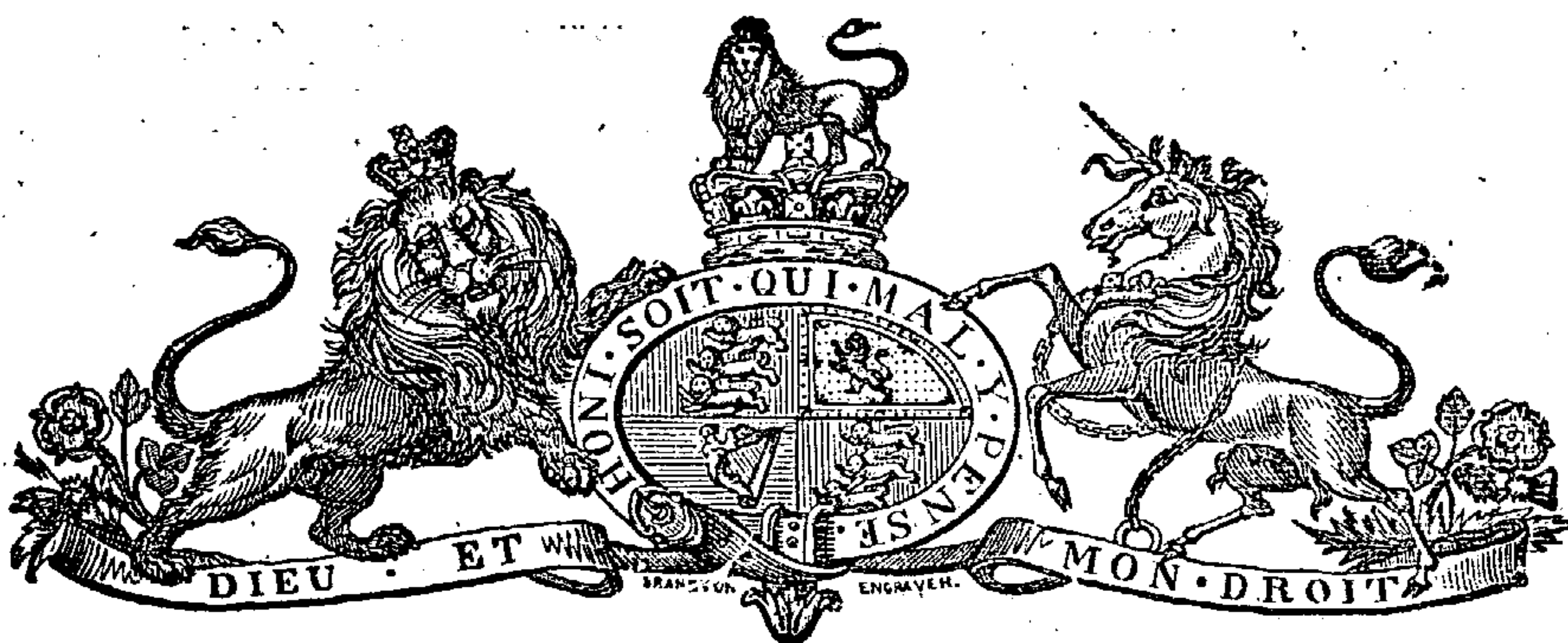




ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

Cap. xxiii.

An Act for supplying the Inhabitants of the University and Borough of *Cambridge* and other Places adjoining thereto with Water.

[14th *June* 1853.]

WHEREAS the University and Borough of *Cambridge*, and certain Parishes and Places adjoining thereto, are not at present well and sufficiently supplied with Water, and the Construction of Works for effectually supplying the same would be of local and public Benefit: And whereas the Parties herein-after named, and others, are willing to carry such Undertaking into execution; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. That the several Acts of Parliament following, (that is to say,) 8 & 9 Vict. c. 16. & 18. and 10 & 11 Vict. c. 17. incor-
"The Companies Clauses Consolidation Act, 1845," "The Lands
[*Local.*] 4 L Clauses

The Cambridge University and Town Waterworks Act, 1853.

porated with
this Act.

Clauses Consolidation Act, 1845," and "The Waterworks Clauses Act, 1847," shall, except so far as the same may be altered by the Provisions herein-after contained, be incorporated with and form Part of this Act.

Short Title.

II. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression, "*The Cambridge University and Town Waterworks Act, 1853.*"

Limits of
Act.

III. That the Limits of this Act shall comprise and include the University and Borough of *Cambridge*, and Parishes, Townships, and Extra-parochial Places of *Cherry Hinton, Teversham, Fen Ditton, Trumpington, Chesterton, Milton, Grantchester*, and *Coton*, in the County of *Cambridge*.

Incorporation of Com-
pany.

IV. That *William Whewell* Doctor in Divinity, *Richard Okes* Doctor in Divinity, *Ralph Tatham* Doctor in Divinity, *George Elwes Corrie*, Doctor in Divinity, *James Pulling* Bachelor in Divinity, the Reverend *John Fenwick* Clerk, the Reverend *George Maddison* Clerk, the Reverend *William Bonner Hopkins* Clerk, *Henry John Hayles Bond* Doctor of Medicine, *George Edward Paget* Doctor of Medicine, *Rowland Morris Fawcett*, *Elliot Smith*, *Charles Balls*, *Joseph Wentworth*, *William Warren*, *Henry Hazard*, *George Murray Humphry* Bachelor of Medicine, *Edmond Foster*, *Charles Edward Brown*, *Thomas Hall Fisher*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns respectively, shall be and they are hereby united and incorporated into a Company, for the Purpose of supplying with Water the Inhabitants, Buildings, and Lands within the Limits of this Act, and for making Waterworks for that Purpose, together with all proper Works and Conveniences connected therewith, according to the Provisions of the incorporated Acts and of this Act, and for other Purposes herein and in the said Acts contained; and for such Purposes the Company aforesaid shall be and the same are hereby incorporated by and under the Name of "*The Cambridge University and Town Waterworks Company*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall and may sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, subject to the Restrictions and Provisions herein and in the said incorporated Acts contained.

Amount of
Capital.

V. That the Share Capital of the Company shall be Twenty-five thousand Pounds.

VI. That

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VI. That the Number of Shares into which the said Capital shall be divided shall be Two thousand five hundred, and the Amount of each Share shall be Ten Pounds. Shares.

VII. That Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and that Three Months at the least shall intervene between the making of any Two successive Calls. Calls.

VIII. That the Company may borrow, on Mortgage or Bond, any Sums of Money not exceeding in the whole the Sum of Five thousand Pounds, but no Part of such Sum shall be raised until the whole of the said Capital or Sum of Twenty-five thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up. Power to borrow Money on Mortgage.

IX. That all Monies raised by Shares, Mortgage, or Bond, under the Powers of this Act, shall be applicable only to the Purposes by this Act authorized. Application of Monies.

X. That, subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Ten, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares at least in the Undertaking. Number and Qualification of Directors.

XI. That the Company may from Time to Time reduce the Number of Directors, but the whole Number of Directors, after any such Reduction as aforesaid, shall not be less than Seven. Power to vary the Number of Directors.

XII. That *William Whewell* Doctor in Divinity, *Richard Okes* Doctor in Divinity, *George Elwes Corrie* Doctor in Divinity, the Reverend *John Fenwick* Clerk, the Reverend *William Bonner Hopkins* Clerk, *Rowland Morris Fawcett*, *Elliot Smith*, *Joseph Wentworth*, *William Warren*, and *Henry Hazard* shall be the first Directors of the Company. First Directors.

XIII. That the Quorum of a Meeting of Directors shall be Three. Quorum of Directors.

XIV. That inasmuch as the University of *Cambridge* is largely interested in the Execution of the Undertaking by this Act authorized, and it is expedient that the Heads of Colleges, Halls, and Houses, and the Bursars and resident Fellows of Colleges, Halls, and Houses in that University, should be empowered to participate in the Management of the said Undertaking, notwithstanding that they Provision as to Spiritual Persons, being Directors.

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they may be Spiritual Persons; therefore so much of any Act of Parliament as prohibits any Spiritual Person holding any Cathedral Preferment, Benefice, Curacy, or Lectureship, or who shall be licensed or allowed to perform the Duties of any Ecclesiastical Office, from acting as a Director or Managing Partner of any Association or Copartnership, or from carrying on any Trade or Dealing in Person, shall not (so far as regards the Directors named in this Act, or any Directors or Managing Partners of the Company who may hereafter be elected or appointed,) extend or apply to any Heads of Colleges, Halls, or Houses, or Bursars or Resident Fellows of Colleges, Halls, or Houses in the said University: Provided always, that if any of the aforesaid Spiritual Persons being Directors or Managing Partners of the Company shall cease to be the Head of a College, Hall, or House, or a Resident Fellow of any such College, Hall, or House in the said University, he shall thereupon become disqualified and incompetent to act as a Director or Managing Partner, and shall cease to be a Director of the Company.

Meetings of
the Com-
pany.

XV. That with respect to the General Meetings of the Company the first General Meeting of the Shareholders of the Company shall be held within Six Months after the passing of this Act, and a General Meeting shall be held in the Month of *January* in each Year, and at such other stated Periods as shall be appointed for that Purpose by an Order of a General Meeting; and all Meetings, whether ordinary or extraordinary, shall be held within the said Borough of *Cambridge*; and the Quorum of every Meeting of the Company shall be such Number of Shareholders as shall hold in the aggregate not less than Eight thousand Pounds in the Capital of the Company.

Scale of
voting.

XVI. That the Shareholders shall possess One Vote in respect of each Share held by them respectively.

Appoint-
ment of
Auditor.

XVII. That the Company shall annually elect an Auditor for the Purpose of auditing the Accounts of the Company, and in case the Office of such Auditor shall before such Accounts have been audited by him be vacant by Death, or from any other Cause, the Company shall from Time to Time appoint an Auditor to supply such Vacancy.

Power to
make Water-
works ac-
cording to
deposited
Plans.

XVIII. That whereas Plans and Sections showing the Line and Levels of the Waterworks, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in or through which the same are intended to be made or to pass, or which are required for the
Purposes

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Purposes of the Company, have been deposited with the Clerk of the Peace for the County of *Cambridge*, and also with the Clerk of the Peace for the Borough of *Cambridge*: It shall be lawful for the Company, subject to the Provisions and Restrictions in this and the said incorporated Acts, as extended by this Act, contained, to make and maintain the said Waterworks in the Line, on the Levels, and upon the Lands delineated on the said Plans and Sections, and described in the said Book of Reference, and to enter upon, take, and use such of the Lands, Springs, and Streams on the Line of the said Works delineated on the said Plans and described in the said Book of Reference as shall be necessary for that Purpose, and take therefrom such Water as the Company may require for the Purposes of this and the said incorporated Acts.

XIX. That before the Company shall be entitled at any Time to supply Water to the Inhabitants of *Cambridge*, or any other District within the Limits of this Act, from and out of the Springs constituting the Source of the *Cherry Hinton* or *Paper Mills* Brook, they shall discharge and for ever hereafter continue to discharge from and out of the said Springs into the said Brook, at or near the Source thereof, a Quantity of Water after the Rate of not less than One hundred and forty Gallons *per Minute* constantly, such Quantity to be ascertained by means of a Gauge or Gauges of suitable Materials through or over which the said Water shall at all Times flow, such Gauge or Gauges to be constructed and for ever afterwards maintained at the Expense of the said Company, and to be open at all Times to the Inspection of *John Okes* of *Cherry Hinton* aforesaid, Esquire, his Heirs and Assigns, or other the Person or Persons entitled to the immediate Possession of the Mansion House and Pleasure Ground now belonging to him at *Cherry Hinton* aforesaid.

Providing
for constant
Supply of
Water to
Cherry Hinton
Brook,

XX. That if from any Cause the said Company shall at any Time neglect or omit to discharge such Supply of Water as last aforesaid into the said Brook, they shall pay to the said *John Okes*, or other the Person or Persons entitled to the immediate Possession of the Mansion House and Pleasure Ground now belonging to him at *Cherry Hinton* aforesaid, and through which the said Brook flows, as or by way of ascertained Damages, the Sum of Five Pounds for every Day on which the Supply of Water herein-before required to be discharged into the said Brook shall not be so discharged as aforesaid; and in default of Payment of the said Sum, on Demand being made of the Secretary or Clerk for the Time being of the said Company, the said *John Okes*, or the Person or Persons for the Time being entitled to the immediate Possession of the said Mansion House and Pleasure Ground through which the said Brook flows,

Penalty on
Company
neglecting
to supply
Water to
Cherry Hinton
Brook.

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may sue for and recover the same, together with Costs of Suit against the said Company, by Action in any Court of competent Jurisdiction: Provided nevertheless, that nothing herein contained shall operate to abridge or prejudicially affect the Rights of the said *John Okes*, his Heirs or Assigns, or other the Person or Persons entitled as aforesaid, either at Law or in Equity, to enforce the actual Discharge of Water in the said Brook in the Quantity and in the Manner herein-before provided.

Not to prejudice John Okes's Claim for Compensation.

XXI. That nothing herein contained shall prejudice or affect the Claim of the said *John Okes*, his Heirs or Assigns, for any Damage or Injury which he may sustain by reason of the Execution of the Works hereby authorized, or any Part thereof.

Period for compulsory Purchase of Lands, &c. limited.

XXII. That the Powers of the Company for the compulsory Purchase of Lands and Houses for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period within which Waterworks are to be completed.

XXIII. That the Works hereby authorized shall be completed within Four Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act or the said incorporated Acts granted to the Company for completing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Works as shall then be completed: Provided always, that nothing in this Act contained shall extend or be construed to extend so as to restrain the Company from enlarging and extending their Mains and Pipes and Works from Time to Time under Streets, Highways, and other public Places whenever it shall be necessary for the Purpose of supplying the said Inhabitants with Water.

For Protection of present gratuitous Supply to University and Borough.

XXIV. And whereas the said University and Borough now have a gratuitous Supply of Water from a Place called the *Nine Wells* in the Parish of *Great Shelford* in the County of *Cambridge*, and under the *Cambridge Improvement Acts* the Commissioners acting in execution of such Acts have certain Powers with respect to such Supply, and it is alleged by the said Commissioners that such Supply will be prejudicially affected by the Works by this Act authorized: Therefore if it shall at any Time appear to the said Commissioners that such Supply has been diminished by or in consequence of the Construction of such Works, then the said Commissioners may give Notice thereof to the said Company by Writing under the Hands of Five or more of such Commissioners, or under the Hand of their Clerk for the Time being, left at the principal Office or Place of Business

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Business of the Company; and if after the Delivery of such Notice the said Company and the Commissioners shall not agree upon the Fact of such Supply having been diminished as aforesaid, and as to the Mode of compensating for such Deficiency by an equivalent gratuitous Supply of Water by the said Company, the said Matter shall be deemed a Dispute to be settled by Arbitration within the Intent and Meaning of "The Companies Clauses Consolidation Act, 1845," and the Matter in dispute shall be settled in the Manner prescribed by that Act with respect to the Settlement of Disputes by Arbitration.

XXV. That if upon any Arbitration on any Matter in dispute between the *Cambridge* Improvement Commissioners and the Company the Arbitrators shall refuse or neglect, for Seven Days after Request of either Party to such Arbitration, to appoint an Umpire, it shall be lawful for the Board of Trade (if they think fit), on the Application of either Party to such Arbitration, to appoint an Umpire; and the Decision of such Umpire, or of any Umpire acting upon any such Arbitration, on the Matters referred to him on which the Arbitrators shall differ shall be final; provided always, that no Umpire acting as aforesaid shall decide any Matter upon which the Arbitrators shall have agreed previously to his being called upon to act; and the Arbitrators and Umpire may make a joint Award, and such joint Award shall be final.

Provision as to Appointment of Umpire.

XXVI. That all Acts required by or in consequence of this Act to be done by the *Cambridge* Improvement Commissioners may be done by any Five or more of the said Commissioners or by their Clerk.

Any Five Commissioners or their Clerk may act.

XXVII. That the Costs of and incidental to any Arbitration upon any Matter in dispute between the Company and the *Cambridge* Improvement Commissioners shall, in case the Arbitrators or Umpire shall decide that there is a Diminution of the aforesaid gratuitous Supply occasioned by the Works by this Act authorized, be borne and paid by the Company, but otherwise shall be in the Discretion of the Arbitrators or Umpire.

Company to pay Costs of Arbitration.

XXVIII. That if in carrying into execution any of the Powers by this Act granted any Injury or Damage shall be done or committed to any of the Pipes, Branches, Apparatus, Materials, or Things already, or hereafter to be laid down by the *Cambridge* Gaslight Company for the Purpose of supplying with Gas the said Town of *Cambridge* and the Neighbourhood thereof, or of any Part thereof, either by removing or disturbing the Ground in, upon, or near to which the same is or are placed,

Provision in case of Injury to Pipes of Cambridge Gaslight Company.

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placed, or by the Compression or subsequent settling or lowering of the same at any Time afterwards, or otherwise, the said Waterworks Company shall, at their own Expense and Charges, within Twenty-four Hours next after Notice in Writing given to them by the said *Cambridge Gaslight Company*, or their Clerk, cause such Pipes, Branches, Apparatus, Materials, and Things to be well and effectually repaired and amended, and also pay to the said *Cambridge Gaslight Company* the Amount of all Damages or Loss which may accrue from the Escape of Gas by reason of any such Injury or Damage; and in default or neglect thereof it shall be lawful for the said *Cambridge Gaslight Company*, and they are hereby authorized and empowered, to cause such Pipes, Branches, Apparatus, Materials, and Things so injured or damaged as aforesaid to be effectually repaired, amended, and made good; and the reasonable Costs and Charges attending the same, together with the Amount of all Damage or Loss which may accrue to the said *Cambridge Gaslight Company* from such Escape of Gas as aforesaid, shall be defrayed and paid by the said Waterworks Company, or their Secretary or Clerk, to the said *Cambridge Gaslight Company*, the same having been ascertained and settled, in case of Dispute concerning the same, by any Justice not being a Proprietor of any Share in either of the said Companies, which Determination shall be final and conclusive; and the Amount of such Expenses, Damages, and Loss, together with such Costs and Charges as shall be by such Justice allowed, shall be levied by Warrant of Distress under his Hand and Seal upon the Goods and Chattels of the said Waterworks Company, or by Action of Debt in any Court of competent Jurisdiction, in which Action the Determination of the said Justice shall be conclusive Evidence of the Right of the said *Cambridge Gaslight Company* to recover in such Action.

Notice to be
given to Gas
Company
before Pipes
interfered
with.

XXIX. That the said Waterworks Company shall and they are hereby required to give to the said *Cambridge Gaslight Company*, or their Clerk, at least Twenty-four Hours previous Notice in Writing before the said Waterworks Company shall dig or sink any Trench, or open any Street or Ground, for laying down any Main Pipes or other Apparatus under the Powers of this Act nearer than the Distance by this Act prescribed to such Pipes, Branches, Apparatus, Materials, or Things of the said *Cambridge Gaslight Company*, which Notice shall state the Time and Place at which the said Waterworks Company intend to commence Operations, the Direction in which they intend to proceed, and that the said Waterworks Company intend to cross or approach the Pipes, Branches, Apparatus, Materials, and Things of the said *Cambridge Gaslight Company*, or some Part thereof; and in default of such Notice being given the said Waterworks Company shall forfeit for every such Offence

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Offence any Sum not exceeding Ten Pounds, to be levied or recovered as aforesaid.

XXX. That all Pipes which shall hereafter be laid or used for the Conveyance of Water within the Limits of this Act shall be laid, whenever the Width of the Carriage or other Way will allow thereof, at the Distance of Four Feet from the nearest Part of any such Gas Pipe, except in any Case in which it may be unavoidably necessary to lay any Water Pipe across any such Gas Pipe, in which Case the said Water Pipe shall be laid over or under such Gas Pipe, as the Case may require, at the greatest practicable Distance therefrom, and shall therewith form a Right Angle, or as nearly as may be practicable, and in such Case the Water Pipe so crossing the Gas Pipe shall be at least Nine Feet in Length, and be so placed that no Joint of any such Water Pipe shall be nearer to any Part of such Gas Pipe than Four Feet; and in laying down the said Water Pipes the Person or Corporation to whom they shall belong shall in no Case join Two or more Water Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing of such Pipe with the other Pipes connected therewith with proper and sufficient Materials, and shall also make and keep all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, or Openings therein respectively, perfect, to prevent the Water from escaping therefrom, on pain of forfeiting and paying any Sum not exceeding Five Pounds for every such Default or Offence, to be levied or recovered as aforesaid.

As to laying down Water Pipes in reference to the Position of Gas Pipes.

XXXI. That the Mains and Pipes of the said Waterworks Company shall be so made and manufactured as to have a distinguishing Mark, Letter, or Ridge on the upper Surface thereof, of not less than One Quarter of an Inch in Thickness, so that the same may be readily distinguished from the Mains or Pipes of the said *Cambridge Gaslight Company*; and in case the said Waterworks Company shall lay down any Mains or Pipes not having such distinguishing Mark, Letter, or Ridge, the said Waterworks Company shall forfeit and pay the Sum of Twenty Shillings for every Length of Nine Feet of Pipe laid contrary to the Directions aforesaid, such Sum to be recovered at the Instance of the Clerk or Treasurer of the said *Cambridge Gaslight Company* for the Time being, for the Use of and to be paid over, when so recovered, to the Treasurer of the said Borough of *Cambridge*.

Water Pipes to be marked so as to distinguish them from Gas Pipes.

XXXII. Provided always, That nothing in this Act contained shall extend or be construed or deemed to extend to extinguish, abridge, interrupt, prejudice, or in any Manner affect any of the

Saving Rights of Cambridge Gas Company.

[Local.]

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Rights,

*The Cambridge University and Town Waterworks Act, 1853.*4 & 5 W. 4.
c. xxiv.

Rights, Powers, Privileges, or Authorities of the *Cambridge* Gaslight Company under or by virtue of an Act of Parliament passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to incorporate a Company for better supplying with Gas the Town of Cambridge in the County of Cambridge, and the Neighbourhood thereof*, or to repeal or annul any of the Provisions thereof.

For the Protection and Saving Rights of the Eastern Counties Railway Company.

XXXIII. Provided always, That nothing in this Act contained shall authorize any Disturbance of or Alteration in the Position or Level of the Rails on the *Eastern Counties* Railway or any Part thereof, or any Interference with any Approach to the *Cambridge* Station of that Company, without the Consent in Writing of the *Eastern Counties* Railway Company, under the Hand of their Secretary, first had and obtained; and all Works to be executed under the Provisions of this Act, so far as they may interfere with or affect the *Eastern Counties* Railway, or any of the Works or Property of the *Eastern Counties* Railway Company, shall be done, and any Pipes laid or Channels made under the said Railway, or under any of the Lands of the said Company, shall be laid or made under the Direction and to the reasonable Satisfaction of the Engineer for the Time being of the *Eastern Counties* Railway Company; and before entering upon any Land or Property of such Railway Company for the Purpose of executing any Work under the Provisions of this Act, the Company or their Engineer shall give not less than Twenty-one clear Days Notice in Writing to the Secretary of the said Railway Company, of their Intention to commence such Work, and of the Mode in which the same is proposed to be done; and, except as aforesaid, nothing in this Act contained shall extend or be construed to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities of or vested in or belonging to the *Eastern Counties* Railway Company, but all such Rights, Privileges, Powers, and Authorities, except as aforesaid, are hereby expressly saved and reserved; and if any Dispute shall arise between the Engineer of the Company and the Engineer of the *Eastern Counties* Railway Company as to the Manner of executing any Work affecting the *Eastern Counties* Railway, or the Lands of the *Eastern Counties* Railway Company, the same shall be referred to Arbitration in the Manner prescribed by the "Companies Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration; and the Award of the Arbitrator or Arbitrators, or Umpire, (as the Case may be,) upon any Matter so referred to him or them, shall be final and binding on all Parties.

Traffic on the Eastern Counties Railway not

XXXIV. That it shall not be lawful for the Company to construct any Work or do any Act by which the Traffic on the *Eastern Counties* Railway may be obstructed or impeded; and if the said Company shall

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shall construct any Work or do any Act which shall or may have that Effect, they shall forfeit and pay to the *Eastern Counties* Railway Company Twenty Pounds for every Hour during which such Obstruction shall continue, or during which such Traffic shall or may be impeded, and such Penalty shall be recoverable, with Costs, in any Court of competent Jurisdiction. to be ob-
structed.

XXXV. That it shall not be lawful for the Company to acquire any Right or Property in the Railway or any of the Lands of the *Eastern Counties* 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 or acting Engineer for the Time being of the said Railway Company; and the Company shall, on Demand, pay to the *Eastern Counties* Railway Company all Expenses occasioned to or incurred by them for or by reason of the Construction and Maintenance or Repair of all or any of the Works upon, over, under, or across the Lands or Railway of that Company; and in default of Payment, on Demand, of any such Expenses incurred as aforesaid, the *Eastern Counties* Railway Company may sue for and recover the same in any Court of competent Jurisdiction; and if any Dispute shall arise between the Company and the *Eastern Counties* Railway Company as to the Mode of repairing or maintaining any such Work as aforesaid, the same shall be referred to and finally decided by Arbitration in the Manner prescribed by the "Companies Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration. Provision as
to Repairs,
&c.

XXXVI. That the Company shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Pipe of the Company shall be laid, or on the Application of any Person who under the Provisions of this Act or any Act incorporated herewith 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 domestic Use, at Rates not exceeding the Rates herein-after specified; (that is to say,) Rate at
which Water
is to be sup-
plied for
domestic
Purposes.

Where the annual Value of such House or Part of a House supplied shall not amount to Five Pounds, at the Rate of Four Shillings and Fourpence *per Annum* :

Where such annual Value shall amount to Five Pounds and be under One hundred Pounds, at the Rate of Five Pounds *per Centum per Annum* :

Where such annual Value shall be above One hundred Pounds, at the Rate of Four Pounds Ten Shillings *per Centum per Annum*.

XXXVII. That

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For Water-closets or private Baths, &c.

XXXVII. That if in any House of the Rent of Fifteen Pounds or upwards there be a Watercloset or Waterclosets, or private Bath or private Baths, then, in addition to the Rates computed as above specified, the following Rates shall be payable, according to the annual Value of such House or Part of a House; (that is to say,)

For One Watercloset or private Bath or High Service, the Sum of Ten Shillings *per Annum*; and for each additional Watercloset or private Bath or High Service (if more than One), the Sum of Five Shillings *per Annum*:

Company not compelled to supply Waterclosets unless properly constructed.

Provided always, that the Company shall not be compelled to supply with Water any Watercloset or private Bath, or the Apparatus or Pipes connected therewith, unless the same shall be so constructed and used as to prevent the Waste or undue Consumption of the Water of the Company, and the Return of foul Air and other noisome or impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Company.

Interpretation of "High Service."

XXXVIII. That the Expression "High Service" used in this Act shall mean and be considered as being a Delivery of Water, other than for a Watercloset or private Bath, at an Elevation more than Ten Feet above the Pavement or Footpath in front of the Dwelling House or other Place supplied.

What shall not be deemed domestic Purposes.

XXXIX. That a Supply of Water for domestic Purposes shall not include a Supply of Water for Cattle or for Horses, or for washing Carriages, where such Horses or Carriages are kept for Hire or by Common Carriers; nor shall such Supply for domestic Purposes be held to include a Supply for any Trade, Manufacture, or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purpose whatsoever.

Water not necessarily under Pressure.

XL. That the Water to be supplied need not be constantly laid on under Pressure.

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

XLI. That the Company may supply any Person with Water for other than domestic Purposes for such Remuneration and upon such Terms and Conditions as shall be agreed upon between the said Company and the Person desirous of having such Supply of Water.

Water Tank at Cherry Hinton for Use of the poor Inhabitants.

XLII. That the Company shall, at their own Costs and Charges, make and maintain an open Tank or Watering Place, not less than Sixty-four Cubic Feet in Measurement, at the Head or Source of the *Cherry Hinton* or *Paper Mills Brook* adjoining, and on the West Side of the Road leading from the Cross Roads from *Cambridge* to *Fulbourn* towards the Village and Church of *Cherry Hinton*, and shall always keep such Tank supplied with Water by a proper Service Pipe,

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Pipe, not exceeding One Inch and a Quarter in Diameter, as the Surveyors of the Highways for the Time being of the Parish of *Cherry Hinton* shall for that Purpose require, for the gratuitous Use and Accommodation of the Inhabitants of the said Parish of *Cherry Hinton*.

XLIII. That the said Company shall, at their own Costs and Charges, also make and maintain, on the said West Side of the said Road, an open circular Pond or Watering Place of not less than Twenty Feet in Diameter and Three Feet in Depth, for the Purpose of enabling the Inhabitants of the said Parish of *Cherry Hinton* to wash and cleanse Horses, Carts, and Carriages therein, and also for the Purpose of enabling Oxen and other Cattle to use the same.

Watering
Place for
Cattle, &c.

XLIV. That all Water Rates or Rents due to the Company, and all Damages, Costs, and Expenses by this Act, or any Act incorporated herewith, directed to be paid, and the Amount of which shall not be disputed, may be levied by Distress, and any Justice, on Application, shall issue his Warrant accordingly.

Undisputed
Rates, Da-
mages, &c.
may be re-
covered by
Distress.

XLV. That any Justice who shall issue any Warrant of Distress for the Recovery of any Money payable under this Act or any Act incorporated herewith may order that the Costs of the Proceedings for the Recovery of such Money shall be paid by the Person liable to pay such Sum of Money, and such Costs shall be ascertained by such Justice, and shall be included in the Warrant of Distress for the Recovery of such Money.

Costs of
Proceedings
may be in-
cluded in
Warrant of
Distress.

XLVI. That nothing in this Act or any Act incorporated herewith contained shall prevent the Company from recovering any Sum of Money not exceeding Fifty Pounds which shall be due to them for Water Rates or Rents, Damages, Costs, or Expenses, by Action or Proceeding in such Manner as is by Law provided for the Recovery of Debts not exceeding Fifty Pounds.

Sums not
exceeding
50l. may be
recovered in
the County
Court.

XLVII. That nothing herein contained shall be deemed or construed to exempt the said Company from the Provisions of the "Public Health Act, 1848," or of any General Act relating thereto or to the Subject Matter thereof which may pass during the present or any future Session of Parliament.

Undertaking
not to be
exempt from
Provisions of
11 & 12 Vict.
c. 63.

XLVIII. That the Company shall have full Power and Authority to contract and agree with any Local Board of Health established or which may hereafter be established in and for the said University and Borough of *Cambridge* and the Limits of this Act, for the Supply of Water for the Purposes of the "Public Health Act, 1848," in any
[Local.] 4 O Manner

Power to
make Agree-
ment with
Local Board
of Health.

The Cambridge University and Town Waterworks Act, 1853.

Manner whatsoever, and may, subject to the Provisions of the said "Public Health Act," sell and dispose of or lease their Waterworks to the said Local Board of Health.

Company
may enter
into Con-
tract for
watering
Streets, &c.
28 G. 3. c. 64.

34 G. 3.
c. 104.

13 & 14 Vict.
c. xxxvii.

Saving
Rights of the
University of
Cambridge.

Expenses of
Act.

XLIX. That it shall be lawful for the Company, and for the Commissioners appointed by and acting in execution of an Act passed in the Twenty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for better paving, cleansing, and lighting the Town of Cambridge, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages within the said Town*, and of another Act of Parliament passed in the Thirty-fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend and enlarge the Powers of an Act passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled 'An Act for better paving, cleansing, and lighting the Town of Cambridge, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages within the said Town,'* or either of them, to enter into any Contract or Contracts, and mutually to agree for the due and proper Supply to the said Commissioners of Water for the due and effectual watering of the Streets, Roads, Highways, and public Thoroughfares and Places within the Limits of the last-mentioned Acts and of the said Borough, anything in the said last-mentioned Acts, and in an Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of Her present Majesty, intituled *An Act for regulating the Markets and Fairs held within the Borough of Cambridge and at Reach in the County of Cambridge, and for enlarging the Market Place, and for rebuilding or altering the Guildhall of the said Borough, and for the Improvement of the said Borough, and the better Regulation of the Police within the same*, to the contrary thereof in anywise notwithstanding.

L. That neither this Act nor the Acts incorporated therewith shall be construed to alter or affect the Rights or Privileges, Duties or Liabilities of the Chancellor, Masters, and Scholars of the University of Cambridge as by Law possessed under the Charters of the said University or otherwise.

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

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