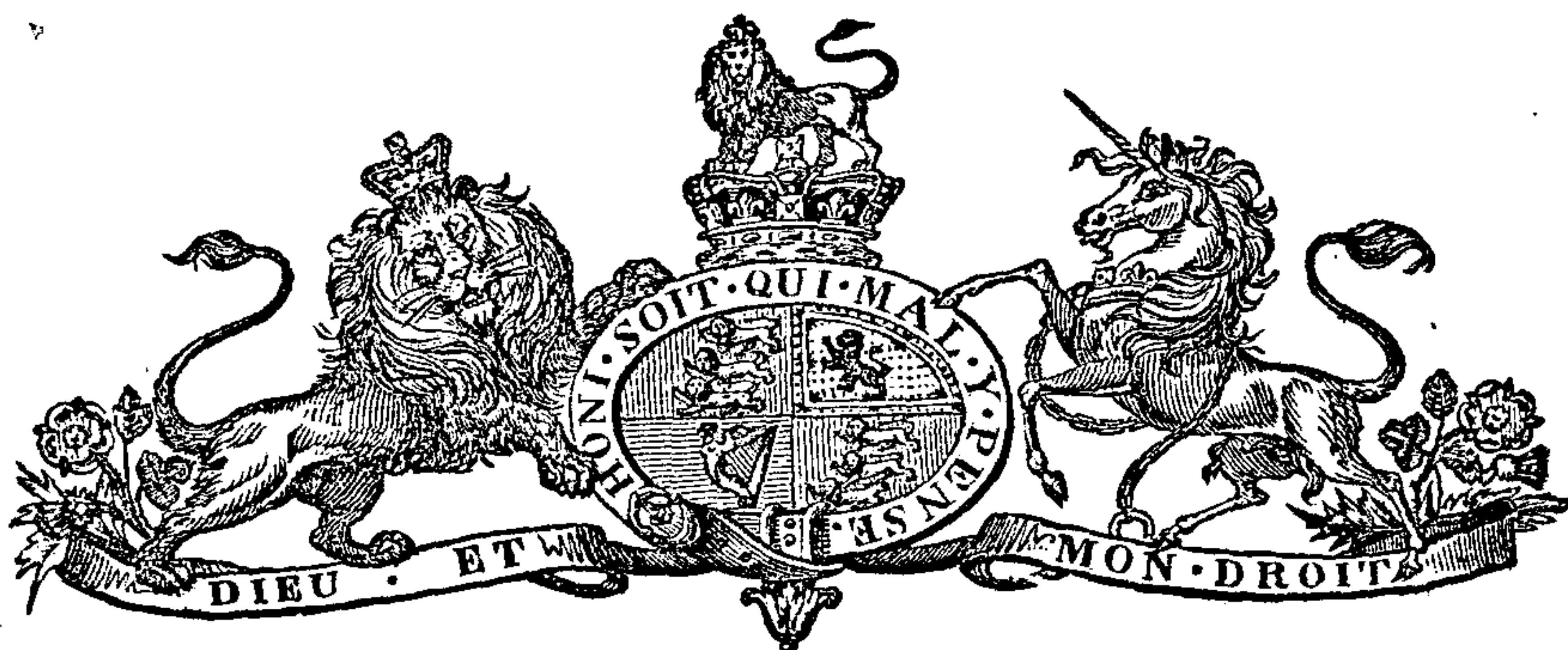




ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. lx.

An Act for enabling The *Whittle Dean* Water Company to extend their Works, and to obtain a further Supply of Water from certain Rivers and Streams in the County of *Northumberland*, in order to afford a better Supply of Water to the Inhabitants of *Newcastle-upon-Tyne*, *Gateshead*, and other Places in the Counties of *Northumberland* and *Durham*; and for consolidating and amending the Acts relating to such Company.

[2d June 1854.]

WHEREAS an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for supplying the Borough and County of Newcastle-upon-Tyne, and the Borough of Gateshead, in the County of Durham, and the Neighbourhoods thereof, with Water, from Whittle Dean in the Parish of Ovingham, and other Places in Northumberland*, whereby certain Persons were incorporated under the Title of “The *Whittle Dean* Water Company,” and certain Powers were given to them to raise Capital, and to construct Reservoirs and other Works, and they were

[*Local.*] 10 C authorized

8 & 9 Vict,
c. lxxi.

*Whittle Dean Waterworks.*4 & 5 W. 4.
c. xviii.16 & 17 Vict.
c. iv.

authorized to purchase the Undertaking of the *Newcastle* Subscription Water Company, established by virtue of an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for better supplying with Water the Town and County of the Town of Newcastle-upon-Tyne and the Neighbourhood thereof*: And whereas another Act was passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled “The *Whittle Dean* Waterworks Amendment Act, 1853,” whereby Powers were given to the said *Whittle Dean* Water Company to raise further Capital and to construct additional Works: And whereas, in [pursuance of the first-recited Act, the *Whittle Dean* Water Company have purchased the whole of the Undertaking of the *Newcastle* Subscription Water Company, and are by such Purchase entitled to the Waterworks, Rights, Privileges, Pipes, Reservoirs, and Property of such Company: And whereas the *Whittle Dean* Water Company have proceeded in the Execution of the recited Acts, and have constructed nearly the whole of the Works thereby authorized, and are now supplying Water to a considerable Portion of the Inhabitants of the District within the Limits of such Acts: And whereas the Population of the Boroughs of *Newcastle-upon-Tyne* and *Gateshead*, and of the Parts adjacent, within the Limits of the said Acts, has greatly increased, and for the Purpose of enabling the said Company to provide at all Times an ample Store and Supply of good and wholesome Water for the existing Population, as well as for the prospective Increase in Population of the District within the Limits of the said Acts, and for general sanitary Purposes, it is desirable to authorize the said Company to obtain a further Supply of Water, and to take Water from additional Sources: And whereas a Supply of good and wholesome Water might be obtained from the Stream or Brook called the *Pont*, or its Tributaries, and from certain Streams or Brooks and Springs flowing into the River *Tyne*, and situated in the Parishes of *Chollerton*, *Saint John Lee*, *Stamfordham*, and *Ovingham*, and other Places in the County of *Northumberland*, and also from the River *Tyne*, in the Parishes of *Newburn* and *Heddon-on-the-Wall* in the said County of *Northumberland*, and it is expedient to authorize the Construction of new Reservoirs, Aqueducts, and other Works: And whereas the present Share Capital of the Company authorized to be raised by the said Acts consists of the Sum of Two hundred and fifty thousand Pounds, and by such Acts the Sum of Fifty thousand Pounds is authorized to be borrowed or continued on Mortgage or Bond: And whereas the said Company are willing and desirous to construct all the Works necessary for carrying out the Purposes aforesaid, and it is expedient to authorize the Company to raise additional Capital for the Purposes of this Act: And whereas so much of the Capital of the Company under the recited Acts as has been issued is divided into Two Classes of Shares,

as

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as follows: The Capital of One hundred and fifty thousand Pounds authorized to be raised by virtue of the first-recited Act, divided into Six thousand Shares of Twenty-five Pounds each; and the Capital of Fifty thousand Pounds, also created under the first-recited Act, and referred to in the secondly-recited Act, divided into Six thousand Shares of Eight Pounds Six Shillings and Eightpence each, a Portion of which last-mentioned Capital did, on the First Day of *January* One thousand eight hundred and fifty-four remain uncalled for: And whereas no Part of the further Capital of Fifty thousand Pounds authorized by the secondly-recited Act has yet been issued: And whereas, in order to avoid Inconveniences arising from several special Acts relating to the same Undertaking being in force at the same Time, it is expedient that the recited Acts be repealed, and that some of the Powers and Provisions thereof be amended and re-enacted or continued in this Act: 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,)

I. That from and after the passing of this Act the said recited Acts of the Fourth Year of the Reign of His Majesty King *William* the Fourth, and of the Eighth and Ninth and Sixteenth and Seventeenth Years of Her present Majesty, shall be and are hereby repealed (but subject to the Provisions contained in this Act). Recited Acts repealed.

II. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Whittle Dean* Waterworks Consolidation Act, 1854." Short Title.

III. That in the Construction of this Act the Word "Aqueducts" or "Aqueduct" shall include or mean Cuts, Tunnels, Conduits, Pipes, Feeders, and other Works of a similar Construction; and the Expression "the Company" shall mean the *Whittle Dean* Water Company. Interpretation of Terms.

IV. That "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Act, 1845," and "The Waterworks Clauses Act, 1847," except Section LIV. of the said last-mentioned Act, and save so far as any of the Clauses in any of the said Acts may be expressly varied or excepted by this Act, shall be and the same are hereby incorporated with this Act. Certain Provisions of 8 & 9 Vict. cc.16.and 18. and 10 & 11 Vict. c. 17. incorporated.

V. That, notwithstanding the Repeal of the said respective recited Acts, the Company shall, for the Purposes of this Act, and as from the Company to continue the

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incorporated.

the passing of the firstly-recited Act, and according to the Incorporation of the Company by the last-mentioned Act, remain incorporated by the Name of "The *Whittle Dean Water Company*," and by that Name shall continue to be and shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to construct and maintain the Waterworks by this Act authorized to be constructed and maintained respectively, and to maintain and complete the Waterworks authorized by the said recited Acts respectively, and to purchase, take, hold, and dispose of Lands and other Property for the Purposes and within the Restrictions of this Act, and for otherwise carrying the Purposes of this Act into execution, and shall be liable at Law and in Equity for all Acts, Matters, and Things done or omitted to be done by the Companies constituted under the Acts hereby repealed, in the same Manner and to the same Extent as the said last-mentioned Companies or either of them would have been liable in case the said Acts had not been repealed.

Works to remain vested in the Company.

VI. That, notwithstanding the Repeal of the respective recited Acts, the Company shall remain and be seised and possessed of and entitled to all Streams of Water, Reservoirs, Aqueducts, Conduits, Pipes, Engines, Gauges, Tunnels, Arches, Bridges, Roads, and other Works, and all Lands, Tenements, Hereditaments, Buildings, Easements, Appurtenances, prospective and other Rights, Powers, and Privileges, Real and Personal Estates, and Rights and Interests therein or relating thereto whatsoever, of or to which the Company or any Person in trust for them were or was seised, possessed, or entitled, at Law or in Equity, immediately before the passing of this Act, and all Rates, Rents, and Monies due or accruing to, and all Securities, Books, Accounts, Documents, Choses in Action, Effects, and Property immediately before the passing of this Act vested in the Company, and all other their Privileges, Rights, Titles, Estates, and Interests in the same respectively, shall from and after the passing of this Act remain and continue to be held and enjoyed accordingly for the absolute Use and Benefit of the Company, for the Purposes of this Act, and for the same Estates, Terms, and other Interests as if the several recited Acts had not been repealed, subject, nevertheless, to the Charges, Interests, and Liabilities (if any) to which at the Time of the passing of this Act the same Premises are respectively subject.

Existing Waterworks may be maintained and used.

VII. That, notwithstanding the Repeal of the respective recited Acts, the Company may, subject to the Provisions of this Act, continue to supply their Waterworks from all and every of the Sources from which they are at present authorized to supply the same, as well as from the Sources authorized by this Act, and may maintain their now existing Waterworks and the Conveniences thereof, and extend from Time to Time, whenever it shall be necessary, their Pipes and Mains,
and

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and use the same Waterworks, Pipes, and Mains for the Supply of Water within the Limits prescribed by this Act.

VIII. That, notwithstanding the Repeal of the respective recited Acts, all Purchases, Sales, Conveyances, Grants, Assurances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, and other Acts and Things before the passing of this Act done, entered into, executed, or instituted under or by virtue of the recited Acts respectively, or with reference to the Purposes thereof respectively, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Company, as they would have been if the recited Acts had not been repealed, and may be proceeded on and enforced accordingly. Conveyances, &c., to remain in force.

IX. That, notwithstanding the Repeal of the respective recited Acts, any Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the Company previously to the passing of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but, on the contrary, shall continue and take effect, both in favour of and against the Company, in the same Manner, to all Intents and Purposes, as if this Act had not passed; and Proceedings for all Offences against the Provisions of the said recited Acts, or either of them, committed before the passing of this Act may be commenced and prosecuted, and all Penalties incurred by reason of such Offences may be sued for, in like Manner in all respects as if the recited Acts had not been repealed. Actions, &c. not to abate.

X. That, notwithstanding the Repeal of the respective recited Acts, all Rates, Rents, and Charges whatsoever made, charged, or imposed under the said recited Acts respectively, and which at the Time of the passing of this Act are due, or, if this Act had not passed, would have accrued due, shall continue in force, and be due and payable to the Company, and may be collected, recovered, and enforced by such Means and under such Restrictions and Regulations as any Rates, Rents, or Charges may be collected, recovered, or enforced under this Act. Rates or Rents now payable to continue in force.

XI. That, notwithstanding the Repeal of the respective recited Acts, all Persons who immediately before the passing of this Act owe any Money to the Company, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Company, and the same shall be recoverable by the Company; and all Debts and Monies which immediately before the passing of this Act are due or owing by or recoverable from the Company, or for the Payment of which the Company are or but for this Act would be liable, shall be paid, with all Interest (if any) due

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Debts due to and by the Company to be paid to and by them.

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or to accrue due thereon, by or be recoverable from the Company, and all Securities for the same shall be and continue in force accordingly.

Byelaws, &c.
to remain in
force.

XII. That, notwithstanding the Repeal of the respective recited Acts, all Byelaws, Rules, Regulations, and Orders made under the recited Acts or either of them shall continue in force during the Space of Six Months, unless the same be repealed, altered, or varied under this Act within that Time; and such Byelaws, Rules, Regulations, and Orders, and all Penalties and Forfeitures thereby respectively imposed, may and shall be enforced, recovered, and applied in the same Manner in all respects as if the same had been made and imposed respectively under this Act.

Certificates
and Trans-
fers to re-
main in
force.

XIII. That, notwithstanding the Repeal of the respective recited Acts, all Certificates, Sales, Transfers, and Dispositions before the passing of this Act made or executed under the recited Acts respectively, of or in respect of any Shares in the Company, shall remain in full Force, and continue and be available in all respects.

Shareholders
to continue
to pay Calls.

XIV. That, notwithstanding the Repeal of the respective recited Acts, the several Persons who immediately before the passing of this Act are Shareholders in the Company, their Heirs, Executors, Administrators, Successors, and Assigns respectively, shall pay the Amount subscribed by them respectively, or so much thereof as at the passing of this Act has not been paid, with all Interest (if any) due or to accrue due to the Company.

Directors to
remain in
Office.

XV. That, notwithstanding the Repeal of the respective recited Acts, but subject to the Provisions of this Act, the several Persons who on the passing of this Act are the Directors of the Company shall remain in Office, and shall retire therefrom in the same Rotation and at the same respective Periods as if the recited Acts had not been repealed; and such Directors shall be entitled to the same Powers, and be subject to the same Duties, Provisions, and Responsibilities, as the Directors to be appointed under this Act, and shall be to the same Extent eligible for Re-election.

Present
Officers
continued.

XVI. That, notwithstanding the Repeal of the respective recited Acts, all Officers and Persons appointed to or in Office or Employment under the recited Acts shall continue in their respective Offices and Employments, according to their respective Appointments, until removed therefrom according to the Provisions of this Act; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages, and all such Officers and Persons, and their respective Sureties, shall be liable to the same or the like Conditions, Penalties, Obligations,

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Obligations, Restrictions, and Regulations, as if such Officers and Servants respectively had been appointed and such Sureties had become bound under this Act.

XVII. That, notwithstanding the Repeal of the respective recited Acts, all Books and other Documents by those Acts or either of them directed or authorized to be kept, made, or executed, and which, if this Act had not passed, would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly. Books to be Evidence.

XVIII. That every Person who immediately before the passing of this Act was possessed of or entitled to One or more Share or Shares in any of the before-mentioned Classes in the Capital of the Company under the Acts hereby repealed shall continue to be possessed of or entitled to the same Share or Shares, of the same Class or Classes respectively, and of the same nominal Value, and marked by the same progressive Number or Numbers, as such Person was possessed of or entitled to immediately before the passing of this Act, and every such Person shall continue to hold and stand possessed of such Share or Shares respectively to and upon such and the same Trusts (if any), and for such and the same Purposes, and under and subject to such and the same Disposition, and subject to such and the same Charges, Judgments, Liens, and Incumbrances (if any), to, upon, under, and subject to which he held and possessed the same Share or Shares respectively at the Time of the passing of this Act. Distribution of existing Shares.

XIX. That, notwithstanding the Repeal of the respective recited Acts, the Company may from Time to Time, and according to the Provisions of this Act, raise the Residue of the Share Capital of Two hundred thousand Pounds already issued, or any Part thereof, by Calls upon and in respect of the now existing Shares of the said Company which may not be paid up at the Time of the passing of this Act; and the Company or the Directors shall, in respect of such Shares, have the same Powers of making and enforcing Calls and Forfeiture of Shares as are by this Act conferred upon the Company or the Directors thereof with respect to the additional Capital hereby authorized to be raised. Company may raise Residue of their existing Share Capital.

XX. And whereas the unissued Share Capital authorized to be raised by the secondly-recited Act amounts to the Sum of Fifty thousand Pounds, and the Company will require a further Sum of Money: Power to raise additional Capital. Therefore it shall be lawful for the said Company to raise, in manner herein-after mentioned, the said Sum of Fifty thousand Pounds authorized by the said secondly-recited Act to be raised, and now unissued, and also any further Sum of Money not exceeding Sixty thousand Pounds;

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Pounds ; and such Sums of Fifty thousand Pounds and Sixty thousand Pounds, making together One hundred and ten thousand Pounds, shall be distinguished as the " additional Capital."

Mode of
creating
such Capital.

XXI. That such additional Capital may be raised by the Company by Contribution among themselves, or by the Admission of other Persons as Subscribers to the said Undertaking, or by the Sale of Shares, or in the Manner provided by " The Companies Clauses Consolidation Act, 1845," with respect to the Conversion of the borrowed Money into Capital, or by means of Preferential Shares, to be created in manner herein-after mentioned, or by each or any of those Means.

Division into
Shares.

XXII. That such additional Capital of One hundred and ten thousand Pounds, when and as the same shall from Time to Time be issued, shall be divided into Shares of such nominal Value as the Company may from Time to Time determine, to be numbered in regular Order in arithmetical Progression, and every Share shall always be distinguished by the Number to be originally applied to the same.

Calls.

XXIII. Provided always, That no Call on any Share to be created under the Authority of this Act for raising the said additional Capital shall exceed the Rate of Fifteen Pounds *per Centum* on the original nominal Amount of such Share, or be made until the Expiration of Two Months at least from the preceding Call, and no more than Seventy-five Pounds *per Centum* on each such Share shall be called up in any One Year.

Shareholders
to be entitled
to Dividends
propor-
tionate to the
Amount paid
on their
Shares.

XXIV. That all Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall hold, take, or purchase One or more Share or Shares, whether created by virtue of the recited Acts or either of them, or of this Act, shall (unless a preferential Rate of Dividend be attached to any such Shares, under the Provisions herein-after contained,) be entitled to and receive upon the Sums of Money from Time to Time paid on such Share or Shares Part of the Profits or Advantages that shall accrue from the said Undertaking, proportionate to the Amount so paid on such Share or Shares ; and the Shares created by virtue of the said recited Acts and of this Act shall be consolidated and form One Joint Stock Capital, and be subject to the same Provisions, Regulations, Directions, and Management in all respects, except with respect to any fixed or preferential Dividend attached thereto.

Power to
raise addi-
tional Money.

XXV. That it shall be lawful for the Company to raise or continue by Mortgage or Bond, on the Credit of their Undertaking, any Sum
not

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not exceeding in the whole, together with any Sum already borrowed by them under the Powers of the said recited Acts, the Sum of Seventy-five thousand Pounds; but until the whole Share Capital of the Company shall have been subscribed for, and One Half thereof paid up, the Amount so raised on Mortgage or Bond shall not exceed Fifty thousand Pounds: Provided always, that all Mortgages or Securities for Money which may have been granted by the Company under the Provisions of the recited Acts or either of them, and which shall be in force at the Time of the passing of this Act, shall during the Subsistence thereof have Priority over any Mortgage or Security for Money to be created or granted by the Company under the Powers of this Act for raising any additional Sum of Money by Mortgage or Bond, beyond the said Sum of Fifty thousand Pounds, and the Repeal of the recited Acts shall not affect any Priority attached to any existing Mortgage or any other Mortgage.

by Mort-
gage.

Mortgages
granted un-
der recited
Acts to have
Priority.

XXVI. That (in order to provide for the Recovery of the Arrears of Interest and Costs, or of the Principal and Interest and Costs, of any Mortgage or Bond already made or to be made by the Company, pursuant to "The Companies Clauses Consolidation Act, 1845," at the respective Times at which such Interest, or such Principal and Interest, and Costs, become due,) if such Interest or any Part thereof shall for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may either sue for the Interest so in arrear by Action of Debt in any Court of competent Jurisdiction, or he may require the Appointment of a Receiver, by an Application to be made as provided in the said last-mentioned Act; and if such Principal Money and Interest be not paid within Six Months after the same have become payable, and after Demand thereof in Writing, the Mortgagee or Bond Creditor may sue for the same in any Court of competent Jurisdiction, or if his Debt amount to the Sum of Three thousand Pounds he may alone, or if his Debt does not amount to the Sum of Three thousand Pounds he may in conjunction with other Mortgagees or Bond Creditors, whose Debts, being so in arrear, after Demand as aforesaid, shall, together with his, amount to the Sum of Three thousand Pounds, require the Appointment of a Receiver, by an Application to be made as provided in the said last-mentioned Act.

Recovery of
Principal,
Interest, &c.
of Money
lent on
Mortgage or
Bond.

XXVII. That it shall be lawful for the Company, for the Purpose of raising the additional Capital by this Act authorized to be raised, or instead of borrowing on Mortgage or Bond, on the Credit of the Undertaking, the Amount or some Part thereof herein-before authorised to be raised by those Means, or for the Purpose of paying off the whole or some Part of the Mortgage or Bond Debt at any Time

Company
may raise
the addi-
tional Capital
by means of
Preferential
Dividend.

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due from the Company, from Time to Time (with the Approbation of Three Fifths at least of the Votes of the Proprietors present in Person or by Proxy at any Ordinary or Extraordinary Meeting of the Company convened by a Notice which shall state the Object of such Meeting) to create new Shares in the Company, in order to raise the Amount required; and such Shares may be created with such Privileges, of such Classes, of such Amounts, and with such fixed, fluctuating, contingent, guaranteed, preferential, perpetual, terminable, or other Interest or Dividend, not exceeding the Sum of Five Pounds *per Centum per Annum*, and with or without Powers of Redemption by the Company at any future Period, and may be issued to such Persons, and generally in such Manner as the Company, with the like Approbation, from Time to Time shall think fit; and the Company may, with such Consent as aforesaid, from Time to Time, for the Purpose of paying off any Preferential Shares which may have been issued, subject to the Powers of Redemption by the Company, create and issue a new Class of Preferential Shares at a lower Rate of Interest or Dividend, or create a further Number of Shares in the ordinary Stock of the Company; provided always, that all Shares of the same Class shall be of the like Amount, confer the like Privileges, and bear the like Interest or Dividend; but nothing herein contained shall be deemed to authorize the Company to raise, either by borrowing or by the Creation of new Shares instead of borrowing, or partly by one and partly by the other Mode, including the unissued Share Capital authorized by the secondly-recited Act, a greater Amount than One hundred and eighty-five thousand Pounds, nor shall the Company issue any Shares with a preferential Dividend attached thereto at a less Price than the nominal Value thereof.

Power to
allot new
Shares to
Mortgagees
in discharge
of Debt.

XXVIII. That the Company may from Time to Time, by Agreement with any Mortgagee or Bond Creditor of the Company, allot to him any of the new Shares to be created under the Provisions lastly herein-before contained, in satisfaction of all or such Part as is mutually agreed on of his Mortgage or Bond Debt; and upon every such Allotment the new Shares so allotted shall be deemed fully paid up, and the Mortgage or Bond in respect whereof those Shares are so allotted shall thereupon be extinguished.

Application
of Money
raised.

XXIX. That the Money arising from the Share Capital of the Company, or from the Exercise of the Power of borrowing, shall be applied to the Construction of the Works authorized by this Act, and to the Completion of the Undertaking, and in carrying the Purposes of this Act into execution.

Ordinary
Meetings to
be held half-
yearly.

XXX. That the First Ordinary Meeting of the Shareholders of the Company to be held after the passing of this Act shall be held in
the

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the Month of *February* One thousand eight hundred and fifty-five, and a General Meeting shall be held in the Month of *February* in each Year, or 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 Borough of *Newcastle-upon-Tyne*.

XXXI. That at all Meetings of the Company every Holder of Shares, as well original as new, representing the Sum of Fifty Pounds in the Capital of the Company, and upwards, shall be entitled to vote as follows: Manner of voting at Meetings.

For Shares representing the nominal Value of Fifty Pounds in the Capital of the Company, and less than One hundred and twenty-five Pounds, One Vote:

For Shares representing the nominal Value of One hundred and twenty-five Pounds in such Capital, and less than Two hundred and fifty Pounds, Two Votes:

For Shares representing the nominal Value of Two hundred and fifty Pounds in such Capital, and less than Five hundred Pounds, Three Votes:

And an additional Vote for every Two hundred and fifty Pounds of such nominal Value beyond the first Two hundred and fifty Pounds.

XXXII. That the Number of Directors shall be Ten, and the Qualification of a Director shall be the Possession in his own Right of Shares representing Five hundred Pounds in the Capital of the Company. Number and Qualification of Directors.

XXXIII. That it shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Six. Power to reduce the Number of Directors.

XXXIV. That the Quorum of a Meeting of Directors shall be Four. Quorum.

XXXV. That the Quorum of a Committee of Directors shall be Two. Quorum of Committee.

XXXVI. That it shall be lawful for the Directors, without the Direction or Sanction of a General Meeting, from Time to Time to declare and pay in the Interval between any Two ordinary Annual General Meetings a Half Year's Dividend out of the Profits of the Company to the Shareholders; but the Directors shall not make any Dividend whereby the Capital of the Company will be reduced. Directors may declare Dividends half-yearly.

XXXVII. That

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Rate of Divi-
dend to be
from passing
of first-re-
cited Act.

XXXVII. That the Rate of Dividend on the paid-up Capital of the Company shall be the Rate of Dividend prescribed by "The Waterworks Clauses Act, 1847," but such Dividend shall be computed from the passing of the first-recited Act.

Company to
remove or
appoint a
Secretary
and
Treasurer.

XXXVIII. That at any General Meeting after the passing of this Act the Company may remove from Office the present Secretary or Treasurer; and if such Secretary or Treasurer, or any future Secretary or Treasurer, die, resign, or be so removed, another Secretary or Treasurer shall be elected in his Place at a General Meeting; and from Time to Time any such Meeting may fix the Salary or other Emoluments to be allowed to such Secretary or Treasurer respectively as they shall think proper.

Power to
suspend
Secretary or
Treasurer.

XXXIX. That the Directors may at any Time suspend either the Treasurer or the Secretary for the Time being from his Office, and may appoint some Person temporarily to fill the Office of Treasurer or Secretary so suspended, or when vacant from any other Cause, with such Salary as they think fit; but in such Case of Suspension they shall forthwith call an Extraordinary Meeting of the Company, for the purpose of taking into consideration the Propriety of removing from his Office any Treasurer or Secretary so suspended, as the Case may require.

Notices on
Shareholders.

XL. That all Notices to be served by the Company on Shareholders shall be so served as allow the Persons served at least Five clear Days for observing or performing the Act, Matter, or Thing therein required or mentioned.

Accounts to
be made up
annually.

XLI. That the Books of the Company shall be balanced to the First Day of *February* in each Year.

Newspaper
for Adver-
tisements.

XLII. That the Newspaper in which Advertisements relating to the Affairs of the Company shall be inserted shall be some Newspaper published or circulated in the Borough of *Newcastle-upon-Tyne*.

Limits of
Supply.

XLIII. That the Limits of this Act shall extend to and include the Borough and County of *Newcastle-upon-Tyne*, and the Town and Borough of *Gateshead* in the County of *Durham*, the Parishes of *Newburn* and *Wallsend* in the County of *Northumberland*, and the Parishes of *Winlaton* and *Ryton* in the County of *Durham*, and the several Parishes and Places adjoining the said Boroughs respectively, including the Townships of *Benwell* and *Fenham* and the Parishes of *Gosforth* and *Long Benton* in the County of *Northumberland*, and the Chapelry of *Heworth* otherwise *Nether Heworth* and the Parishes of *Lamesley* and *Whickham* in the County of *Durham*.

XLIV. And

Whittle Dean Waterworks.

XLIV. And whereas Plans and Sections of certain Works which form Part of the Undertaking of the Company, with Books of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands to be taken for the Purposes thereof, were deposited with the Clerk of the Peace for the County of *Northumberland* in or about the Month of *November* One thousand eight hundred and fifty-two, and such Works were authorized to be constructed by the *Whittle Dean Waterworks Amendment Act*, 1853 : Therefore, subject to the Provisions of this Act, it shall be lawful for the Company to continue and maintain and make and complete the Works shown on such Plans and Sections, in, through, and upon the Lands delineated upon the said Plans and described in the said Books of Reference, and to enter upon, take, and use such of the said Lands as may be necessary for such Purpose : Provided always, that the Powers for the compulsory Purchase of such Lands shall not be exercised after the Ninth Day of *May* One thousand eight hundred and fifty-six ; and if such Works shall not be completed on or before the Ninth Day of *May* One thousand eight hundred and fifty-eight, the Powers hereby given to the Company for executing such Works shall cease to be exercised, except as to so much of the said Works as shall then be completed.

As to Construction of certain Works authorized by secondly-recited Act.

XLV. And whereas Plans and Sections showing the Situation, Line, and Levels of the intended new Reservoirs and Aqueducts and other Works, and describing the Brooks and Streams the Waters of which are intended to be diverted or used, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in or through which the same are intended to be made or to pass, and also the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of certain Mills, Manufactories, and Works situate upon certain of such Rivers, Brooks, and Streams, have been deposited with the Clerk of the Peace for the County of *Northumberland* and with the Clerk of the Peace for the Borough and County of *Newcastle-upon-Tyne* : Therefore it shall be lawful for the Company, subject to the Provisions and Restrictions in this Act contained, to make and maintain the Reservoirs, Aqueducts, and other Works herein-after described in the Line and Situation and on the Levels and upon the Lands delineated on the said Plans and described in the said Book of Reference, and defined on the said Sections, and to enter upon, take, purchase, and use such of the Lands, Streams, and Waters mentioned in the said Plans and Book of Reference as the Company may deem necessary for these Purposes, and also all or any of the Mills, Manufactories, and Works numbered on the said Plans and described in the said Books of Reference, and situate upon the Rivers, Brooks, and Streams aforesaid, and to take therefrom such Water as the Company may require for the Purposes

Powers to make new Waterworks according to deposited Plan.

[*Local.*]

10 F

of

Whittle Dean Waterworks.

of this Act and the said incorporated Acts: Provided always, that the Company shall not be empowered by this Act to construct any Works or exercise any Powers to the Westward of the Stream called *Small Burn* in the Parish of *Chollerton*.

Power to
make and
maintain the
Works
herein men-
tioned.

XLVI. That it shall be lawful for the Company to make and maintain all or any of the following Works shown on the said last-mentioned Plans as the Company shall from Time to Time deem expedient; (that is to say,)

An Aqueduct or Conduit, with Tunnels, Driftways, Catchwater Drains, and other Works connected therewith, commencing at or in the Stream or Brook called *Small Burn* in the Parish of *Chollerton*, in the County of *Northumberland*, in or near the Inclosure numbered Ninety-eight in the said Parish on the said Plans and in the Book of Reference thereto, proceeding thence to and uniting with the River *Pont* or its Branch or Tributary near to and above the Village of *Matfen*, and thence, by means of deepening, widening, and diverting the Channel of such River, or such Branch or Tributary, to a Point near to, and below the Place called *Burnside* below such Village of *Matfen*, and from such last-mentioned Point by means of a Cut or Conduit to and terminating at or near the South End of the covered Part of the Aqueduct belonging to the Company in the Township of *Nesbitt* in the Parish of *Stamfordham*, in the said County of *Northumberland*:
Also another Aqueduct or Conduit, with Driftways, Tunnels, Drains, and other Works connected therewith, commencing at or in the Westernmost *Ingoe* Branch of the River *Pont* called or known as the *Fenwick Burn*, at or near the Place where the public Highway leading from *Matfen Low Hall* to *Stamfordham* passes over such Branch in the Township of *Fenwick* in the said Parish of *Stamfordham*, and terminating at or in the existing Aqueduct of the said Company in the Townships of *East Matfen* and *Hawkwell*, or One of them, in the said Parish of *Stamfordham*, in, near, or adjoining certain Fields on the Eastern Side of *Thornham Hill*:

Also an Aqueduct or Conduit, with Works and Conveniences as aforesaid connected therewith, commencing at or in the *Matfen* Branch of the River *Pont* in the Townships of *East Matfen* and *Fenwick*, or One of them, in the Parishes of *Stamfordham* and *Matfen*, or One of them, at or near the Junction between such River and the existing Aqueduct of the Company, and terminating in the Aqueduct authorized to be made by "The *Whittle Dean* Waterworks Amendment Act, 1853," at or near the North End thereof in the said Township of *East Matfen*:

Also Branch Aqueducts and Conduits for the Purpose of conveying the Waters of the Stream called *Small Burn*, and its Tributaries

or

Whittle Dean Waterworks.

or the Brooks supplied by them, from Points above the Main Line of Aqueduct firstly herein-before described into such Main Line near the Points of crossing thereof respectively in the said Parish of *Chollerton*; and for the Purpose of conveying the Waters of the several Streams called *Hallington Burn*, *Hallington West Burn*, *Hallington North Burn*, *Hallow Well*, *Hallington East Burn*, and *Fair Spring*, and their Tributaries, or the Brooks supplied thereby, from Points above such last-mentioned Main Line of Aqueduct into the said Main Line at or near the Points of crossing thereof respectively in the Townships of *Hallington* and *Ryal* in the Parishes of *Saint John Lee* and *Stamfordham*, or some or One of them, and also such other Branch Aqueducts and Conduits shown on the said Plans as may be necessary for conveying all such other Waters to the said Main Lines of Aqueduct as may be crossed by such Aqueducts, or situate near the Line thereof:

Also a Reservoir or Reservoirs, with all proper Works and Conveniences connected therewith, to be situate at or near to the lower End of the Company's present Reservoirs at *Welton* in the Parish of *Ovingham* in the said County of *Northumberland*:

Also a Reservoir or Reservoirs, with proper Works and Conveniences connected therewith, to be situate in the Township of *Elswick* in the Parish or Parochial Chapelry of *Saint John* in the Parish of *Saint Nicholas*, in the Borough and County of *Newcastle-upon-Tyne*, with an Aqueduct or Aqueducts or Pipes to communicate between such Reservoir and the Company's existing Main Line of Aqueduct at Points on the same near *Greenhow Terrace* on the *Scotswood Road*, all in the said Township and Parish:

Also a Cut or Channel, with Pumping Engines, Wells, and other Works and Conveniences connected therewith, contiguous to the River *Tyne*, commencing at or in the River *Tyne* at a Point in the Township of *Heddon-on-the-Wall* and Parish of *Heddon-on-the-Wall* in the County of *Northumberland* in or adjoining and near to the South-east Corner of a Field in the Occupation of *George Armstrong*, and terminating by a Junction with the Main Aqueduct of the said Company near to where the said Aqueduct crosses the *Wreath Burn* in the Township of *Newburn* and Parish of *Newburn* in the said County of *Northumberland*, and there to take Water from the said River:

Also an Aqueduct or Pipe commencing at or near the lower End of the Company's present Reservoirs near *Welton* in the Township of *Harlow Hill* in the said Parish of *Ovingham*, and terminating at or near the Cattle Market in the said Parish or Parochial Chapelry of *Saint John* in the said Parish of *Saint Nicholas*.

XLVII. That

Whittle Dean Waterworks.

Power to
deviate from
Line laid
down on
Plans.

XLVII. That the Company, in making the said Reservoirs and Aqueducts, may, in respect of any Work for which Limits of lateral Deviation are defined upon the said Plans deposited as aforesaid, deviate from the Line or Situation of such Work shown on the said Plans to any Distance within the said Limits of lateral Deviation so defined, and may make such Deviation in the Section of the Aqueducts as may be necessary in consequence thereof.

Deviations
from
Sections.

XLVIII. That the Company, in constructing the Works, may deviate from the Levels shown on the Sections as follows: In respect of the Reservoirs, to any Extent not exceeding Three Feet; in respect of the Aqueducts and other Works, to any Extent not exceeding Five Feet.

Period
within which
Lands are to
be pur-
chased.

XLIX. That the Powers of the Company for the compulsory Purchase or taking of Lands and other Property for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing hereof, except in respect of the Lands required for the Aqueduct lastly described, from the Parish of *Ovingham* to the Cattle Market in *Newcastle-upon-Tyne*, the Powers for compulsory Purchase of which may be exercised by the Company until the Expiration of Five Years from the passing of this Act.

Period for
Completion
of Works.

L. That the new Reservoirs, Aqueducts, and other Works hereby authorized, except the said Aqueduct lastly described, shall be completed within Five Years from the passing of this Act, and the said Aqueduct lastly described shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Periods respectively all the Powers hereby given to the said Company to construct the Reservoirs and Aqueducts aforesaid 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 to restrain the Company from extending their Mains and Pipes from Time to Time, whenever it shall be necessary, for the Purpose of supplying with Water the Inhabitants and other Persons requiring the same within the Limits of this Act.

Company
not to take
Water from
the Tyne
below New-
burn.

LI. That it shall not be lawful for the Company to take any Water from the River *Tyne* for the Purposes of this Act below the West End of the Village of *Newburn*.

Water not to
be taken
from Tyne,
if Council of
Newcastle.

LII. That after the Expiration of Three Years from the passing of this Act, if and so often as the Council of the Borough of *Newcastle-upon-Tyne* see fit to resolve, that during a Period to be limited the Company

Whittle Dean Waterworks.

Company shall not take Water from the Stream of the River *Tyne*, the Company, after Notice thereof, shall not take Water from that Stream during the Period so limited, unless such Resolution be rescinded in the meantime.

upon-Tyne
so resolve.

LIII. That after the Expiration of Five Years from the passing of this Act, in case the Reservoir hereby authorized to be constructed at or near to the lower End of the Company's present Reservoir at *Welton* be not previously completed, and such Non-completion do not arise from some unavoidable Cause or Accident, the Payment of any Dividend on the said original Share Capital of Two hundred thousand Pounds shall be suspended until the Completion of that Reservoir.

For suspend-
ing Dividend
in case of
Non-comple-
tion.

LIV. That the Company shall discharge or cause to flow down the Brooks called the *Small Burn*, *Hallington*, *North Burn*, and *Erring Burn* respectively, such Quantities of Water as may be necessary for the watering of Cattle, and for the convenient Occupation for Agricultural Purposes of the Lands adjoining such Brooks, and the Quantity which shall be deemed necessary for those Purposes shall be as follows; that is to say, down the *Small Burn* Sixteen thousand Gallons a Day, and down the *Hallington North Burn*, Sixteen thousand Gallons a Day, and down the *Erring Burn* One hundred thousand Gallons a Day; such respective Quantities of Water to be discharged at the respective Points following, that is to say, the said Quantity of Water down the *Small Burn* shall be discharged within Sixty Feet South of the Point at which the Aqueduct shall unite with or cross that Stream, the said Quantity of Water down the *Hallington North Burn* shall be discharged within Sixty Feet South of the Point at which the Aqueduct shall cross that Stream, and the said Quantity of Water down the *Erring Burn* shall be discharged at a Point immediately below the Confluence of the several Streams forming such Burn, near to and below *Hallington Mill*; and the Company shall, at each of the Two first-mentioned of those respective Points, place and for ever thereafter maintain a good and sufficient Gauge over or through which such Water shall be discharged.

Quantity of
Water to be
discharged
down certain
Streams.

LV. That, in addition to the Lands belonging to or vested in the Company under the Powers of this Act, or authorized to be purchased and taken as aforesaid, it shall be lawful for the Company to contract with any Party consenting thereto for the Purchase of any Lands not exceeding in Quantity Twenty-five Acres, and for any Springs and Streams of Water, or for the Grant of any Easement, Power, or Authority in or over the same, which shall be deemed proper or expedient for the Purposes of the Undertaking.

Power to
purchase
Lands for
additional
Purposes.

[*Local.*]

10 G

LVI. That

Whittle Dean Waterworks.

Power to
grant Leases
to the Com-
pany.

Terminable
Leases not to
be taken ex-
cept in fulfil-
ment of
existing
Agreements.

Condition of
Leases.

Power for
Justices
to order
Repair of
Reservoirs,
and in cer-
tain Cases to
direct the
Water there-
in to be
lowered.

LVI. That the several Persons empowered under the Provisions contained in the "Lands Clauses Consolidation Act, 1845," to sell and convey Lands, shall respectively have full Power to grant any Lease or Leases of the Lands by this Act authorized to be taken, or held by the Company, or any Easement, Liberty, Privilege, Power, or Authority in or over the same, for the Purposes of this Act: Provided always, that the Powers of taking Leases granted to the Company by this Act shall not extend to enable the Company to take Leases, except of the Nature of Grants in perpetuity, of any Lands or Streams, save such Leases as may be granted in pursuance of Agreements entered into previously to the passing of this Act, under the Powers contained in the said recited Acts or either of them.

LVII. That in every Lease granted by a Person under any Disability or Incapacity, and not having Power to lease Lands, except under the Provisions of this Act and the "Lands Clauses Consolidation Act, 1845," there shall be reserved the best yearly Rent for or in respect of the Premises thereby demised, and no Fine, Premium, or Foregift shall be paid upon or in respect of the same.

LVIII. And in order to provide against Accidents to Life or Property by the bursting of any Reservoir authorized to be made or maintained under the Provisions of this Act, be it enacted, That whenever it shall be represented to Two Justices, by the Owners or Occupiers of any Dwelling House, Mill, Factory, or other Work situate below any such Reservoir as aforesaid, and so as to be in danger of being destroyed or injured by the Water of such Reservoir in case it should escape therefrom, that such Reservoir is in a dangerous State, such Justices shall forthwith make Inquiry into the Truth of such Representation, and if they shall be satisfied that such Reservoir is in a dangerous State, they shall, by Writing under their Hands, order and require the Company, within a Time to be specified in such Writing, to put such Reservoir into a proper State of Repair, or construct such Works as may be necessary to remove the Danger; and in case the Company shall not within the Time so limited, and to the Satisfaction of the Justices who shall have made such Order, or of any Two Justices, have repaired the said Reservoir or constructed the said Works, or in case, upon receiving such Representation as aforesaid, the Justices shall consider the Danger so imminent as not to admit of Delay, they may, if they shall think fit, by Writing under their Hands, order and direct the Officer in charge of such Reservoir, or any other Person or Persons whom they may think proper, to enter upon the Premises of the Company, and to open the Sluices of such Reservoir, or otherwise to let off so much of the Water from such Reservoir as may be necessary to remove the Danger, and to keep the Water in such Reservoir at the reduced Level until the said Reservoir shall have
been

Whittle Dean Waterworks.

been repaired, or such Work as aforesaid shall have been constructed, to the Satisfaction of the Justices who shall have made such Order, or any other Two Justices as aforesaid, and who shall signify their Satisfaction by Writing, superseding such Order, or until such Order shall be superseded upon Appeal as herein-after mentioned; and such Order may be in the Form or to the Purport and Effect following; (that is to say,)

‘ To A.B.

‘ WE, the undersigned, Two of Her Majesty’s Justices of the
 ‘ Peace acting for the do hereby order
 ‘ and direct you, and such Person or Persons as you may require to
 ‘ aid and assist you herein, forthwith to do all such Acts as may be
 ‘ necessary to lower the Water in a certain Reservoir known as the
 ‘ Reservoir, by the Space of Feet
 ‘ or thereabouts, and to keep the same at that Level until you shall
 ‘ be further instructed by us, or by Two other Justices of the Peace
 ‘ acting for the said County; and you shall do as little Injury as pos-
 ‘ sible to the Property of the Company; and in acting in obedience to
 ‘ the Premises this shall be your sufficient Warrant.

‘ Given under our Hands, this Day of in the
 ‘ Year of our Lord

‘ (Signed)

C. D.

‘ E. F.’

And no Person acting under and in pursuance of such Order shall be deemed a Trespasser; and any Person who shall obstruct or prevent such Person in the Discharge of such Order, or shall wilfully do any Act in contravention of such Order, shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds: Provided always, that, except where the Urgency of the Case will not admit of the Delay, the Justices, before making an Order to repair any such Reservoir, or to construct any Works as aforesaid, or to lower the Water in any such Reservoir, shall cause Notice to be given to the Company, and shall hear and consider any Evidence that may be tendered on behalf of the Company against the making of such Order; provided also, that if the Company shall consider themselves aggrieved by any such Order they may appeal against the same to any Quarter Sessions, upon giving to the Justices who shall have made such Order Three Weeks Notice in Writing of the Grounds of such Appeal; and the Court of Quarter Sessions shall hear and determine such Appeal, and may either confirm or supersede the Order of the said Justices, as they may think proper; but until such Order shall be superseded, it shall continue in full Force; and all the Costs, Charges, and Expenses of applying for, obtaining, and enforcing such Order shall be borne by the Company, unless the Justices making the Order shall direct such Costs, Charges, and

Whittle Dean Waterworks.

and Expenses, or a proportionate Part of them, to be borne by the Parties applying for such Order, which they are hereby authorized to do, and the Costs of any such Appeal as aforesaid shall be in the Discretion of the said Court of Quarter Sessions.

Main Pipes
to be placed
as directed
by Town
Surveyor.

LIX. That as to any paved or macadamized Street within the Borough of *Newcastle-upon-Tyne* it shall be lawful for the Town Surveyor of the said Borough, and as to any paved or macadamized Street within the Borough of *Gateshead* it shall be lawful for the Person under whose Control or Management the same shall be, and he is hereby empowered, to direct whether the Main Pipes of the Company shall be laid on the Crown of the Street or at one Side, and then at which Side.

Streets to be
reinstated to
the Satisfac-
tion of the
Town Sur-
veyor.

LX. That as to public Streets and Roads within the Borough of *Newcastle-upon-Tyne* it shall be lawful for the Town Surveyor of the same Borough, and as to public Streets and Roads within the Borough of *Gateshead* it shall be lawful for the Person under whose Control or Management the same Streets and Roads shall be, and he is hereby empowered, to reinstate the Ground or Soil, and to relay or replace any Carriageway or Foot Pavement, or other Road or Way, which shall have been broken up and removed by the Company, when and so soon as the Purposes for which the same shall have been broken up and removed shall have been effected, and again to take up and relay the same Carriageway or Foot Pavement, or other Road or Way, until the same shall be made complete to the Satisfaction of the said Surveyor or Person having such Control or Management as aforesaid; and the Charges and Expenses incurred in so doing shall be reimbursed and paid by the Company, such Charges and Expenses to be confined to the Cost actually incurred; and in case any Dispute shall arise as to the Amount of the said Charges and Expenses, the same shall be settled and finally determined by any Two Justices of the Peace having Jurisdiction in the District where such Street or Road may be, who are hereby empowered to settle and determine the same accordingly; and the Sum or Sums of Money awarded in respect of such Charges and Expenses shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Company, together with the Charges of such Distress and Sale, by Warrant under the Hands and Seals of any Two such Justices of the Peace, and which Warrant such Justices are hereby empowered to grant, and such Sum or Sums of Money shall be paid to the said Surveyor, or the Person under whose Control and Management the same Streets and Roads shall be.

Mains and
Pipes to be
marked.

LXI. That the Mains and Pipes of the Company shall be so made and manufactured that the upper Surface thereof may be readily distinguished when the Ground is opened from the Mains or Pipes of
any

Whittle Dean Waterworks.

any other Company; and in case the Company shall lay down any Mains or Pipes not so distinguishable, the Company shall forfeit and pay a Sum not exceeding the Sum of Twenty Shillings for every length of Nine Feet of Pipe laid contrary to the Direction aforesaid: Provided nevertheless, that the Direction aforesaid shall not be deemed to apply or extend to any Mains or Pipes of the Company already laid down, or which may have been previously to the passing of this Act purchased or contracted for by the Company.

LXII. That, notwithstanding any Provision to the contrary contained in the Waterworks Clauses Act, 1847, the Cost of the Fire-plugs in the Boroughs of *Newcastle-upon-Tyne* and *Gateshead*, and the Expense of fixing and placing the same, and maintaining the same in repair, and of providing such Keys as are required to be provided by such Act and by this Act, shall be defrayed by the Company; and the Company shall deposit a Key of such Fireplugs at each Police Station, as well as at each Place within the said Boroughs where any Engine shall be kept for extinguishing Fire.

Company to
pay Cost of
Fireplugs.

Key of Fire-
plugs to be
deposited at
Police
Stations.

LXIII. That the Company shall, at the Request of the Owner or Occupier, furnish to every Occupier of a private Dwelling House or Part of a private Dwelling House in any public Street or Road within the Limits of this Act, in which, or within One hundred Yards of which, any Main Pipe of the Company shall be laid, a sufficient Supply of Water for the domestic Use of every such Occupier, at the following Rates *per Annum*; (that is to say,)

Rates at
which the
Company
are to supply
Water.

When the annual Rackrent or Value of the Premises so supplied with Water shall not exceed Seven Pounds, Seven Shillings:

And when the same shall exceed Seven Pounds and not exceed Eight Pounds, Eight Shillings and Sixpence:

And when the same shall exceed Eight Pounds and not exceed Nine Pounds, Nine Shillings and Sixpence:

And when the same shall exceed Nine Pounds and not exceed Ten Pounds, Ten Shillings and Sixpence:

And when the same shall exceed Ten Pounds and not exceed Eleven Pounds, Twelve Shillings:

And when the same shall exceed Eleven Pounds and not exceed Twelve Pounds, Thirteen Shillings:

And when the same shall exceed Twelve Pounds and not exceed Thirteen Pounds, Fourteen Shillings:

And when the same shall exceed Thirteen Pounds and not exceed Fourteen Pounds, Fifteen Shillings:

And when the same shall exceed Fourteen Pounds and not exceed Fifteen Pounds, Sixteen Shillings:

And when the same shall exceed Fifteen Pounds and not exceed Sixteen Pounds, Seventeen Shillings:

[*Local.*]

10 *H*

And

Whittle Dean Waterworks.

And when the same shall exceed Sixteen Pounds and not exceed Seventeen Pounds, Eighteen Shillings :

And when the same shall exceed Seventeen Pounds and not exceed Eighteen Pounds, Nineteen Shillings :

And when the same shall exceed Eighteen Pounds and not exceed Twenty Pounds, Twenty Shillings :

And when the same shall exceed Twenty Pounds and not exceed Twenty-one Pounds, Twenty-one Shillings :

And when the same shall exceed Twenty-one Pounds and not exceed Twenty-two Pounds, Twenty-two Shillings :

And when the same shall exceed Twenty-two Pounds and not exceed Twenty-three Pounds, Twenty-three Shillings :

And when the same shall exceed Twenty-three Pounds and not exceed Twenty-four Pounds, Twenty-four Shillings :

And when the same shall exceed Twenty-four Pounds and not exceed Twenty-six Pounds, Twenty-five Shillings :

And when the same shall exceed Twenty-six Pounds and not exceed Twenty-eight Pounds, Twenty-six Shillings :

And when the same shall exceed Twenty-eight Pounds and not exceed Thirty Pounds, Twenty-seven Shillings :

And when the same shall exceed Thirty Pounds and not exceed Thirty-two Pounds, Twenty-eight Shillings :

And when the same shall exceed Thirty-two Pounds and not exceed Thirty-four Pounds, Twenty-nine Shillings :

And when the same shall exceed Thirty-four Pounds and not exceed Thirty-five Pounds, Thirty Shillings :

And when the same shall exceed Thirty-five Pounds and not exceed Thirty-six Pounds, Thirty-one Shillings :

And when the same shall exceed Thirty-six Pounds and not exceed Thirty-eight Pounds, Thirty-two Shillings :

And when the same shall exceed Thirty-eight Pounds and not exceed Thirty-nine Pounds, Thirty-three Shillings :

And when the same shall exceed Thirty-nine Pounds and not exceed Forty Pounds, Thirty-four Shillings :

And when the same shall exceed Forty Pounds and not exceed Forty-one Pounds, Thirty-five Shillings :

And when the same shall exceed Forty-one Pounds and not exceed Forty-three Pounds, Thirty-six Shillings :

And when the same shall exceed Forty-three Pounds and not exceed Forty-five Pounds, Thirty-seven Shillings :

And when the same shall exceed Forty-five Pounds and not exceed Forty-seven Pounds, Thirty-eight Shillings :

And when the same shall exceed Forty-seven Pounds and not exceed Forty-nine Pounds, Thirty-nine Shillings :

And when the same shall exceed Forty-nine Pounds and not exceed Fifty Pounds, Forty Shillings :

And

Whittle Dean Waterworks.

And when the same shall exceed Fifty Pounds and not exceed Fifty-two Pounds, Forty-one Shillings :
And when the same shall exceed Fifty-two Pounds and not exceed Fifty-four Pounds, Forty-two Shillings :
And when the same shall exceed Fifty-four Pounds and not exceed Fifty-six Pounds, Forty-three Shillings :
And when the same shall exceed Fifty-six Pounds and not exceed Fifty-eight Pounds, Forty-four Shillings :
And when the same shall exceed Fifty-eight Pounds and not exceed Sixty Pounds, Forty-five Shillings :
And when the same shall exceed Sixty Pounds and not exceed Sixty-two Pounds, Forty-six Shillings :
And when the same shall exceed Sixty-two Pounds and not exceed Sixty-four Pounds, Forty-seven Shillings :
And when the same shall exceed Sixty-four Pounds and not exceed Sixty-six Pounds, Forty-eight Shillings :
And when the same shall exceed Sixty-six Pounds and not exceed Sixty-eight Pounds, Forty-nine Shillings.
And when the same shall exceed Sixty-eight Pounds and not exceed Seventy Pounds, Fifty Shillings :
And when the same shall exceed Seventy Pounds and not exceed Seventy-three Pounds, Fifty-one Shillings :
And when the same shall exceed Seventy-three Pounds and not exceed Seventy-six Pounds, Fifty-two Shillings :
And when the same shall exceed Seventy-six Pounds and not exceed Seventy-nine Pounds, Fifty-three Shillings :
And when the same shall exceed Seventy-nine Pounds and not exceed Eighty-two Pounds, Fifty-four Shillings :
And when the same shall exceed Eighty-two Pounds and not exceed Eighty-five Pounds, Fifty-five Shillings :
And when the same shall exceed Eighty-five Pounds and not exceed Eighty-eight Pounds, Fifty-six Shillings :
And when the same shall exceed Eighty-eight Pounds and not exceed Ninety-one Pounds, Fifty-seven Shillings :
And when the same shall exceed Ninety-one Pounds and not exceed Ninety-four Pounds, Fifty-eight Shillings :
And when the same shall exceed Ninety-four Pounds and not exceed Ninety-seven Pounds, Fifty-nine Shillings :
And when the same shall exceed Ninety-seven Pounds and not exceed One hundred Pounds, Sixty Shillings :
And when the same shall exceed One hundred Pounds, at the Rate of Three Pounds *per Centum* on the Amount thereof :
And for every Watercloset or private Bath there shall be paid the Sum of not more than Six Shillings *per Annum*.

Whittle Dean Waterworks.

Limiting
Charge for
several Tene-
ments, form-
ing Part of
one Dwel-
ling House.

LXIV. Provided always, That where Parts of One Dwelling House shall be occupied as separate Tenements, and a Supply of Water shall be required and by the Company made available for each such Tenement, the Rate *per Annum* for such Supply to every separate Tenement consisting of only One Room shall not exceed Five Shillings.

Limiting
Charge for
Water-
closets in
small Tene-
ments.

LXV. Provided also, That in the Case of a Tenement occupied by only One Family, and comprising not more than Two Rooms, with Places for Fires in such Rooms, (whether such Tenement be a distinct Dwelling House, or be Part of a Dwelling House whereof the Parts are occupied as separate Tenements,) the Sum payable for a Watercloset shall not exceed Three Shillings *per Annum*; save that if Two or more Families have Access thereto, the Company may then charge for that Watercloset a Sum *per Annum* not exceeding Three Shillings for each of those Families, and not exceeding Twenty Shillings in the whole.

What shall
be domestic
Purposes.

LXVI. That a Supply of Water for domestic Purposes shall not include a Supply of Water for Railways, or Cattle, or for Horses or washing Carriages, when such Horses or Carriages are kept for Hire, or by any Dealer in Horses or Carriages, or for any Trade or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purposes whatsoever.

Water for
other than
Domestic
Purposes to
be supplied
by Agree-
ment.

LXVII. That it shall be lawful for the Company to supply any Person with Water for other than domestic Purposes at such Rate and upon such Terms and Conditions as shall be agreed upon between the Company and the Persons desirous of having such Supply of Water.

Persons
using the
Water to
provide
Stopcocks.

LXVIII. That every Person supplied with Water under the Provisions of this Act shall, when required by the Company, provide and affix such proper Tap, Stopcock, or other Apparatus to the Pipe conducting the Water from the Works of the Company as the Company shall direct, and shall keep such Tap, Stopcock, or other Apparatus in good Repair, so as effectually to prevent the Water from running to Waste; and in case any such Person shall neglect to provide, when required by the Company, such Tap, Stopcock, or other Apparatus, or to keep the same in good Repair, it shall be lawful for the Company, or for any Person acting under their Authority, to cut off the Pipe or turn off the Water from the Premises of such Person, until such Tap, Stopcock, or other Apparatus shall be provided or repaired, as the Case may require.

Persons
using Water

LXIX. That every Person supplied with Water under the Provisions of this Act for the Purpose of a Watercloset shall, when required by

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by the Company, provide a proper Cistern to receive and retain the Water with which he shall be supplied for such Purpose, with a Ball and Stop Cock affixed to the Pipe conducting the Water from the Works of the Company to such Cistern, and shall keep such Cistern, Ball and Stop Cock, in good Repair, so as effectually to prevent the Water from running to Waste; and in case any such Person shall neglect to provide, when required by the Company, such Cistern, Ball or Stop Cock, or to keep the same in good Repair, it shall be lawful for the Company, or for any Person acting under their Authority, to cut off the Pipe or turn off the Water from the Premises of such Person, until such Cistern, and Ball and Stop Cock, shall be provided or repaired, as the Case may require.

for Water-closets to provide Cisterns and Cocks.

LXX. That the Company shall not be compelled to provide a Supply of Water to a greater Elevation than Three hundred and eighty Feet above the Level of High-water Mark at ordinary Spring Tides at *Newcastle Bridge*; but, except as aforesaid, the Company shall have the Water constantly laid on under Pressure, as provided by Section Thirty-five of "The Waterworks Clauses Act, 1847."

As to High-pressure and Service beyond certain Elevation.

LXXI. That the Company shall, on the Application of the Town Council of the Borough of *Newcastle-upon-Tyne*, supply with Water all or any of the public Pants or Watering Places in that Borough at which the Public are at the Time of the passing of this Act gratuitously supplied with Water, at such Rate as shall be agreed upon between the Town Council of the Borough of *Newcastle-upon-Tyne* and the Company, and if the Parties cannot agree, then at such Rate as shall be settled by Arbitration, in the same Manner as Disputes as to Compensation for Land under the Amount of Fifty Pounds may be settled, under the Provisions contained in "The Lands Clauses Consolidation Act, 1845."

Company to supply certain Pants or Watering Places.

LXXII. That Baths and Wash-houses already established or hereafter to be established within the Limits of this Act, and paid for out of the Borough Fund, although there may be no Borough Rate, shall be deemed to be Baths and Wash-houses paid for out of a Borough Rate within the Meaning of the "Waterworks Clauses Act, 1847."

As to Definition of Baths and Wash-houses.

LXXIII. That the Company shall and they are hereby required, when thereunto requested in Writing by the Owner or Occupier of any private Dwelling House in any public Street or Road in which a Main or Branch Pipe of the Company shall be, to lay down and furnish, at the Expense of the Company, a Service Pipe, with a sufficient Cock for supplying Water to such Dwelling House, upon the Company having a sufficient Guarantee from the Owner thereof for Payment of the Water

Company to place Service Pipes when required.

[*Local.*]

10 I

Rate

Whittle Dean Waterworks.

Rate for such Dwelling House for the Term of Three Years ; and for the Purpose of this Provision a Service Pipe shall be deemed to be a Pipe extending from a Main or Branch Pipe into the nearest Part of the Dwelling House : Provided always, that if any such Owner or Occupier shall provide and lay down the Service Pipe and Cock at his own Expense, the same shall remain his Property, and he shall be entitled to a permanent Abatement of the Water Rate equal to Five Pounds *per Centum* upon the reasonable Cost of the Service Pipe and Cock ; and in case there shall be any Dispute as to what the reasonable Cost shall be, the same shall be settled by Two Justices.

Inhabitants
not to make
Communi-
cation before
Agreement
for Supply of
Water.

LXXIV. That no Inhabitants within the Limits of this Act (except the Owner or Occupier of a Private Dwelling House or Part of a Private Dwelling House laying any Service Pipe for the Supply of Water to the same) shall make any Service Pipe to communicate with the Pipes of the Company, except he shall have agreed with the Company for a Supply of Water to his Buildings and Premises.

Company
not exempt
from Pro-
visions of 11
& 12 Vict.
c. 63., &c.

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

Company to
sell Works to
the Corpora-
tion of New-
tle, if
Corporation
obtain
Powers to
purchase.

LXXVI. That if the Mayor, Aldermen, and Burgesses of the Borough of *Newcastle-upon-Tyne* shall within the Space of Ten Years from the passing of this Act obtain Authority from Parliament to purchase the Undertaking of the Company, then and in such Case the Company shall within such Space of Ten Years sell the Undertaking to the said Mayor, Aldermen, and Burgesses, at a Price to be settled, in case of Dispute, by Arbitration, in manner provided by the "Lands Clauses Consolidation Act, 1845."

Expenses of
Act.

LXXVII. That all the Costs and Expenses of preparing, applying for, obtaining, and passing this Act shall be paid by the Company.

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