navigation of the River *Thames*, the Company shall, at their own Expense, and without any Claims for Compensation, alter such Pipe to the requisite Level.

The Company not to interfere with the Bed of the Thames.

XXIV. That nothing in this Act contained shall authorize or empower the Company to embank, encroach upon, or interfere with any Part of the Soil or Bed of the River *Thames*, or the Bank or Shore thereof, except so far as is herein-before mentioned, without the Consent in Writing of the said Mayor, Aldermen, and Commons in Common Council assembled.

A Fine to the City of London for the Liberty of cutting into the River.

XXV. That the said Company shall pay to the Mayor and Commonalty and Citizens of the City of *London* the Sum of Five Pounds Five Shillings as a Fine or Acknowledgment for the Liberty of opening a Communication between the said Waterworks and the River *Thames*.

Saving Rights of the City of London.

XXVI. That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or shall prohibit, defeat, alter, or diminish any Power,

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Power, Authority, or Jurisdiction which at the Time of the passing of this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being as Conservator of the River *Thames* or otherwise, did or might lawfully claim, use, or exercise.

XXVII. That, notwithstanding the Clauses and Provisions hereinbefore contained, it shall not be lawful for the Company to construct any Works in or upon the Bed of the River *Thames*, or the Banks thereof, until the Plan of such Works has been approved in Writing by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, and until the Consent in Writing of the same Commissioners, or One of them, has been given to the Construction of such Works: Provided also, that nothing in this Act contained shall authorize or empower the Company to encroach upon or interfere with any Part of the Soil or Bed of the River *Thames* or the Banks thereof, except so far as is herein-before mentioned or referred to, without the Consent in Writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

Works on the Thames not to be executed without the Consent of the Commissioners of Woods, &c.

XXVIII. And whereas the Works by this Act authorized comprise the Construction and Maintenance of an Aqueduct, Pipe, or Main, or other Works over the *Richmond and Windsor* Branch of the *London and South-western* Railway in the Parish of *Mortlake*, and over or under the Loop Line of the said Railway in the Parish of *Barnes* in the County of *Surrey*, and it is indispensably necessary that the said Works should be so constructed and maintained so as not to injure the said Railway or the Bridges or other Works thereof, and so as not to interfere with the Safety or Convenience of the Traffic upon the same Railway, and so as to cause no Prejudice thereto: Therefore, notwithstanding anything in this Act or in any Act incorporated therewith contained, it shall not be lawful for the said Company to enter upon or interfere with the said Railway or any Part thereof, or the Land and Works thereof or belonging thereto, or to execute any Work whatsoever under or over the same, until after the Company shall have delivered to the *London and South-western* Railway Company Plans and Drawings of the Works proposed to be so executed, with Specifications in Writing describing the proposed Manner of executing the same, and shall have obtained from the principal Engineer of the said Railway Company a Certificate under his Hand approving of such Plans, Specifications, and proposed Manner of executing the said Works, and the same shall be executed accordingly under the Superintendence and to the reasonable Satisfaction of the principal Engineer for the Time being of the said Railway Company, and in no other Manner, without the

Company not to interfere with the London and South-western Railway without their Consent.

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Consent in Writing of the said Railway Company under their Common Seal: Provided always, that in case the principal Engineer of the said Railway Company shall not so approve and certify his Approval of the Plans, Drawings, and Specifications furnished by the Company within One Calendar Month after the same shall have been so delivered, and the said Railway Company shall not consent that the Company shall proceed with their proposed Works without such Certificate as aforesaid, then the Company may submit Plans, Drawings, and Specifications of the said proposed Works to the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, for their Approval; and in case the Lords of that Committee shall certify in Writing their Approval thereof, the Company may, notwithstanding anything herein contained, proceed with the Execution of such Works according to such last-mentioned Plans, Drawings, and Specifications, but, nevertheless, under the Superintendence and to the reasonable Satisfaction of the principal Engineer for the Time being of the said Railway Company, and subject to the Provisions of this Act.

Not to take the Lands of the London and South-western Railway without Consent.

XXIX. Provided always, That nothing contained in this Act, or in any Act incorporated therewith, shall authorize the Company to take or enter upon any of the Lands or Grounds belonging to the said Railway Company, or to alter, vary, or interfere with the said Railway or Branch Railways, or any of the Works thereof respectively, further or otherwise than is hereby expressly authorized, without the Consent in Writing under the Common Seal of the said Railway Company in every Instance first obtained for that Purpose.

Powers of Waterworks Company limited as regards Interference with London and South-western Railway Company, and Provisions and Repairs, &c.

XXX. Provided always, That, notwithstanding anything contained in this Act or in any Act incorporated therewith, it shall not be lawful for the Company, without such Consent of the said Railway Company as last aforesaid, to acquire any Right or Property in any of the Lands of the said Railway Company other than the Right, subject to the Provisions of this Act, of executing the several Works necessary and proper for constructing and maintaining the Works by this Act authorized upon, over, through, or under the Lands of the said Railway Company, and for repairing the same Works; and all such Repairs shall from Time to Time be done under the Superintendence and to the reasonable Satisfaction of the principal Engineer of the said Railway Company for the Time being, and, if he shall in Writing require the same, according to the Plans, Drawings, and Specifications to be approved in manner herein directed with reference to the original Construction of the same Works; and that the Company shall, on Demand, pay to the said Railway Company all Expenses reasonably and fairly occasioned to or incurred by them for or by reason

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reason of the Construction and Maintenance or Repair of all or any of the Works upon, over, under, or across the said Railway and Branch Railways, and the Lands and Works thereof respectively, authorized by this Act or any Act incorporated therewith, or for or by reason of the Superintendence by the said Railway Company of the Construction, Maintenance, and Repair of the same Works.

XXXI. That if, by reason of the Construction of any of the Works hereby authorized to be made upon, over, or under the said Railway or Branch Railways, Interruption shall at any Time be occasioned to the Traffic passing thereon respectively, or if any such Interruption shall be occasioned during any Repairs of the Works of the Company by this Act authorized, or for or by reason of any Want of Repair or due or proper Maintenance thereof, the Company shall forfeit and pay to the said Railway Company the Sum of One hundred Pounds for every Day during which such Interruption shall continue, and the same Sum may be recovered, with full Costs of Suit, by the Railway Company from the Company in an Action of Debt in any of Her Majesty's Superior Courts at *Westminster*.

Penalty in case of Interruption to Traffic of the Railway.

XXXII. That the Limits of this Act for the Supply of Water by the Company shall comprise and include the several Parishes, Townships, and Extra-parochial Places following; (that is to say,) *St. James's Westminster, St. Anne's Soho, St. Mary le Strand, St. Clement Danes, St. Paul's Covent Garden, Paddington, St. Marylebone*, such Part of the said Parish of *St. Pancras* as lies South of *Fig Lane*, *St. George's Bloomsbury, St. Giles in the Fields, St. Luke's Chelsea*, on the West Side of the Line or Boundary herein-after particularly described, such Part of the Parish of *St. Margaret Westminster* as lies within the Town of *Kensington*; and also the several Parishes, Townships, or Places of *St. Mary Abbott's Kensington, St. Paul's Hammersmith, All Saints Fulham, St. Nicholas Chiswick, St. Mary Ealing, St. Mary Hanwell, Old Brentford, New Brentford, Heston, Hounslow, and All Saints Isleworth*, in the said County of *Middlesex*; and in the Parishes, Townships, or Places of *St. Mary Battersea, St. Mary Wandsworth, St. Mary Putney, St. Mary Barnes, Mortlake, St. Mary Magdalene Richmond, and St. Ann Kew*, in the County of *Surrey*: Provided always, that nothing herein contained shall extend or be construed to extend to enable the Company to lay or drive any Mains, Pipes, or other Works, or to supply with Water any of the Inhabitants residing on the East Side of any of the Streets or Places forming the Line or Boundary herein-after described, or into any of the Streets or Places on the East Side of the said Line or Boundary; (that is to say,) from the River *Thames* up *Robinson's Lane, Pound Lane*, to the *King's Road*, Eastward along the *King's Road* to *Whiteland's*

Limits of Act for Water Supply.

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Whiteland's Lane, along *Whiteland's Lane* to the House now known by the Sign of the *Admiral Keppel* in the *Fulham Road*; from the *Admiral Keppel* to the House now known by the Sign of the *Horns* at *Brompton*; from the *Horns* at *Brompton* along *Brompton Road* to the North End of *Sloane Street*; from the North End of *Sloane Street* across the Road to *Hyde Park Wall*, taking the Line that separates the Parish of *Kensington* on the East; nor to go into any Part of the City and Liberties of *Westminster* (excepting that Part of *St. Margaret's Westminster* lying in the Town of *Kensington*, and included in the Preamble); and in case the said Company shall supply any House, Building, or Place forming such Line or included in the said Boundary, then and in every such Case the said Company shall forfeit and pay to the Governor and Company of the *Chelsea Waterworks* the Sum of Ten Pounds *per Annum* for every House or Building so served or supplied with Water, to be recovered by the said Governor and Company of *Chelsea Waterworks* in the Manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and Penalties.

Company to extend Supply within the Limits when a certain Number of Owners require it.

XXXIII. That the Company shall cause Main Pipes to be laid down, and pure and wholesome Water to be brought to every Part of the District within the Limits of this Act, whenever they shall be required by so many Owners or Occupiers of Houses in that Part of the District as that the aggregate Amount of Water Rate payable by them annually at the Rates specified in this Act shall not be less than One Tenth Part of the Expense of providing and laying down such Pipes: Provided always, that no such Requisition shall be binding on the Company unless such Owners or Occupiers shall severally execute an Agreement binding themselves to take such Supply of Water for Three successive Years at least: Provided also, that the Company shall not be bound to provide or lay down any Communication Pipes for any such Supply of Water, except at the Expense of the Persons requiring the Supply: Provided also, that the Company shall not be bound to furnish any such Supply of Water, or lay down any Pipe for such Purpose, in any Part of the District which Part is for the Time being supplied with Water by any other Company.

Constant Supply to be given after the Period of Five Years.

XXXIV. That the Water to be supplied by the Company need not be constantly laid on under Pressure until the Expiration of Five Years from the passing of this Act, and after the Expiration of the said Five Years the Company shall not be required to supply Water under Pressure to any higher Level than Two hundred Feet above the Level of High-water Mark at *Hammersmith Bridge*, computed according to the *Trinity Standard*,

XXXV. That

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XXXV. That whenever Water shall be constantly laid on under Pressure in any District Main, every Person supplied with Water under Pressure by the Company through such Main shall, when required by the Company, provide a proper Cistern or other Receptacle for the Water with which he shall be so supplied, with an efficient Ballcock or other like Apparatus; and if any such Cistern or other Receptacle supplied with Water under Pressure shall be provided with or have any Overflow Spout, Waste Pipe, or other Means or Contrivance immediately connected or capable of being used therewith to carry off the Water from such Cistern or Receptacle, such Person shall be bound to give Notice to the Company of every such Overflow Spout, Waste Pipe, or other Means or Contrivance, and of the Situation thereof; and whether such Notice shall have been given or not, the Surveyor, or any other Person acting under the Authority of the Company, may, between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, enter into any House in order to examine if there be any Waste, Misuse, or undue Consumption of Water by means of any Overflow Spout, Waste Pipe, or other Means or Contrivance; and in case any such Waste, Misuse, or undue Consumption of Water shall be found to exist, or shall be deemed likely to occur from the Use of any such Overflow Spout, Waste Pipe, or other Means or Contrivance, it shall be lawful for such Surveyor or other Person to give Notice to the Person so supplied with Water either to repair and amend or to remove such Overflow Spout, Waste Pipe, or other Means of Contrivance; and if the same shall not be forthwith repaired and amended or removed in accordance with such Notice, it shall be lawful for the Company immediately thereafter to turn off the Water from the House, and to cease to supply the same with Water.

Cisterns to be supplied with proper Ballcocks or other Apparatus.

XXXVI. That every Cistern or other Receptacle for Water, and every Closet, Soil Pan, and private Bath, which shall be supplied with Water by the Company, shall be so constructed and used as effectually to prevent the Waste, Misuse, or undue Consumption of Water, and the Flow or Return of foul Air or other noisome or impure Matter into the Mains or Pipes of the Company, or into any Pipes connected or communicating therewith; and notwithstanding anything in "The Waterworks Clauses Act, 1847," or in this Act contained, the Company shall not be bound to supply Water into any Cistern or other Receptacle for Water, Closet, Soil Pan, or private Bath which shall not be so constructed and used.

Cisterns, &c. to be so constructed as to prevent Waste or the Flow or Return of impure Matter into the Mains.

XXXVII. That no Person shall make or lay down, or permit to be made or laid down, any Pipe or other Means or Contrivance for taking, using, or obtaining Water to communicate with any Pipe or Apparatus connected with any of the Mains or Pipes of the Com-

Restricting Communications with Pipes of the Company.

[Local.]

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pany,

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pany, without giving such Notice, and except under such Superintendence and according to such Direction, as is provided by "The Waterworks Clauses Act, 1847," with respect to the Communication Pipes to be laid by the Inhabitants.

Water may be cut off in certain Cases.

XXXVIII. That if any Person supplied with Water by the Company shall wilfully do or cause to be done any Act, Matter, or Thing in contravention of the Provisions of this Act, or of any Act incorporated therewith, or shall wilfully omit or neglect to do any Matter or Thing which under such Provisions ought to be done for the Prevention of the Waste, Misuse, or undue Consumption or the Contamination of the Water of the Company, it shall be lawful for the Company to turn off the Water supplied by them to such Person, and to cease to supply such Person with Water, and also to recover from such Person, by Action or Suit in any Court of competent Jurisdiction, the Amount of any Loss, Damage, or Injury which the Company may sustain by means or in consequence of any such Act, Matter, or Thing as aforesaid, or of any such wilful Omission or Neglect as aforesaid.

Rates at which Water is to be supplied for domestic Purposes.

XXXIX. That the Company shall, at the Request of the Owner or Occupier of any House in any Street within the Limits of this Act in which any Pipe of the Company shall be laid, or of any Person who, under the Provisions of this Act or any Act incorporated therewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Purposes at the Rates herein-after specified; (that is to say,)

Where the annual Value of the Dwelling House or other Place supplied shall not exceed Two hundred Pounds, at a Rate *per Centum per Annum* on such Value not exceeding Four Pounds; and where such annual Value shall exceed Two hundred Pounds, at a Rate *per Centum per Annum* on such Value not exceeding Three Pounds:

If there be a Watercloset.

If there be a Watercloset or Waterclosets, or fixed Bath or Baths, or any High Service, in such Dwelling House or Place, then, in addition to the Rates above specified, the following Rates shall be payable; (that is to say,)

Where the annual Value of such House shall exceed Thirty Pounds but shall not exceed Fifty Pounds, a Rate not exceeding Four Shillings *per Annum* for each single Watercloset, fixed Bath, or High Service, and a further Sum of Two Shillings for each additional Watercloset, fixed Bath, or High Service:

Where such annual Value shall exceed Fifty Pounds but shall not exceed One hundred Pounds, a Rate not exceeding Six Shillings

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Shillings *per Annum* for each single Watercloset, fixed Bath, or High Service, and a further Sum of Three Shillings for each additional Watercloset, fixed Bath, or High Service :

Where such annual Value shall exceed One hundred Pounds but shall not exceed Two hundred Pounds, a Rate not exceeding Eight Shillings for each single Watercloset, fixed Bath, or High Service, and a further Sum of Four Shillings for each additional Watercloset, fixed Bath, or High Service :

Where such annual Value shall exceed Two hundred Pounds but shall not exceed Three hundred Pounds, a Rate not exceeding Ten Shillings for each single Watercloset, fixed Bath, or High Service, and a further Sum of Five Shillings for each additional Watercloset, fixed Bath, or High Service :

And where such annual Value shall exceed Three hundred Pounds, a Rate not exceeding Twelve Shillings for each single Watercloset, fixed Bath, or High Service, and a further Sum of Six Shillings for each additional Watercloset, fixed Bath, or High Service.

XL. That the Expression "High Service" in this Act shall mean and be considered as being a Delivery of Water at an Elevation more than Ten Feet above the Footway or Pavement in front of the Dwelling House or other Place so supplied. "High Service."

XLI. Provided, That with respect to all Service which shall be given to any Dwelling House at an Elevation of more than Two hundred Feet above *Trinity* High-water Mark, it shall be lawful for the Company to charge, in addition to the Rates herein-before authorized, a further Sum not exceeding One Pound *per Centum per Annum* on the annual Value of such Dwelling House. As to Charge for Service at more than Two hundred Feet above *Trinity* High-water Mark.

XLII. That a Supply of Water for domestic Purposes shall not include a Supply of Water for Steam Engines or Railway Purposes, or for warming or ventilating Purposes, or for working any Machine or Apparatus, or for Baths, Horses, Cattle, or for washing Carriages, or for Gardens, Fountains, or ornamental Purposes, or for flushing Sewers or Drains, or for any Trade or Manufacture or Business requiring an extra Supply of Water. What are not domestic Purposes.

XLIII. That the Company may, at their own Instance, and shall at the Request of any Owner or Occupier of any Premises situate in or adjoining any Street in which any Main or Service Pipe of the Company shall be laid, and who requires a Supply of Water by Measure for Purposes other than the Purposes in respect of which Rates are by this Act provided or limited, and by means of Communication Pipes and other necessary and proper Apparatus to be provided, Company may charge by Quantity in certain Cases.

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provided, laid, and maintained at the Cost of the Person requiring such Supply, afford a Supply of Water by Meter, or other fit and sufficient Instrument or Mode for measuring and ascertaining the Quantity of Water so supplied, and may charge for such Supply not exceeding the following Rates for each One thousand Gallons; (that is to say,)

In respect of ordinary Service:

When the quarterly Consumption of Water does not exceed Fifty thousand Gallons, Ninepence:

When exceeding Fifty thousand Gallons and not exceeding One hundred thousand Gallons, Eightpence:

When exceeding One hundred thousand Gallons and not exceeding Two hundred thousand Gallons, Sevenpence:

When exceeding Two hundred thousand Gallons, Sixpence:

And in respect of High Service:

An additional Rate not exceeding Twenty-five *per Centum* upon the several Rates last herein-before specified and authorized for ordinary Service:

Provided that the Company shall not be required so to supply Water in any less Quantity than Twenty-five thousand Gallons in any Quarter of a Year.

Water for other than domestic Purposes to be supplied by Agreement.

XLIV. That it shall be lawful for the Company to supply any Person or Body within the Limits of this Act with Water, to be used within the Limits aforesaid, for other than domestic Purposes, at such Rate and upon such Terms and Conditions as shall be agreed upon between the Company and the Person or Body desirous of having such Supply of Water.

Owners of Houses not exceeding 20*l.* annual Value to be liable to Water Rates.

XLV. That the Owners of all Houses or Parts of Houses occupied as separate Tenements, not respectively exceeding the annual Value of Twenty Pounds, shall, during such Time as the same shall be supplied with Water by the Company, be liable to the Payment of the Rates chargeable in respect thereof under the Authority of this Act, instead of the Occupiers thereof; and the Person receiving the Rents of any such House or Tenement from the Occupier thereof, on his own Account, or as Agent or Receiver for any Person interested therein, shall be deemed the Owner of such House or Tenement.

And with respect to sundry Matters, be it enacted as follows; to wit,

Saving Rights of Commissioners of Sewers.

XLVI. That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Rights, Duties, Powers, or Authorities of any

Commis-

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Commissioners of Sewers appointed under the Great Seal or under the Seal of the Duchy of *Lancaster*.

XLVII. That nothing in this Act contained shall extend or be deemed or construed to extend to enable the said Company to execute any Work or do any Act which may interfere with or affect any Sewer, Drain, Watercourse, Weir, Dam, Bank, Pipe, Conduit, Sink, Sluice, Penstock, or Work within the Jurisdiction or subject to the Survey, Order, or Control of the Metropolitan Commissioners of Sewers, or their Successors, now made or existing, or hereafter to be made or to exist, without the Consent in Writing of the said Commissioners or their Successors first had and obtained, or to prevent the said Commissioners and their Successors from executing and carrying out any Works ordered or hereafter to be ordered by them or either of them, as freely, fully, and effectually as if this Act had not been passed; and where any Work to be done under the Powers of this Act shall or may pass under, over, or near to or in such a Direction or Manner as to interfere with any such Sewer, Drain, Watercourse, Weir, Dam, Bank, Pipe, Conduit, Sink, Sluice, Penstock, or Work, the said Company shall not commence such Work until they shall have given to the Metropolitan Commissioners of Sewers or their Successors Ten Days previous Notice in Writing of their Intention to execute such Work, accompanied by a Plan and Section showing the Course, Depth, Inclination, and other necessary Particulars thereof, and until the said Commissioners or their Successors shall have signified their Approval of the same, unless the said Commissioners do not signify their Approval, Disapproval, or other Directions within Ten Days after Service of the said Notice, Plan, and Section upon the Secretary of the said Commissioners or their principal Clerk for the Time being; and the said Company shall comply with and conform to the Orders, Directions, and Regulations of the said Commissioners and their Successors in the Execution of the said Works; and where, by reason of the Execution of any Works or the doing of any Acts by the said Company, it shall become necessary to alter, divert, reconstruct, or otherwise interfere with any Works of or under or subject to the said Commissioners or their Successors, the said Company shall execute, at their own Cost and Expense, all such Works as shall become necessary thereby, subject to the Control, Superintendence, and Direction of the said Commissioners and their Successors, and shall save harmless and keep indemnified the said Commissioners and their Successors against any Expenses consequent upon any such Alteration, Diversion, Reconstruction, or Interference; and all new, altered, or substituted Works shall be as fully and effectually under the Control of the said Commissioners and their Successors as any other Works under their Control; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested

Works under Control of Metropolitan Commissioners of Sewers not to be interfered with without Consent.

The West Middlesex Waterworks Act, 1852.

or to be vested in the said Commissioners or their Successors, but that all such Rights, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Saving
Rights under
Company's
Acts.

XLVIII. That, except as by this Act expressly provided, this Act or anything therein contained shall not repeal, alter, interpret, or in any Manner affect any of the Provisions in force at the Commencement of this Act of the recited Acts or any of them; and, except only so far as is requisite for the Execution of this Act, all those Provisions, and all Powers, Privileges, Exemptions, and Immunities of or for the Benefit of any Person or Corporation thereby respectively created, conferred, or saved, shall be and continue as valid and effectual as if this Act had not passed.

Saving the
Rights of the
Crown.

XLIX. That nothing whatsoever contained in this Act or in any of the Acts herein recited or referred to shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues having the Management and Direction of the same Premises first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be or but for the Provisions of the same Act or Acts might have been vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Company to
be subject to
the Pro-
visions of any
General Act.

L. That nothing herein contained shall be construed to exempt the Company from the Provisions of any General Act relating to the Supply of Water to the Metropolis or the Suburbs thereof, now in force, or which may pass during the present Session of Parliament.

Expenses of
Act.

LI. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

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