



ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. x.

An Act for enabling the *Nottingham Waterworks Company* to raise a further Sum of Money, and for amending some of the Provisions of the Act relating to such Company. [12th May 1854.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act for better supplying with Water the Inhabitants of the Town of Nottingham and its Vicinity*, whereby certain Parties were incorporated by the Name of "*The Nottingham Trent Waterworks Company*:" And whereas by an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of His said Majesty King *George the Fourth*, intituled *An Act for more effectually supplying with Water the Inhabitants of the Town and County of the Town of Nottingham and the Neighbourhood thereof*, a Company was established by the Name of "*The Company of Proprietors of the Nottingham Old Waterworks*:" And whereas an Act was passed in the Session held in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for granting more effectual Powers for supplying with Water the Inhabitants of the Town and County of the Town of Nottingham and certain Places adjacent thereto in the County of Nottingham*:
[Local.] I i And

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And whereas under the Powers and Provisions of the last-recited Act, the Waterworks of the Company of Proprietors incorporated by the said secondly-recited Act were added to and incorporated with the Works of the *Nottingham Trent* Waterworks Company, and the Undertakings of such Two Companies have become amalgamated, and the Shareholders thereof were by the last-recited Act incorporated into a Company, under the Name of “*The Nottingham Waterworks Company*,” and the first and secondly recited Acts were thereby repealed: And whereas the Share Capital of the said *Nottingham Waterworks Company* is by the last-recited Act limited to Seventy-five thousand Pounds, nearly the whole of which has been raised and expended in addition to certain Sums of Money raised on Loan or Mortgage: And whereas since the passing of the last-recited Act the Population of the Town of *Nottingham* and other Places within the Limits of the said Act has greatly increased, and many new Streets have been laid out and Houses and Buildings erected therein: And whereas the Capital which the Company are by the said last-recited Act authorized to raise is insufficient for the Purposes of meeting the present and prospective Requirements for a Supply of Water within the Limits of the said Act: And whereas the Shareholders in the Company are entitled to Dividends upon the nominal Amount of such Shares after a Rate not exceeding Ten Pounds *per Centum per Annum*, and it is expedient that further and other Provisions be made with reference to the Regulation and Augmentation of the Capital of the Company: And whereas it is expedient that Provisions should be made to enable the Company to sell certain Lands belonging to them, and that the Company should be empowered to purchase additional Lands by Agreement: And whereas it is expedient that the last-recited Act should be altered, amended, and enlarged, but the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression “*The Nottingham Waterworks Amendment Act, 1854.*”

“Company.”

II. That in this Act the Word “Company” shall mean “*The Nottingham Waterworks Company*,” unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

III. That

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III. That from and after the passing of this Act the Capital of the Company shall be Two hundred and fifty thousand Pounds, and shall consist of Five thousand Shares, and the nominal Value of each Share shall be Fifty Pounds.

Augmenta-
tion of Capi-
tal.

IV. That from and after the passing of this Act the Rate of Dividend payable by the Company shall not exceed the Sum of Two Pounds Ten Shillings *per Annum* in respect of each such Share, unless a larger Dividend be at any Time necessary to make up the Deficiency of any previous Dividend.

Shares to
bear only
Five per
Centum
Dividend.

V. That every Person who at the Time of the passing of this Act shall be the Proprietor of One or more Shares in the Capital by the thirdly-recited Act authorized, shall be entitled for each such Share to a Share in the Capital by this Act authorized, and the last-mentioned Shares shall from the passing of this Act be vested, with all the Rights acquired under the thirdly-recited Act in respect of the same, so far as such Rights are not inconsistent with the Provisions of this Act, in such Persons accordingly.

Shares in
lieu of old
Shares
vested in
present Pro-
prietors.

VI. That all Persons in whom any of the said last-mentioned Shares shall be vested as aforesaid shall stand and be possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations and Agreements, Charges and Incumbrances, as the Trusts, Powers, Provisions, Declarations and Agreements, Charges and Incumbrances, upon or to which the Shares in the Capital of the Company immediately previous to the passing of this Act, in respect of which such last-mentioned Shares were so vested, were liable and subject immediately before the passing of this Act, and so as to give effect to and not revoke any Will or other testamentary or other Instrument disposing of or affecting such Share or Shares.

Shares to be
held on the
same Trusts.

VII. That the Company may call in and cancel the existing Certificates of Shares, and in lieu of such Certificates grant other Certificates of the Shares by this Act vested.

Power to
cancel Cer-
tificates, and
grant others.

VIII. That for the Purpose of enabling the Company to raise the Remainder of the said Five thousand Shares, it shall be lawful for them, by Order of an Ordinary or Extraordinary Meeting, from Time to Time to create so many other Shares as they may think proper, so that the total Number of Shares in the Capital of the Company does not exceed Five thousand.

Power to
create addi-
tional
Shares ;

IX. That the Directors shall cause such other Shares, when and as the same shall from Time to Time be created, to be sold

also other
Shares, and
sell them by
Auction.

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sold by Public Auction, in such Manner, and at such Times, and subject to such Conditions, as the said Directors may from Time to Time determine.

Sales by
Auction to
be adver-
tised, and
Premiums
on such Sales
not to be
entitled to
Dividend.

X. That the Intention to sell the said Shares by Auction shall be duly advertised for Two successive Weeks at the least in Two or more Newspapers published in the Town of *Nottingham*, and any Sum of Money which shall arise upon such Sales by way of Premium shall be expended in paying the Expenses of this Act, or in extending or improving the Works of the Company, or in paying off Money borrowed or owing by the Company, and shall not be considered as Part of the Capital of the Company entitled to Dividend.

Limiting
Number of
Shares to be
held.

XI. That no Person shall at any Time hereafter hold more than Forty Shares in the Capital of the Company, otherwise than by Bequest, Marriage, or by virtue of the Statute of Distribution of Intestates Effects, or by Allotment under the Provisions of the said thirdly-recited Act in respect of the Division of the Shares amongst the several Persons entitled thereto at the Time of the passing of that Act: Provided that it shall not be lawful for any Person who may, by Bequest, Marriage, or by virtue of the Statute of Distribution of Intestates Effects, acquire or become possessed of a greater Number of Shares than Forty, to continue to hold such greater Number of Shares for a Period exceeding Seven Years from the Date of the Registration of such Shares in the Name of such Person; and if any Person shall continue to hold such greater Number of Shares beyond Seven Years, the Company may sell such greater Number held by such Person by Public Auction, and shall pay the Proceeds, deducting the Expense of such Sale, to such Person whose Shares shall be so sold upon Demand.

Qualification
of Directors.

XII. That the Qualification of a Director hereafter elected shall be the Possession in his own Right of Ten Shares in the Undertaking.

Mortgages
and Bonds.

XIII. That it shall be lawful for the Company to borrow on Mortgage or Bond (in addition to the Sum of Twenty-five thousand Pounds authorized to be raised by Mortgage or Bond by virtue of the thirdly-recited Act) any further Sum of Money not exceeding Fifteen thousand Pounds.

8 & 9 Vict.
c. 16. incor-
porated.
Provisions as
to Sales by

XIV. That "The Companies Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act: Provided that the Provisions of this Act with reference to the Sales of Shares by Auction, and the Application of Premiums, shall also be applicable to

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to any Shares to be created for the Conversion of Loan into Capital by virtue of this Act.

Auction to extend to capitalised Debt.

XV. That all Mortgages and Bonds already granted under or by virtue of the Powers of the thirdly-recited Act shall have Priority over the Mortgages and Bonds by this Act authorized to be given.

Mortgages and Bonds under former Act to have Priority.

XVI. That the Monies to be raised by virtue of this Act shall be applied in carrying the Purposes and Objects of the thirdly-recited Act and of this Act into execution, and in discharge of Mortgages and Loans, as and in such Manner as the Directors may think fit.

Application of Monies.

XVII. That for every Entry of the Transfer of each Share in the Register of Transfers, including the Indorsement of such Entry on the Deed of Transfer, or for Indorsement of such Transfer on the Certificate of such Share, instead of a new Certificate being granted, or for the Entry of the Transfer of any Mortgage or Bond, or for every new Certificate given or exchanged in lieu of a Certificate worn out or damaged, lost or destroyed, or any of them, the Clerk to the Company may demand and take any Sum not exceeding Two Shillings and Sixpence.

As to Transfer Fees and Certificates.

XVIII. And whereas the Company are possessed of or claim to be entitled to certain ancient Wharfs, Lands, and Hereditaments held by the Company under Lease from the Mayor, Aldermen, and Burgesses of the Town of *Nottingham*, and certain other ancient Wharfs, Lands, and Hereditaments, and it is expedient that the Company should be empowered to sell the same from Time to Time, for all their Estate and Interest therein respectively, when and as the same shall in the Opinion of the Directors be advantageously disposable, and to apply the Proceeds in effectuating the Purposes of this and the thirdly-recited Act: Be it enacted, That the Company may sell or dispose of as well all or any of the Lands, Hereditaments, and other Property, of what Tenure or Nature soever, which at or immediately before the passing of the secondly herein-before recited Act were vested in, used, or enjoyed by, or held in trust or for the Benefit of the Owners and Proprietors thereby incorporated, and all the Lands, Hereditaments, and other Property, of what Tenure or Nature soever, which at or immediately before the passing of the thirdly and lastly herein-before recited Act were vested in, or used or enjoyed by, or held in trust for or for the Benefit of the *Nottingham Trent* Waterworks Company, and *Nottingham Old* Waterworks Company, or either of them, as all other Lands, Hereditaments, and other Property, of what Tenure or

Sale of Lands.

[*Local.*]

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Nature

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Nature soever, which are or shall be vested in, used or enjoyed by, or held in trust for or for the Benefit of the said *Nottingham Waterworks Company*, and the said Company shall apply the Proceeds arising from the Sale of such Lands to the same Purposes to which the Capital of the Company is by this Act authorized to be applied; and for the Purpose of making and completing such Sales or Dispositions, the Company may make and execute Contracts, Agreements, Conveyances, and Assurances, and upon Payment of any Money which may arise from any such Sale or Disposition, the Treasurer or Treasurers for the Time being of the Company shall sign and give Receipts for the same, which Receipts shall be sufficient Discharges to the Persons paying the same for the Monies therein expressed to have been received, and such Persons shall not be obliged or concerned to inquire into or ascertain the Necessity or Propriety of any such Sale, nor after taking such Receipt or Receipts as aforesaid be obliged to see to the Application of such Monies, or be answerable or accountable for the Loss, Misapplication, or Nonapplication thereof, or of any Part thereof.

As to Purchase of additional Lands.

XIX. That, in addition to the Lands possessed by or held in trust for the Company, it shall be lawful for the Company to hold any Lands, not exceeding in Quantity Ten Acres, or any Springs, Streams, or Issues of Water, or any Rights, Easements, or other incorporeal Property, which shall be deemed proper or expedient for the Purposes of the Company, and to contract with any Person willing to sell the same for the Purchase thereof; and it shall be lawful for all Parties who, under the Provisions in the lastly-recited Act contained, would be enabled to sell or convey Lands required for the said Undertaking to sell and convey such Lands, Streams, Springs, or Issues of Water, Rights, Easements, or other Property, or any of them, for the Purposes aforesaid.

Company to supply Water for certain public Purposes.

XX. That, unless prevented by Frost, unusual Drought, or unavoidable Accident, or during necessary Repairs, the Company shall afford a Supply of Water from any of the Main Pipes to which any Fireplug shall be affixed, to an Amount not exceeding in the whole One hundred thousand Gallons in any One Day, for the following Purposes; (that is to say,) for cleansing the Sewers and Drains, for cleansing and watering the Streets and Courts, and for supplying any public Pumps and public Urinals that may be established for the free Use of the Inhabitants, or paid for out of any Poor Rates or Borough Rates levied within the Limits of this Act, and at a Price equal to the lowest Price charged for the Time being by the Company to any private Consumer upon the Level within which the Water is so supplied.

XXI. That

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XXI. That the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and preparatory and incident thereto, shall be paid by the Company.

Expenses
of Act.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1854.

