



## CHAPTER i.

An Act to enable the Edinburgh and District Water Trustees to borrow additional sums of money ; and for other purposes. A.D. 1880.  
[14th June 1880.]

WHEREAS an Act was passed in the thirty-second and thirty-third year of the reign of Her Majesty Queen Victoria, intituled the Edinburgh and District Waterworks Act, 1869 (herein-after called the Act of 1869), by which certain trustees were appointed and incorporated under the name of "The Edinburgh and District Water Trustees," for supplying water to the city of Edinburgh, town and port of Leith, town of Portobello, and districts and places adjacent, and for transferring to the trust the undertaking of the Edinburgh Water Company, which water company had been incorporated by and acted under an Act passed in the nineteenth and twentieth year of the reign of Her said Majesty, intituled the Edinburgh Water Company's Act, 1856, by which Act the previous Acts of Parliament of the said water company were, with certain reservations, repealed, and under an Act of the twenty-sixth and twenty-seventh year of the reign of Her said Majesty, intituled the Edinburgh Water Company's Amendment Act, 1863; and by the Act of 1869, in consideration of the annuities granted to the shareholders of the said water company, and the other payments and for the other reasons in such Act mentioned, the whole undertaking of the said water company was, on the fifteenth day of May one thousand eight hundred and seventy, transferred to and vested in and has since been managed and administered by the said Edinburgh and District Water Trustees, and by the last-mentioned Act the said trustees were, amongst other things, authorised to borrow, for the payment from time to time of the mortgage debt of the said water company, and the several sums payable by the said trustees to such company as therein provided, with the expense of renewing main pipes and

32 & 33 Vict.  
c. cxliv.

19 & 20 Vict.  
c. xci.

26 & 27 Vict.  
c. clxxxvii.

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A.D. 1880. — conduits, and of laying additional service pipes if it should be found necessary, any sums not exceeding two hundred and twenty thousand pounds :

37 & 38 Vict.  
c. clvi. And whereas the said trustees obtained an Act of the thirty-seventh and thirty-eighth year of the reign of Her said Majesty, intituled the *Edinburgh and District Waterworks (Additional Supply) Act, 1874* (herein-after called the Act of 1874), by which Act the said trustees were authorised to construct certain works for additional supply of water from Moorfoot, and otherwise, and among other things to borrow an additional sum of money for the purposes of the said Act, not exceeding three hundred and eighty thousand pounds :

39 & 40 Vict.  
c. xxxiii. And whereas the said trustees obtained another Act of the thirty-ninth and fortieth year of the reign of Her said Majesty, intituled the *Edinburgh and District Waterworks Act, 1876* (herein-after called the Act of 1876), whereby they were empowered to alter the site of the Edgelaw Reservoir authorised by the Act of 1874, and to construct a reservoir at Rosebery and other works, by which Act they were authorised also to borrow a sum not exceeding fifty thousand pounds for the purposes of such Act, and of the Act of 1874 :

40 & 41 Vict.  
c. xxvi. And whereas the said trustees obtained another Act of the fortieth and forty-first year of the reign of Her said Majesty, intituled the *Edinburgh and District Waterworks Act, 1877* (herein-after called the Act of 1877), whereby they were empowered to alter the site of their Alnwick Hill Service Reservoir and to execute certain other works, and they were authorised to apply any sums of money authorised to be borrowed under the Act of 1874 or the Act of 1876, or either of them, to the purposes of the Act of 1877 :

And whereas the greater part of the works which the said trustees were authorised to execute have been constructed, and an additional supply of water has been afforded to the district, but certain of the said works have not yet been constructed or completed :

And whereas the said trustees have borrowed, with the exception of the sums they were authorised to borrow for payment off of the mortgage debt of the said water company, and expended all the moneys they were authorised to raise under their Acts before recited, and it is expedient that they be authorised to raise a further sum of money for the purposes of their undertaking, and that other provision should be made in regard to the same :



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Act, 1880.

But such purposes cannot be effected without the authority of Parliament: A.D. 1880.

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,

1. This Act may be cited for all purposes as the *Edinburgh and District Waterworks Act, 1880.* Short title.

2. The word "trustees" shall in this Act mean the trustees for the time being constituted and incorporated by the Act of 1869, as amended by the Act of 1874; the other words and expressions construed in the Acts of 1869, 1874, 1876, and 1877, shall, if and when used in this Act, respectively have the meaning attached to them in the said respective Acts, unless there be something in the subject or context repugnant to such construction; and the "Acts of the trustees" shall mean the Acts last mentioned. Construc-  
tion.

3. In addition to the money authorised to be borrowed under the Act of 1869, the Act of 1874, and the Act of 1876, the trustees may from time to time borrow on mortgage such sums as they think requisite for the purposes of the completion of such of the works as they have been authorised and shall resolve to construct, including works for the further and more effective distribution of the whole water supplied by them, not exceeding in the whole the sum of one hundred and fifty thousand pounds, and all the provisions as to the security, re-borrowing, borrowing on cash account, funding of debt, and granting of terminable annuities, application for a judicial factor, and transmission and extinction by means of a sinking fund, contained in the Act of 1869, and the Act of 1874, with reference to the sums thereby authorised to be borrowed, shall apply to the additional sums to be borrowed under this Act: Provided always, that (without prejudice and in addition to the sums set apart under the Act of 1869 for the extinction of the moneys borrowed under that Act until the date after mentioned) the sums to be set apart as a sinking fund for extinction of the moneys borrowed and to be borrowed under the Acts of the trustees and this Act cumulatively, shall commence from and after the fifteenth day of May one thousand eight hundred and eighty, and shall, in addition to the rate provided in the Act of 1874, include the amount of interest which would have been payable on any sums paid off by means of such sinking fund. Additional  
power to  
borrow on  
mortgage.  
  
Sinking  
fund.

A.D. 1880.

Borrowing  
power for  
current  
expenses.

4. In order to raise such money as may be necessary to defray the current annual expenditure of the trustees until the rates, duties, assessments, and charges which they are authorised to levy shall be levied and collected, they may borrow during the currency of any year, from the fifteenth day of May in one year to the fifteenth day of May in the succeeding year, in addition to the other sums authorised to be borrowed on the security of such rates, duties, assessments, and charges, in such way and manner as they may deem most expedient, any sum or sums, not exceeding in the whole two-third parts of the estimated amount of such rates, duties, assessments, and charges for the year then current, from any bank or banking company, or other company or person, on such terms and conditions and in such form as may be agreed on between the parties: Provided always, that such sums so borrowed shall be paid off and extinguished at or before the fifteenth day of May concluding the year to which such borrowing applies.

Saving  
existing  
annuities  
and secu-  
rities.

5. Nothing in this Act contained shall prejudice or affect in any degree the several preferences created by the Act of 1869, or any annuity debentures, mortgages, or assignations in security granted or to be granted by the trustees under authority of the Acts of the trustees, and such annuity debentures, mortgages, and assignations shall be as valid and effectual in all respects as if this Act had not been passed, and shall attach to and form burdens upon the whole undertaking of the trustees, and the rates, duties, assessments, and charges by such Acts authorised, in priority to any money which may be raised under this Act.

Application  
of forms of  
mortgage,  
&c.

6. In borrowing money under this Act the mortgages and transfers of the same, and the warrants for interest thereon, shall be in the forms appended to the Act of 1874 as nearly as may be, subject to the enactments of the Act of 1876 and the Act of 1877, and shall refer to the title of this Act, but it shall not be necessary in any mortgages which may be hereafter granted under the powers of the trustees to refer to the objects for which the money is borrowed.

Interest  
warrants  
applicable to  
all mort-  
gages.

7. The power of issuing interest warrants with mortgages under the Act of 1874 shall apply to all mortgages of the trustees, whether granted or to be granted before or after the passing of this Act, including the mortgage debt of the water company, and any mortgages granted under the Act of 1869 in payment or exchange for such mortgage debt or any portion thereof.

Amendment  
of provisions

8. The provisions in any of the Acts of the trustees in regard to the supply of water by the trustees to persons or places beyond the



