



ANNO DECIMO OCTAVO & DECIMO NONO

# VICTORIÆ REGINÆ.

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## *Cap. cxxxiii.*

An Act to enable the *Weymouth* Waterworks Company to increase and extend their Supply of Water, and to construct new Works, and for other Purposes. [16th *July* 1855.]

**W**HEREAS an Act was passed in the Thirty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for supplying the Borough and Town of Weymouth and Melcombe Regis and the Parts adjacent in the County of Dorset with Water*, whereby certain Persons were incorporated under the Title of “the Company of Proprietors of the *Weymouth* Waterworks,” and certain Powers were given to them to raise Capital and to construct Reservoirs and other necessary Works: And whereas the said Company are now supplying Water within the Limits of that Act, and it is desirable that such Supply should be continued, and also that the Parishes of *Melcombe Regis*, *Weymouth*, and *Preston-cum-Sutton-Poyntz*, *Radipole*, and *Wyke Regis*, all in the County of *Dorset*, should be supplied with good and wholesome Water: And whereas the Population of the said Borough and Town has considerably increased, and for the Purpose of enabling the said Company to provide at all Times an ample Store of Water for the existing Population

37 Geo. 3.  
c. cxxix.

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tion of the said Borough and Town, and also of the said Parish of *Preston-cum-Sutton-Poyntz*, and such Parts of the said Parishes of *Radipole* and *Wyke Regis* as are without the Limits of the said Borough, and for general sanitary Purposes, and for the Supply of Shipping resorting to the Port of *Weymouth* in the said County of *Dorset*, it is desirable that the said Company should have Power 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 River or Stream called the *Sutton Spring* or *Preston River* in the said County of *Dorset*, and it is expedient that the said Company should be authorized to take the Waters of the same, and to construct all necessary Works and Conveniences for effecting the Purposes aforesaid : And whereas the said Company are desirous and have agreed to raise additional Capital, and it is expedient that the Capital of the said Company should be increased : And whereas it is desirable that the recited Act should be repealed, and some of the Powers and Provisions thereof amended and re-enacted or continued by this Act, and that further Powers should be conferred upon the Company ; but the 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,)

Recited Act  
repealed.

I. That from and after the passing of this Act, the said recited Act shall be and is hereby repealed (but subject to the Provisions contained in this Act).

Short Title.

II. That in citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "The *Weymouth Waterworks Act*, 1855."

8 & 9 Vict.  
cc. 16. & 18.  
and  
10 & 11 Vict.  
c. 17. incor-  
porated.

III. That the "Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Waterworks Clauses Act, 1847," 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.

Same Mean-  
ing to certain  
Words in  
incorporated  
Acts and  
this Act.

IV. That in construing the said "Companies Clauses Consolidation Act," "Lands Clauses Consolidation Act," and "Waterworks Clauses Act," as incorporated with this Act, the Expression "the Special Act" shall mean this Act, and "the Works" or "the Undertaking" shall mean the existing Waterworks of the Company and Works connected therewith as well as the Works which the Company are



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are by this Act and the Acts incorporated herewith authorized to execute, the Expressions "the Promoters of the Undertaking" or "the Undertakers" shall mean the Company of Proprietors of the *Weymouth Waterworks*, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

V. That the Limits of this Act for the Supply of Water shall com-  
prise and include the whole of the Town and Borough of *Weymouth*  
and *Melcombe Regis*, and such Parts of the Parishes of *Radipole* and  
*Wyke Regis* as are without the said Borough and the Parish of  
*Preston-cum-Sutton-Poyntz*, all in the said County of *Dorset*.

Limits of  
Act.

VI. That, notwithstanding the Repeal of the said recited Act, the  
several Persons who immediately before the passing of this Act were  
Proprietors in the Company incorporated by the said recited Act, and  
all other Persons who have subscribed or who shall hereafter subscribe  
to the Undertaking of the Company, and their Executors, Adminis-  
trators, Successors, and Assigns respectively, shall be and continue a  
Company for the Purpose of supplying with Water the Inhabitants,  
Buildings, and Lands within the Limits of this Act, and for other the  
Purposes herein and in the said incorporated Acts contained, by the  
Name of "The Company of Proprietors of the *Weymouth Water-*  
*works*," 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  
Act, and to take and supply Water, 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 and the incorporated Acts into execution.

Company to  
continue in-  
corporated.

VII. That, notwithstanding the Repeal of the said Act, and except  
only as is by this Act otherwise expressly provided, everything before  
the Commencement of this Act done and suffered respectively under  
the said Act shall be as valid as if this Act had not passed, and such  
Repeal and this Act respectively shall accordingly be subject and with-  
out Prejudice to everything so done and suffered respectively, and to  
all Rights, Liabilities, Claims, and Demands, both present and future,  
which, if such Repeal had not happened and this Act were not passed,  
would be incident to and consequent on any and every thing so done  
and suffered respectively; and with respect to all such things so done  
and suffered respectively, and all such Rights, Liabilities, Claims, and  
Demands, the Company shall to all Intents and Purposes represent the  
Water Company under the said repealed Act: Provided that the Gene-  
rality of this Enactment shall not in any Manner confine or restrict the

Liabilities of  
Company  
continued.

Meaning



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Meaning or Construction of the following Enactments with regard to the Matters or Things provided for by the same.

Works to remain vested in the Company.

VIII. That, notwithstanding the Repeal of the said recited Act, the Company shall remain and be seised and possessed of and entitled to all Streams and Springs of Water, Reservoirs, Aqueducts, Conduits, Pipes, Engines, Gauges, Tunnels, Arches, Bridges, Roads, and other Works, and all Lands, Tenements, Hereditaments, Buildings, Easements, Appurtenances, 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 seised, possessed of, 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 said 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 recited Act 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.

IX. That, notwithstanding the Repeal of the recited Act, 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 use the same Waterworks, Pipes, and Mains for the Supply of Water within the Limits of this Act, and the Company shall in respect of the said Waterworks, and the Maintenance and future Use, Regulation, and Enlargement thereof, have the Powers and be subject to the Provisions in this and the incorporated Acts contained.

Company to continue entitled to Powers under old Act

X. That, notwithstanding the Repeal of the recited Act, the several Clauses and Provisions whatsoever relating to the Company respectively contained in any Act or Acts (other than the said recited Act), and which immediately before the passing of this Act were in force, shall continue and be in full force accordingly; and the Company, and their Directors, Officers, and Servants, may and shall accordingly and for the Purposes of this Act be entitled to, and have, exercise, enjoy, and be subject to, under or by virtue of the said Clauses and Provisions

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sions respectively, all such Rights, Interests, Powers, Authorities, and Privileges, Obligations, and Liabilities whatsoever.

XI. That, notwithstanding the Repeal of the recited Act, 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 Act, or with reference to the Purpose thereof, 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 Act had not been repealed, and may be proceeded on and enforced accordingly.

Conveyances, &c. to remain in force.

XII. That, notwithstanding the Repeal of the recited Act, no Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the Company previously to the passing of this Act, shall 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 Act 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 Act had not been repealed.

Actions, &c. not to abate.

XIII. That, notwithstanding the Repeal of the recited Act, all Rates, Rents, and Charges whatsoever made, charged, or imposed under the said recited Act, and which at the Time of the passing of this Act are due or accruing, 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 now payable to continue in force.

XIV. That, notwithstanding the Repeal of the recited Act, all Persons who immediately before the passing of this Act owed 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 Commencement of this Act were due or owing by or recoverable from the Company, or for the Payment of which the Company were or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue thereon, by or be recoverable from the Company, and all Securities for the same shall be and continue in force accordingly.

Debts due to and by the Company to be paid.

[*Local.*]

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XV. That,



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

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

Committee  
of Manage-  
ment to re-  
main in  
Office.

XVI. That, notwithstanding the Repeal of the recited Act, but subject to the Provisions of this Act, the several Persons who on the passing of this Act were the Committee of Management of the Company shall remain in Office until Directors shall have been appointed under the Provisions herein-after contained, and shall be henceforth called the Directors of the Company, and shall be entitled to the same Powers, and be subject to the same Duties and Responsibilities, as the Directors to be appointed under this Act, and shall be to the same Extent eligible for Re-election.

Present Offi-  
cers con-  
tinued until  
removed.

XVII. That, notwithstanding the Repeal of the recited Act, all Officers and Persons appointed to or in Office or Employment under the recited Act, 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, Restrictions, and Regulations, as if such Officers and Servants respectively had been appointed and such Sureties had become bound under this Act.

Books, &c. to  
be Evidence.

XVIII. That, notwithstanding the Repeal of the recited Act, all Books and other Documents by that Act 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.

Capital.

XIX. That the Capital of the Company shall be Forty thousand Pounds, to be divided into Two thousand Shares of Twenty Pounds each.

Shares to be  
appropriated  
to present  
Company.

XX. That Three hundred and fifty Shares in the said Capital shall be allotted to and shall belong to the several Persons who immediately before the passing of this Act were Proprietors in the Company incorporated by the said recited Act, in proportion to and in substitution for and satisfaction of their respective Shares and Interests in the same Company, and every Share so allotted shall be deemed to be fully paid up, and no Calls shall be made thereon.

XXI. That

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XXI. That in case at the Time of the passing of this Act any of the Shares or Interests of the several Persons who immediately before the passing of this Act were Proprietors in the said Company incorporated by the said recited Act shall be subject to any Trusts or Charges, the Shares so to be allotted shall be respectively subject to the same or the like Trusts or Charges as the Trusts or Charges to which the Shares or Interests in respect to which the same shall be so allotted were so subject, or as near thereto as Circumstances will admit.

Shares to  
continue  
subject to  
Trusts.

XXII. That no Call on any Share shall exceed the Rate of Twenty 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.

As to Calls.

XXIII. That it shall be lawful for the Company, after the whole of the Share Capital of the Company shall have been subscribed for, and One Half thereof paid up or deemed to be paid up as aforesaid, to raise by Mortgage or Bond on the Credit of their Undertaking any Sum not exceeding in the whole the Sum of Ten thousand Pounds.

Power to  
raise Money  
by Mortgage,  
&c.

XXIV. That it shall be lawful for the Company, instead of borrowing on Mortgage or Bond on the Credit of the Undertaking the Amount or some Part thereof herein-before authorized 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 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 Dividend or Interest, not exceeding the Sum of Six Pounds *per Centum per Annum*, 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: Provided always, that the nominal Amount of any such Shares shall be not less than Ten Pounds and not more than Twenty Pounds, and that all Shares of the same Class shall be of the like Amount, confer the like Privileges, and bear the like Dividend or Interest; 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, a greater Amount than Ten thousand Pounds, nor shall the Company issue any such Shares at a less Price than the nominal Value thereof.

Power to  
Company to  
raise Money  
by Creation  
of new  
Shares in-  
stead of  
borrowing.

XXV. That



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

XXV. 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 Provision lastly hereinbefore 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.

Ordinary  
Meetings.

XXVI. That the Ordinary Meetings of the Company shall be held half-yearly in the Month of *January* and in the Month of *July* in every Year, or at such other stated Periods as shall from Time to Time be appointed for that Purpose by an Order of a General Meeting at such Places in the Borough of *Weymouth* and *Melcombe Regis* as the Company shall from Time to Time appoint.

Shareholders  
may call Ex-  
traordinary  
Meetings.

XXVII. That the Number of Shareholders on whose Requisition an Extraordinary Meeting shall be convened shall be Five or more Shareholders, holding in the aggregate not less than One Tenth of the Capital of the Company.

As to Votes  
of Share-  
holders.

XXVIII. That each Shareholder shall possess One Vote in respect of each Sum of Twenty Pounds Capital paid up or deemed to be paid up by him in the Undertaking.

Number of  
Directors.

XXIX. That the Number of the Directors (until reduced under the Power herein-after contained) shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Power to  
reduce  
Number of  
Directors.

XXX. That the Company may from Time to Time reduce the Number of Directors, provided the Number when so reduced be not less than Six.

Quorum of  
Directors.

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

Number of a  
Committee  
of Directors.

XXXII. That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three or more than Five, of whom any Two in the Absence of the others shall be competent to act.

Receipts for  
Monies pay-  
able to  
Minors, &c.

XXXIII. That if any Money be payable to any Shareholder being a Minor, Idiot, or Lunatic, the Receipt of his respective Guardian or Committee shall be sufficient Discharge to the Company for the same.

XXXIV. That



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XXXIV. That the Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some one or more Newspaper or Newspapers published in the Borough of *Weymouth* and *Melcombe Regis* aforesaid, or in the said County of *Dorset*.

Newspaper  
for Adver-  
tisements.

XXXV. That inasmuch as Plans and Sections showing the Line, Situation, and the Levels of the intended new Aqueducts, Reservoirs, and other Works, and describing the Brook and Stream, the Waters of which are intended to be diverted and used, and also a Book of Reference thereto, containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in or through which the Works are intended to be made or to pass, have been deposited with the Clerk of the Peace for the County of *Dorset*: Therefore, subject to the Provisions of this Act, the Company may make and maintain the said Aqueducts, Reservoirs, and other Works in the Lines or Situation, and on the Levels, and in and through and upon the Lands delineated on the said Plans and Sections, and described in such Book of Reference respectively, and for that Purpose may purchase, either absolutely for a Sum in gross, or may take on Lease at an annual or other Rent, and may enter upon, take, and use such of the Lands, Streams, and Waters delineated on the said Plans, and referred to in the said Book of Reference, as shall be necessary for that Purpose, or any Easement, Privilege, Power, or Authority in or over the same.

Power to  
execute  
Works ac-  
cording to  
deposited  
Plans.

XXXVI. That the Company may deviate laterally from the Line or Situation of the Reservoirs, Conduits, Pipes, Aqueducts, and Works respectively delineated on the said deposited Plans to any Extent not exceeding the Limits of Deviation defined on the said Plans, and may deviate vertically from the Levels of the said Works as shown on the said deposited Sections to any Extent not exceeding Three Feet.

Limits of  
Deviation.

XXXVII. That on the Expiration of Four Years from the passing of this Act, the Powers by this Act granted to the Company for executing the intended Works or otherwise in relation thereto shall cease to be exercised, except as to so much of those Works as shall be then completed: Provided always, that this Act or anything therein contained shall not restrain the Company from extending their Works, Mains, and Pipes from Time to Time, whenever it shall be necessary so to do, for the Purpose of supplying Water within the Limits of this Act.

Period for  
Completion  
of Works.

XXXVIII. That in addition to the Lands, Springs, and Streams authorized to be compulsorily taken and purchased by the Company,  
[Local.] 24 B it Lands for  
extraordi-  
nary Pur-  
poses.



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it shall be lawful for the Company to contract with any Party willing to sell the same, for the Purchase of any Streams or Springs of Water, Houses, Buildings, Mills, or other Works, or of any Lands not exceeding in Quantity Twenty Acres, which shall be deemed proper or expedient, for the Purpose of making and providing, constructing and laying down any additional Works and Conveniences, or for making convenient Approaches thereto.

Power to  
make Grants  
in perpe-  
tuity.

XXXIX. That the Persons empowered by the said "Lands Clauses Consolidation Act, 1845," to convey Lands shall have full Power to grant to the Company for the Purposes of this Act any Lands or Streams, or the Right of User thereof, or any Easement, Liberty, Privilege, Power, or Authority in or over the same, in perpetuity or otherwise, in consideration of an annual Rent.

Grants by  
Persons  
under Dis-  
ability to be  
at best Rent.

XL. That in any such Grant to be made by any Party under any Disability or Incapacity to sell and convey Lands as defined by the "Lands Clauses Consolidation Act, 1845," there shall be reserved the best or most usual yearly Rent or Remuneration for or in respect of the Premises thereby granted, and no Fine, Premium, or Foregift shall be paid upon or in respect of such Grant, such Rent or Remuneration being not less than shall be determined by Two able practical Surveyors or their Umpire, in accordance with the Provisions of the "Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands by Agreement: Provided always, that the Company may at any subsequent Period purchase the Release or Discharge of the Rent or Remuneration, Covenants, and Stipulations reserved by and contained in any such Grants.

Rates at  
which the  
Company  
are to sup-  
ply Water.

XLI. That the Company shall at the Request of the Owner or Occupier furnish to every Occupier of a House, or any Part of a House, in any Street within the Limits of this Act in which any Main 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, such Supply at Rates not exceeding the Rates following (exclusive of the Rates for Waterclosets and Baths herein-after authorized,) to be assessed on the annual Value or Rackrent of the Premises so supplied with Water; (that is to say,)

Where the annual Value or Rackrent of the Tenements supplied with Water does not amount to Ten Pounds, at a Rate not exceeding Twopence *per Week* :

And where such annual Value or Rackrent amounts to or exceeds Ten Pounds, at a Rate not exceeding Five Pounds *per Centum per Annum* upon such annual Value or Rackrent.

XLII. Pro-



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XLII. Provided always, That a Supply of Water for domestic Uses shall not include a Supply of Water for Railway Purposes, or for Laundries or Wash-houses where Washing is done for Hire or Reward, or for Cattle, or for Horses or washing Carriages where such Horses or Carriages are kept for Hire or by Common Carriers, or for public Pumps, or for the Purposes of any Trade, Manufactory, or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purposes.

What shall not be considered domestic Purposes.

XLIII. That for any Watercloset and for any private Bath in any House or Part of House or appurtenant thereto there shall be paid, in addition to the Rates computed as above specified (but subject nevertheless to the Proviso next herein-after contained), the following Rates; (that is to say,)

As to Water-closets and Baths.

When the annual Rackrent or Value shall not exceed Ten Pounds, the Sum of Four Shillings *per Annum*:

When the annual Rackrent or Value shall exceed Ten Pounds but shall not exceed Twenty Pounds, the Sum of Six Shillings *per Annum*:

When the annual Rackrent or Value shall exceed Twenty Pounds but shall not exceed Forty Pounds, the Sum of Eight Shillings *per Annum*:

When the annual Rackrent or Value shall exceed Forty Pounds but shall not exceed Eighty Pounds, the Sum of Ten Shillings *per Annum*:

When the annual Rackrent or Value shall exceed Eighty Pounds, the Sum of Twelve Shillings *per Annum*:

Provided always, that if there be more than One Watercloset or One private Bath in any House or Part of a House, the Company shall not be entitled to demand more than the Sum of Five Shillings *per Annum* for every such additional Watercloset or private Bath: Provided also, that the Company shall not be compellable to supply with Water any Watercloset or private Bath, or Apparatus or Pipes connected therewith, unless the same shall be so constructed and used as to prevent the Waste, Misuse, or undue Consumption of the Water of the Company, and the Flow or Return of foul Air or other noisome or impure Matter into the Mains or Pipes of the Company, or into any Pipes connected or communicating therewith, nor any private Bath which shall be so constructed as to contain when filled for Use more than Sixty Gallons of Water.

XLIV. That the Company shall supply and distribute Water for the Use of the Shipping and of the Vessels lying within the Limits of the Port of *Weymouth*, and of the Crews of all such Vessels, and demand and receive for such Supply the Sum of One Shilling *per Tun* for each and every Tun of Water, and Sixpence *per Hogshead* for

Power to Company to supply Shipping.

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for each and every Hogshead, and so in proportion for any less Quantity, which said Payments shall become due and be made by the Persons requiring such Supply to the said Company on the Delivery of the said Water at the Service Reservoir of the said Company on the Quay in the Parish *Melcombe Regis* aforesaid, and the same shall be recovered in the Manner herein provided for the Recovery of Rates or Rents in arrear, or as near thereto as the Nature of the Case will admit; and any Warrant of Distress issued by any Justices for the Recovery of such Rates or Rents may include and extend to the Ship or Vessel within their Jurisdiction, in respect of the Supply to which the same may have become due, and the Tackle, Apparel, and Furniture belonging thereto.

First Payment of Rates.

XLV. That the Amount of the First Payment of any Water Rate to be made by any Person who shall begin to take Water between any successive Two of the usual Quarter Days shall be in such Proportion of a quarterly Payment as the Length of Time that shall intervene between such Day of Payment and the next Quarterly Term Day shall bear to a Quarter of a Year.

Penalty for using Water for other than domestic Purposes without Agreement.

XLVI. That any Person using for other than domestic Purposes any Water supplied by the Company, and not having previously agreed with the Company for a Supply for such other Purposes, and every Person having agreed with the Company for a Supply of Water for any other than domestic Purposes, and using for any Purposes other than the Purposes so agreed on the Water so supplied by the Company, shall respectively for every such Offence forfeit and pay to the Company any Sum not exceeding Five Pounds.

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

XLVII. 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 Person requiring such Supply of Water.

Power to the Company to lease the Rates.

XLVIII. That it shall be lawful for the Company to lease the whole or any of the Water Rates payable by virtue of this Act for any Term not exceeding Three Years, and upon such Terms, Covenants, and Conditions as the Company shall think proper, and every Lessee shall have the same Powers, Rights, and Remedies for recovering and enforcing the Payment of the Water Rates granted by the Lease as are by this and the said incorporated Acts vested in the Company for that Purpose: Provided always, that no such Lease shall defeat or abridge the Power by the said "Waterworks Clauses Act" given to the Court of Quarter Sessions of directing the Reduction of the Rates, and the Company shall reduce the Rates in the same Manner as they would have done in case no Lease had been granted.

XLIX. That



*The Weymouth Waterworks Act, 1855.*

XLIX. That the Water to be supplied need not be constantly laid on under Pressure greater than that to be afforded from the Service Reservoirs of the Company, as shown on the Plan and Section authorized by this Act to be constructed.

Water need  
not be laid  
on under  
Pressure.

L. 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  
to provide  
Stopcocks.

LI. That if any Person supplied with Water by the Company shall wilfully do or permit any Act, or wilfully permit or suffer any Pipe or Apparatus to be out of repair, so that the Water supplied to him by the Company shall be wasted or the Supply thereof improperly increased, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings, together with the Value of the Water so wasted or improperly increased.

Penalty for  
wilfully  
suffering  
Waste of  
Water.

LII. That whenever any Person neglects to pay any Rate or Sum due to the Company, and the Rate or Sum do not exceed Fifty Pounds, the Company may recover the same in any Court of competent Jurisdiction, and the Remedies of the Company under this Enactment shall be in addition to their other Remedies for the Recovery of such Rate or Sum.

Recovery of  
Sums not  
exceeding  
50*l*.

LIII. 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 whereof shall not be disputed, may be recovered by Distress, and any Justice on Application shall issue his Warrant accordingly.

Water Rates,  
&c. may be  
recovered by  
Distress.

LIV. That any Number of Names and Sums may be included in any Warrant of Distress or Notice obtained or given by the Company for any of the Purposes of this Act, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto.

Several  
Names in  
One War-  
rant.

LV. That any Justice who issues any such Warrant of Distress may order that the Costs of the Proceedings for the Recovery of such

Costs of Dis-  
tress.

[*Local.*]

24 C

Rate



*The Weymouth Waterworks Act, 1855.*

Rate or Sum shall be paid by the Person liable to pay such Rate or Sum, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Rate or Sum.

Liability to Water Rate not to disqualify Justices.

LVI. That no Justice shall be disqualified from acting in the Execution of this Act by reason of his being liable to the Payment of any Rate or other Charge under this Act.

Penalty for detaining Vessel or Boat longer Time than sufficient to disconnect the Pipe across the opening Bridge.

LVII. It shall not be lawful for the Company, or any Person or Persons acting under them, to detain any Vessel, Barge, or Boat navigating the Harbour for a longer Space of Time than may be sufficient to disconnect the Pipe across the Opening Bridge to admit such Vessel, Barge, or Boat to pass; and in case the Company, or any Person or Persons acting under them, shall detain any such Vessel, Barge, or Boat contrary to the Provisions of this Act, the said Company having reasonable previous Notice that the disconnecting of such Pipe is required as aforesaid, or demand, take, or receive any Toll for the Passage of any Person or Persons, Vessel, Barge, or Boat, the said Company or every Person so offending shall in every such Case forfeit and pay any Sum not exceeding the Sum of Ten Pounds; but nothing in this Act shall prevent any Remedy for Damages which any Party may sustain in respect of any such Detention as aforesaid.

Company shall, if required by the Admiralty, remove the Pipe across the Bridge, and lay down One under Bed of the Harbour.

LVIII. Notwithstanding anything herein contained, if the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall, by Writing under the Hand of the Secretary of the Admiralty, so require, the Company shall within Six Months from any such Requirement remove altogether the disconnecting Pipe across the Opening Bridge of *Weymouth* Harbour, and shall lay down a Pipe for Water under the Bed of the said Harbour, in such Manner as the said Lord High Admiral or the said Commissioners shall, by Writing under the Hand of the Secretary of the Admiralty, direct.

Expenses of Act.

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

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