



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. vii.

An Act for granting further Powers to the *Folkestone* Waterworks Company. [5th May 1855.]

WHEREAS by "The *Folkestone* Waterworks Act, 1848," 11 & 12 Vict. c. vi.
"The *Folkestone* Waterworks Company" were incorporated, for the Purpose of supplying with Water the Inhabitants, Buildings, and Lands within the Limits of the Parish of *Folkestone* and the Township or Borough of *Folkestone*: And whereas it was enacted by the said recited Act that the Capital of the Company should be Twelve thousand Pounds, to be raised by Shares as therein mentioned, and that the Company might borrow Four thousand Pounds on Mortgage or Bond: And whereas the Company have long since constructed their Waterworks, and now are and for some Time have been supplying Water within the Limits of their Act: And whereas the Company have raised and expended upon their Undertaking the whole of the before-mentioned Sums, and it is expedient, for the Purposes of the said recited Act and of this Act, that they should have Power to increase their Capital, and to raise a further Sum of Money on Mortgage or Bond: And whereas it would be of great public and local Advantage if the Company were in a Position to supply with Water the whole of the District under the Jurisdiction of the *Sandgate* Local Board of Health: And whereas, to enable the Company to effect the before-mentioned Objects, it is expedient that further Powers should be conferred upon the Company; but the same cannot be accomplished 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
[Local.] Q Commons,

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Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Limits of recited Act extended to Sandgate.

I. The Limits of the said recited Act and of this Act shall comprise and include that Portion of the Parish of *Cheriton* in the County of *Kent* which is within the District of the said *Sandgate* Local Board of Health, as well as the Parish of *Folkestone* and the Township or Borough of *Folkestone*; and it shall be lawful for the Company to exercise within the before-mentioned Portion of the said Parish of *Cheriton* the same Powers as the said recited Act would have enabled them to exercise therein had it been originally included within the Limits of such Act: Provided always, that such Powers shall not be exercised until after the said Local Board of Health shall have given their Consent thereto in Writing under their Common Seal.

Company not to be compelled to extend their Undertaking into the District of Sandgate Local Board of Health.

II. Provided also, That anything in this or the said recited Act contained shall not compel the Company to lay down or place any Pipes or other Works within or otherwise to extend their Undertaking into the District of the *Sandgate* Local Board of Health, so long as the Supply of Water to the said District or any Part thereof shall be provided by the said Local Board: Provided also, that it shall be lawful for the Company, instead of laying down or placing Pipes or other Works within such District, to supply with Water the Reservoirs, Pipes, or other Works of the said Local Board of Health, at such Rent, in such Quantities, and upon such Terms and Conditions as may be agreed upon between the said Local Board and the Company.

Power to contract for Purchase of additional Lands.

III. In addition to the Lands already belonging to or vested in the Company, it shall be lawful for them to contract with any Party for the Purchase or Lease of any Land not exceeding in Quantity Twenty Acres, or for the Grant of any Right or Easement in or over any such Land which shall be deemed proper or expedient for the Purposes of the Company; and it shall be lawful for all Parties who under the Provisions of the said recited Act are, for the Purposes of that Act, enabled to sell or convey Lands, in like Manner to sell and convey to the Company or to grant to them a Lease of any such additional Lands, or any such Right or Easement.

Additional Capital.

IV. The Capital of the Company shall be increased by the Addition of Six thousand Pounds.

New Shares.

V. The Number of Shares into which such additional Capital shall be divided shall be Six hundred, and the Amount of each Share shall be Ten Pounds.

New Capital to be considered as original Capital.

VI. Such additional Capital shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Transfer or Transmission of Shares, the Payment of Calls, the Forfeiture of Shares for Nonpayment of Calls, the Consolidation of Shares into Stock, or otherwise howsoever, as if it had been Part of the original Capital of the

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the Company, except as to the Times of making Calls for such additional Capital, and the Amount of such Calls, which respectively it shall be lawful for the Directors of the Company from Time to Time to fix as they shall think fit, subject to the Limits herein-after contained.

VII. Such new Shares shall be offered to the Shareholders for the Time being in proportion, as nearly as can conveniently be done, to the Shares held by them respectively in the Capital of the Company at the Time of the Creation of such new Shares.

Additional Capital to be offered first to existing Shareholders.

VIII. Such Offer shall be made by Letter under the Hand of the Secretary of the Company, given to or sent by Post addressed to each Shareholder according to his Address as entered in the Shareholder's Address Book, or left at his usual or last known Place of Abode in *England*; and every such Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter in the due Course of Delivery ought to reach the Place to which it is addressed.

Offer to be made by Letter.

IX. Such new Shares shall vest in and belong to the Shareholders who shall accept the same, and pay the Value thereof to the Company at the Time or Times and by the Instalments which shall be fixed by the Company; and if any Shareholder shall fail for One Month after such Offer of new Shares to accept the same, and to pay the Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares to any Party willing to become the Purchaser thereof, for the highest Sum the Company can obtain for the same, or in such other Manner as the Company shall deem most for the Advantage of the Company.

Shares to vest in Parties accepting, otherwise to be disposed of by the Company.

X. Provided always, That it shall be lawful for the Directors, in case they shall think proper so to do, to permit any Shareholder who from Absence abroad or from any other Cause satisfactory to the Directors may have omitted or neglected (within the Time limited by this Act) to signify his Acceptance of the new Share or Shares which may have been offered to him, or to which he may be entitled by virtue of this Act, to accept such Share or Shares, notwithstanding the Time limited for such Acceptance may have expired.

Directors may permit Shareholders to take new Shares after Time specified, in case of their Absence abroad, &c.

XI. Two Pounds *per* Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and Three Months at the least shall be the Interval between any Two successive Calls, and not more than Five Pounds *per* Share shall be called up in any One Year.

Limiting Calls.

XII. The Dividends upon the Shares to be created under the Powers of this Act shall be calculated upon the Amount of Calls paid thereon at the Time of the Declaration of such Dividend, and the Periods during which the same may have been paid.

Dividends on new Shares.

XIII. After the whole of the Sum which the Company are hereby authorized to raise by Shares shall have been subscribed for, and

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and One Half thereof shall have been actually paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any Ordinary or Extraordinary Meeting of the Company; provided that such Sums of Money do not exceed in the whole Two thousand Pounds in addition to the Sums which they have already borrowed.

Certain Powers of 8 & 9 Vict. c. 16. extended to Money borrowed.

XIV. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money on Mortgage or Bond, and the Conversion of borrowed Money into Capital, shall extend to the Money by this Act authorized to be borrowed.

Former Mortgages and Bonds to have Priority.

XV. Provided always, That all Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance of such Mortgages or Bonds have Priority over any Mortgage or Bond to be created under the Powers of this Act.

Application of Moneys raised under this Act.

XVI. All and every Part of the Moneys by this Act authorized to be raised by Shares, or by Mortgage or Bond, shall be applied only in carrying into execution the Objects and Purposes of this Act and of the recited Act.

Repeal of sec. 24. of recited Act.

XVII. The Twenty-fourth Section of the recited Act, which enacts "that a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths, Horses, Cattle, or for washing Carriages, or for any Trade or Business whatsoever," shall be and the same is hereby repealed.

What shall not be domestic Purposes.

XVIII. A Supply of Water by the Company for domestic Purposes shall not include a Supply of Water for Railways, Cattle, Horses kept for Hire, or for washing Carriages kept for Hire, or for any Trade or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purpose whatsoever.

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

XIX. This Act, or anything therein contained, shall not exempt the Company from the Provisions of "The Public Health Act, 1848," or of any General Act relating thereto or to the Subject Matter thereof which may pass during the present or any future Session of Parliament.

Expenses of Act.

XX. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Company.

Short Title.

XXI. In citing this Act for any Purpose it shall be sufficient to describe it as "The *Folkestone Waterworks Amendment Act, 1855.*"

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