



## CHAPTER lxi. i.

An Act for better supplying with Water the Parish of Worksop, in the County of Nottingham; and for other purposes.  
[14th June 1875.]

A.D. 1875.

**W**HEREAS the present supply of water to the parish of Worksop, in the county of Nottingham, is deficient in quality and insufficient for the wants of the inhabitants thereof, and it is expedient to increase and improve such supply, and for such purposes to make and maintain the works herein-after mentioned:

And whereas plans and sections of the well, reservoir, conduits or main pipes, and other works proposed to be made for the purpose of affording a better supply of water as aforesaid, showing the lines and levels thereof; with a book of reference to such plans containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of the lands in the line of the proposed works or within the limits of deviation as defined on the plans, and describing those lands, have been deposited with the clerk of the peace for the county of Nottingham, and those plans, sections, and book of reference are in this Act referred to as the deposited plans, sections, and book of reference:

And whereas the persons herein-after named and others are willing, at their expense, to provide such increased and improved supply, and to make and maintain the necessary works for the purposes aforesaid, on being incorporated into a Company (in this Act called "the Company") for that purpose:

And whereas the objects aforesaid cannot be attained 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:

1. This Act may be cited for all purposes as "The Worksop Waterworks Act, 1875." Short title.

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Limits of Act.

Provisions of certain general Acts incorporated.

Interpretation of terms.

Company incorporated.

Power to make works according to deposited plans.

2. The limits of this Act for the supply of water by the Company shall be the parish of Worksop, in the county of Nottingham.

3. "The Companies Clauses Consolidation Act, 1845," Parts I. and III. of "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," and "The Waterworks Clauses Acts, 1847 and 1863," are (except where expressly varied by this Act) incorporated with and form part of this Act.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction: the expression "the Company" shall mean the Company incorporated by this Act; the expression "the undertaking" shall mean the undertaking by this Act authorised or any part thereof; the expression "the Local Board" shall mean the Local Board of Health for the parish of Worksop; and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

5. Henry Beevor, Thomas John Pearson, Tom Marris, Henry Frank Ellis, Frederic Edwin Leggoe, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a Company for the purpose of supplying with water the inhabitants, buildings, lands, and premises within the limits of this Act, and for making and maintaining waterworks for that purpose, together with all proper works and conveniences connected therewith, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The Worksop Waterworks Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

6. Subject to the provisions of this Act, the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the several works by this Act authorised and herein-after described, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose.

The works herein-before referred to and authorised by this Act A.D. 1875.  
are:—

Firstly. A well or shaft and pumping station, with engines and other works, to be wholly situated in the township of Gateford and parish of Worksop, on lands belonging or reputed to belong to Frederic Edwin Leggoe, and known as the Sunnyside Estate, and at or near a point about two hundred and forty yards south of the road leading up to the farm called Prospect Hill Farm, and about two hundred and fifty yards east of the Balby and Worksop turnpike road.

Secondly. A conduit or line of pipes, wholly situate in the said township of Gateford and parish of Worksop, commencing in, from, or out of the said well or shaft, and terminating in the intended service and storage reservoir herein-after described.

Thirdly. A service and storage reservoir, about sixty yards long and fifty yards wide, wholly in the said township of Gateford and parish of Worksop, situate on lands of or reputed to belong to the said Frederic Edwin Leggoe, at or near a point about two hundred and seventy yards south of the said road leading up to Prospect Hill Farm, and two hundred and fifty yards east of the said Balby and Worksop turnpike road.

Fourthly. A conduit or line of pipes, wholly situate in the said townships of Gateford and Worksop, both in the parish of Worksop, commencing in, from, or out of the said intended service and storage reservoir, and terminating at or near a point in Bridge Street, in the township and parish of Worksop, about fifty yards south of the bridge which carries the said street over the river Ryton.

7. The capital of the Company shall be twelve thousand pounds Capital.  
in one thousand two hundred shares of ten pounds each.

8. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof. Shares not to be issued until one fifth part thereof shall have been paid up.

9. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share. Calls.

10. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipts in case of persons not sui juris.

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Power to borrow.

11. The Company may from time to time borrow on mortgage any sum not exceeding in the whole three thousand pounds, but no part thereof shall be borrowed until the whole capital of twelve thousand pounds is issued and accepted and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such person or corporation, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

For appointment of a receiver.

12. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; and in order to authorise the appointment of a receiver in respect of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three hundred pounds in the whole.

Power to create debenture stock.

13. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Moneys borrowed on mortgage to have priority.

14. All moneys to be raised by the Company on mortgage or debenture stock under this Act, from the time when the said moneys shall be advanced, and the interest for the time being due thereon, shall have priority against the Company, and the property from time to time of the Company, over all other claims on account of any debts incurred or to be incurred or engagements entered into or to be entered into by them: Provided always, that such priority shall not prejudice or affect any claim against the Company or their property in respect of any rentcharge to be granted by them in pursuance of the provisions of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts

Amendment Act, 1860," nor shall anything herein-before contained  
prejudice or affect any claim or lien in respect of any land taken,  
used, or occupied by the Company for the purposes of the under-  
taking, or injuriously affected by the construction thereof, or by the  
exercise of any of the powers by this Act conferred on the Company.

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15. The Company shall not have power to raise the money by this  
Act authorised to be borrowed on mortgage, or any part thereof, by  
the creation of shares or stock instead of borrowing, or to convert  
into capital the amount borrowed under the provisions of this Act,  
unless in either case all dividends upon the shares or stock, whether  
ordinary or preferential, are limited to a rate not exceeding five  
pounds per centum per annum.

Conversion  
of borrowed  
money into  
capital.

16. All moneys raised under this Act, whether by shares, debenture  
stock, or borrowing, shall be applied for the purposes of this Act  
only.

Application  
of moneys.

17. The first ordinary meeting of the Company shall be held  
within six months after the passing of this Act.

First  
ordinary  
meeting.

18. At all the meetings of the Company every holder of five shares  
and under shall be entitled to one vote, and every shareholder shall  
be entitled to an additional vote for every five shares held by him  
beyond the first five.

Manner of  
voting at  
meetings.

19. The number of shareholders on whose requisition an extra-  
ordinary meeting of the Company may be required to be convened  
shall not be less than ten shareholders, holding in the aggregate  
not less than one thousand pounds in the capital of the Company.

The number  
of share-  
holders to  
convene ex-  
traordinary  
meetings.

20. The newspaper for advertisements shall be any newspaper  
published or circulated in the county of Nottingham.

Newspaper  
for adver-  
tisements.

21. The number of directors shall not be more than five nor less  
than three, to which it shall be lawful for the Company from time to  
time to reduce the number.

Number of  
directors.

22. The qualification of a director shall be in the possession in  
his own right of not less than ten shares.

Qualification  
of directors.

23. If any director of the Company shall be declared bankrupt  
or insolvent, or shall suspend payment, or shall compound by deed  
with his creditors, or shall be declared lunatic, then and in each  
case he shall forthwith cease to be and shall become disqualified to  
act as a director.

Disqualifica-  
tion of  
directors.

24. The quorum of a meeting of directors shall be three, unless  
the number of directors shall be reduced to three, in which case the  
quorum shall be two.

Quorum.

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First directors.

Election of directors.

25. Henry Beevor, Thomas John Pearson, Tom Marris, Henry Frank Ellis, and Frederic Edwin Leggoe shall be the first directors of the Company; and shall continue in office until the first ordinary meeting held after the passing of this Act, and at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them, or may elect a new body of directors or director to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Lands for extraordinary purposes.

26. The Company may from time to time by agreement purchase or acquire for the purposes of this Act any lands not exceeding in quantity three acres, in addition to the lands which they are by this Act authorised to take by compulsion.

Powers for compulsory purchases limited.

27. The powers of the Company for compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of two years from the passing of this Act.

Period for completion of works.

28. The works by this Act authorised shall be completed within three years after the passing of this Act, and on the expiration of that period the powers by this Act granted to the Company for executing the works or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as shall be then completed; provided that nothing in this Act shall restrain the Company from extending their reservoirs, aqueducts, main pipes, works, and conveniences from time to time whenever they find it requisite for the purposes of increasing their supply of water or supplying water within the limits of this Act.

Power to take lands and waters for purposes of Act.

29. Subject to the provisions of this Act, the Company may enter upon, take, and use for the purposes of this Act such of the lands, springs, and waters shown on the deposited plans and specified in the deposited book of reference as may be taken by the works described in section six of this Act.

Owners may grant easements.

30. Subject to the provisions of "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," the persons by those Acts authorised to sell and convey or release lands shall have full power to grant to

the Company any easement (not being an easement of water), liberty, or privilege in or over or affecting any lands, streams, or waters authorised to be taken by this Act, and the provisions of "The Lands Clauses Consolidation Act, 1845," as amended by "The Lands Clauses Consolidation Acts Amendment Act, 1860," with reference to the purchase of lands by agreement, shall extend to the purchase by agreement of easements, liberties, and privileges in or over lands. A.D. 1875.

**31.** Whenever and so far as the line of any works shown upon the deposited plans passes along any road, and no limits of lateral deviation are marked thereon, the Company may in the construction of such works deviate laterally from the line thereof as laid down on such plans to the extent of the boundaries of such road, and elsewhere the Company may in constructing the said works deviate laterally from the lines thereof as laid down on the said plans to the extent of the limits of lateral deviation shown thereon. Limits of lateral deviation.

**32.** In constructing the said works the Company may deviate vertically from the level thereof as shown on the deposited sections with reference to the datum line to any extent not exceeding in the case of the reservoir herein-before described three feet, and in the case of other works two feet upwards and five feet downwards; provided that the Company may erect any water tower, stand pipe, or other like work of any height which for the time being may be necessary or proper for the purpose of the Act. Limits of vertical deviation.

**33.** Provided always, that the Company shall not construct, in the exercise of powers of lateral deviation, any embankment of the said reservoir herein-before described and shown on the deposited plans of a greater height above the general surface of the ground than that of the corresponding embankment shown on the deposited sections, with three feet in addition. Height of embankment.

**34.** The Company, if required so to do by the Local Board, shall, on receiving six months notice in writing under the seal of the Local Board of their intention to acquire the undertaking, with the sanction of the Local Government Board, sell to the Local Board the undertaking by this Act authorised, and all the estate, right, title, and interest of the Company therein and thereto, and if the Company and Local Board cannot agree upon the amount of the purchase money and all other matters incidental to the sale and purchase, then the matters on which they fail to agree shall, as a question between them of disputed compensation, be determined by arbitration, in accordance with the provisions in that behalf of "The Lands Clauses Consolidation Act, 1845," save only that the umpire, if any, shall be appointed by the Board of Trade; the Company shall be considered as vendors by agreement and not by compulsion, and Company to sell undertaking to Local Board if required.

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When water-works are vested in Local Board, powers of Company to be executed by Local Board.

**35.** Immediately upon the undertaking becoming vested in the Local Board under the provisions herein-before contained, all the powers, authorities, regulations, and provisions contained in this Act shall be extended to and vested in the Local Board, and be exercised and put in force by or against the Local Board in the same manner as if they had throughout this Act been named instead of the Company: Provided that the powers of the Company by this Act vested in the Local Board shall not comprise any of their powers with respect to general meetings, or with respect to directors, or with respect to the management of the internal affairs of the Company, or with respect to the raising of money by shares or by borrowing, or with respect to the amount of profit to be received by the undertakers when the works are carried on for their benefit.

Supply of water to tenements in a row.

**36.** Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Company to any other such tenement unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Act for a supply of water, and every person so taking or using water or allowing the same to be used contrary to the provisions of this Act shall for every such offence forfeit and pay to the Company any sum not exceeding five pounds.

Rates for supply of water for domestic purposes.

**37.** The Company shall, at the request of every person entitled under the Act to demand a supply of water, furnish to the occupier of every dwelling-house or part of a dwelling-house to which the request relates, within the limits in that behalf of this Act, a sufficient supply of wholesome water for the domestic purposes (including one water-closet) of every such occupier, at any rate not exceeding the following rates; (that is to say,)

Where the annual rackrent or yearly value of the premises supplied does not exceed five pounds, at a rate not exceeding twopence per week;

Where the annual rackrent or value of a house or part of a house shall exceed five pounds and not exceed thirty pounds, a yearly rate not exceeding seven pounds per centum on the annual rackrent or value of such house or part of a house;

Where such annual rackrent or value shall (except as herein-after mentioned) exceed thirty pounds, a yearly rent not exceeding six pounds per centum on the amount of such annual value:



Provided that all inns and hotels, whether public or private, to which the supply is laid on, the annual rackrent or value of which exceeds five pounds, shall be liable to a rate not exceeding seven pounds ten shillings per centum on the amount of such annual rackrent or value, whether the same exceeds thirty pounds or not. A.D. 1875.

**38.** The Company may charge in any one year in respect of the first bath supplied with water in or belonging to any private dwelling-house the sum of ten shillings, and in respect of any water-closet beyond the first, and of every bath beyond the first, the sum of five shillings. Rates for waterclosets and baths.

**39.** The rates for a supply of water for domestic purposes shall be payable in advance by equal quarterly payments on Lady Day, Midsummer Day, Michaelmas Day, and Christmas in every year. Rates payable quarterly in advance.

**40.** In addition to and without prejudice to the provisions in this Act contained with regard to the misuse of water supplied by the Company, no person supplied by the Company with water for domestic purposes shall use such water or suffer the same to be used for the purpose of affording power to or in connexion with any machinery or apparatus whatsoever, and every person offending against this enactment shall for every such offence forfeit and pay to the Company a penalty not exceeding five pounds. Penalty for using water other than for domestic purposes.

**41.** No person shall be entitled to require nor shall the Company be bound to supply any dwelling-house with water (otherwise than by meter or special agreement) where any part of such dwelling-house is used for any trade or business purpose for which water is required. Company not bound to supply water in certain cases.

**42.** The Company shall not be compelled to supply with water any watercloset or private bath, or the apparatus or pipes connected therewith respectively, unless the same be so constructed and used as to prevent the waste or undue consumption of the water of the Company, and the return of foul air or noisome or impure matter into the mains or pipes belonging to or connected with the mains or pipes of the Company, nor if such private bath shall be capable of containing, when filled for use, more than fifty gallons of water. For preventing fouling water.

**43.** The Company shall not be compelled to supply water at a higher level than can be reached by the pressure afforded by their reservoirs. Pressure.

**44.** The Company may supply any person with water for other than domestic purposes on such terms as may be agreed upon between Water for other than

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domestic purposes.

them. Notwithstanding any such agreement no person shall be entitled to such a supply whenever and as long as the Company are of opinion that the same would interfere with the proper supply of water for domestic purposes under this Act. Every such agreement may be by virtue of this Act determined by the Company on one month's notice in writing.

Notice of discontinuance.

45. A notice to the Company from a consumer for the discontinuance of a supply of water shall not be of any effect unless it is in writing, and is left at the principal office for the time being of the Company.

Power to remove pipes and fittings.

46. The Company, after forty-eight hours notice in writing under the hand of the secretary or some other officer of the Company to the occupier, or if there be no occupier, then to the owner or lessee of any buildings or lands in which any pipe, meter, or fitting belonging to the Company is laid or fixed, and through or in which the supply of water is from any cause other than the default of the Company discontinued, may enter such buildings or lands between the hours of nine in the morning and four in the afternoon, or at any other time with the authority in writing of a justice, for the purpose of removing, and may remove every such pipe, meter, and fitting, repairing all damages caused by such entry and removal; and every such notice shall be served by being delivered to the person for whom it is intended or left at his usual or last known place of abode or business in England, or if such person or his usual place of abode or business in England is not known to the Company after proper inquiry, then by being affixed in some conspicuous part of such buildings or lands.

Company's officer to enter buildings.

47. The Company's manager, or other person duly appointed for the purpose by the Company, may, between the hours of nine of the clock in the forenoon and four of the clock in the afternoon, enter any building or place supplied with water by the Company, and inspect the meters, pipes, fittings, and apparatus for regulating the supply of water and see whether they are in good repair, and if such manager or other person at any such time be refused admittance into such premises for the purposes aforesaid, or be prevented from making such examination, the occupier of such premises shall for every such offence forfeit to the Company a sum not exceeding five pounds.

Power for Company to make regulations for preventing waste of water.

48. Subject to the provisions of this Act and with the sanction of the Local Government Board, the Company may from time to time make and enforce such reasonable regulations as they may find expedient for preventing the waste, misuse, undue consumption, or contamination of water, and among other things may prescribe the size,

nature, make, strength, and arrangement of the pipes, cocks, cisterns, meters, and other apparatus used for the purposes of the supply.

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**49.** In the event of any such regulations not being observed by any person having or requiring a supply of water, the Company may refuse to supply water, or may cut off the water supplied to him, unless and until the regulations be complied with.

Power for Company to refuse supply where regulations not complied with.

**50.** In case any person who shall have been supplied with water by the Company, or who shall be liable to payment in respect of a supply of water, under or by virtue of the provisions of this Act, shall neglect or refuse to pay the amount due in respect of such supply for the space of fourteen days after demand thereof by the Company, their agent or collector, it shall be lawful for any justice having jurisdiction where such person shall then reside, or where such water shall have been supplied, to issue his summons to such person, requiring him to appear before two justices having jurisdiction as aforesaid, at a time and place named, then and there to show cause why the sum so demanded should not be paid; and if on the appearance of such person, or in default of appearance, after proof of the service of the summons, either personally or at the last known place of abode or of business of such person, no sufficient cause shall be shown to the contrary, it shall be lawful for such two justices to issue their warrant of distress for the seizure and sale of the goods and chattels of such person for the recovery of the amount which may be proved before such justices to be due from such person, together with such costs as to such justices shall appear just and reasonable.

Recovery of charges for supply of water.

**51.** In case any consumer of the water of the Company shall leave the premises where such water has been supplied to him without paying to the Company the water rent due from him, the Company shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant shall have undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Incoming tenants not liable to pay arrears of water rent, &c.

**52.** A justice or a judge of any court shall not be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any water rate, rent, or charge under this Act.

Liability to water rent not to disqualify justices, &c.

**53.** Any summons, warrant, demand, or notice, or other such document to be issued or given for any of the purposes of this Act may be in writing or print or partly in writing or partly in print; and if the same require authentication by the Company, the signature thereof by the secretary to the Company shall be a sufficient authentication.

Authentication of notices.

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Application  
of penalties.

**54.** Every penalty imposed by this Act shall (except where otherwise expressly provided, and except where the Company shall be the party by whom the penalty has to be paid) be paid to the Company.

Penalties  
not cumula-  
tive.

**55.** Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts.

For protec-  
tion of Man-  
chester,  
Sheffield,  
and Lin-  
colnshire  
Railway.

**56.** Nothing herein contained shall authorise the Company to purchase or take any lands belonging to the Manchester, Sheffield, and Lincolnshire Railway Company, or to alter or vary the line or levels of the Manchester, Sheffield, and Lincolnshire Railway, or to interfere with that railway, without the consent of the Manchester, Sheffield, and Lincolnshire Railway Company, except so far as may be necessary for laying down, repairing, or renewing the Company's mains under the roads and streets shown on the deposited plans, and all such works shall be executed at the expense of the Company, and so far as they affect the said railway shall be carried on and completed to the satisfaction in all respects of the engineer for the time being of the Manchester, Sheffield, and Lincolnshire Railway Company, or other persons authorised by them for that purpose.

Saving  
rights of  
lords of  
manors.

**57.** Nothing in this Act contained shall take away, lessen, alter, or affect any of the jurisdictions, rights, powers, or authorities vested in or belonging to the lord of the manor of Worksop or the lord of the manor of Scofton in the parish of Worksop, or either of them, but all such jurisdictions, rights, powers, and authorities shall be as good, valid, and effectual as if this Act had not been passed.

Saving  
rights of  
Local Board  
of Health.

**58.** Nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or in any manner interfere with the rights, powers, privileges, or authorities of the Local Board of Health of the parish of Worksop, under the Acts relating to public health, or any or either of them, except so far as the same are inconsistent with the provisions of this Act, or any of them, or are expressly varied or altered by this Act.

Expenses  
of Act.

**59.** All costs, charges, and expenses of and preliminary and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.