



ANNO QUADRAGESIMO SEXTO

GEORGI II. REGIS.

Cap. 119.

An Act for supplying with Water the Inhabitants of *Kensington, Hammersmith, Brentford, Battersea, Putney, Richmond*, and several other Parishes and Places in the Counties of *Middlesex* and *Surrey*.

[12th July 1806.]

WHEREAS several of the Inhabitants of such Part of the Parish of *Saint Luke Chelsea*, as lies on the West Side of a certain Line or Boundary herein-after described, and such Part of the Parish of *Saint Margaret Westminster* as lies within the Town of *Kensington*, and also of the several Parishes or Townships of *Saint Mary Abbeys Kensington, Saint Paul Hammersmith, All Saints Fulham, Saint Nicholas Chiswick, Saint Mary Ealing, Saint Mary Hanwell, Old Brentford, New Brentford, Heston, Hounslow*, and *All Saints Isleworth*, in the County of *Middlesex*, and likewise the Inhabitants of the several Parishes or Townships of *Saint Mary Battersea, Saint Mary Wandsworth, Saint Mary Putney, Saint Mary Barnes, Mortlake, Saint Mary Magdalen Richmond*, and *Saint Anne Kew*, in the County of *Surrey*, and Places adjacent or near thereunto, in the said Counties of *Middlesex* and *Surrey*, are desirous to have a Supply of good and wholesome Water for domestic Purposes: And whereas many Parts of the said several Parishes, Townships, and

[Loc. & Per.] 28 B Places,

Places, are become very populous, and are greatly increased and increasing in Houses and Buildings, and in Cases of Accidents by Fire, the Inhabitants thereof might be exposed to the most calamitous Losses for Want of a sufficient Supply of Water: And whereas the erecting and making of One or more Reservoir or Reservoirs, at or near a certain Place called *Bull Lane*, in the said Parish of *Fulham*, or at or near a certain Creek called *Poole's Creek*, or at or near a certain Field called *Huntley's Field*, adjoining *Honey Lane*, in the Parish of *Saint Mary Abbots Kensington*, with proper Cuts, Channels, or Aqueducts, for supplying the said Reservoir or Reservoirs and other Works with Water, for the Use of the Inhabitants of the said several Parishes, Townships, and Places, would tend to promote the beneficial Purposes before mentioned: And whereas the several Persons herein-after named are willing and desirous, at their own Expence, to erect and make such Reservoir or Reservoirs, Cuts, Channels, Aqueducts, and other Works requisite and necessary for the Purposes aforesaid; but cannot effect the same without the Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That *George Alderson, Thomas Alderson, William à Beckett, James Browning, James Burton, Jonas Binns, John Badger, Ambrose Charles, Henry Cox, Thomas Crowley, Thomas Crawley, John Collinge, Joseph Cox, Thomas Charles, John Coleman, George Cooke, John Cofens, William Cass, George Dodd, Robert Dodd, Thomas Dagley, Richard Fishwick, William Freeman, John Freeman junior, John Fownes, George Flote, John Freeman, Thomas Fielder, George Freeman, Thomas Groves, John Hull, James Harris, Richard Hill, Joseph, Francis Johnson, William Johnson, Isaac Knight, James Kell, Leonard Lazenby, Joseph Lucas, Thomas Lewis, Thomas Lumley, Thomas Law, Robert Lazenby, John Mitchell, Samuel Nunn, William North, Samuel Poole, Robert Paylin, James Thompson Parkinson, Charles Peischell, James Reid, Joshua Robinson, the Honourable Montgomerie Stewart, Joseph Simmons, Joseph Stevenson, Robert Sloper, Thomas Smith, Sir Stewkley Shuckburgh Baronet, the Honourable Washington Shirley, Edward Stracey, Joseph Sanders, Josias Henry Stracey, Thomas Smith, Layton Smith, Ambrose Wallis, Joseph Wood, William Wood, George Watts, James Watts, and Henry Wright*, together with such Person or Persons, Bodies Politick and Corporate, as they or the major Part of them present at any General or Special General Assembly to be holden for the Purposes of this Act, shall nominate and appoint, and their several and respective Successors, Executors, Administrators, and Assigns, being a Proprietor or Proprietors of any Share or Shares in the Undertaking to be executed by this Act, shall be, and they are hereby accordingly united into a Company for the making, completing, and maintaining the said Waterworks, Reservoirs, Aqueducts, and other Works, hereby authorized to be made, according to the Rules, Orders, and Directions herein-after expressed, and shall for that Purpose be One Body Politick and Corporate, by the Name of "*The Company of Proprietors of the West Middlesex Waterworks*," and by that Name shall have a perpetual Succession and a Common Seal, and by that Name shall or may sue and be sued, and shall also have full Power to purchase Lands, Tenements, or Hereditaments, to them, their Successors and Assigns,

Proprietors,

Incorporated.

for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

II. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute amongst themselves, in such Proportions as they shall think proper, any Sum or Sums of Money not exceeding in the Whole the Sum of Thirty Thousand Pounds (except as herein-after mentioned), which said Sum of Money shall be laid out and applied in the First Place in discharging the Expences of obtaining and passing this Act, and of the Surveys, Plans, and Estimates, and other incidental Expences relating thereto, and then for and towards the making, completing, and maintaining the said Reservoirs and Aqueducts, and other requisite Works and Conveniences thereto, and for otherwise carrying the several Purposes of this Act into Execution, and the said Sum of Thirty thousand Pounds shall be divided into Shares of One hundred Pounds each; and that no Body Politick, Corporate, or Collegiate, or Person contributing thereto, or becoming a Proprietor in the said Undertaking, do become a Proprietor of less than One Share, or more than Five Shares, either in his own Name or in the Name or Names of any other Person or Persons, in trust for them, him, or her, (unless the same shall come to him, her, or them by Will, Bequest, Descent, Right of Administration, or Marriage), upon Pain of forfeiting to the said Company of Proprietors all such Shares exceeding Five Shares; and such Shares shall be, and are hereby vested in the several Persons and Bodies Politick, Corporate, or Collegiate, so subscribing and contributing to the same, and their several and respective Executors, Administrators, Successors, and Assigns, and to their and every of their proper Use and Benefit, proportionably to the Sums they shall severally raise and contribute; and all Bodies Politick, Corporate, and Collegiate, and all Persons who-soever, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums of Money as shall be called for and demanded by virtue of this Act for carrying on and completing the said Undertaking, shall be entitled to and receive the entire and nett Distribution of an equal proportionable Part, according to the Money so by them respectively paid, of the Profits and Advantages that shall and may arise and accrue by the Rates and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors, by the Authority of this Act; and every Body Politick, Corporate, and Collegiate, and Person, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same in Manner herein directed.

The Company may raise among themselves a Sum of Money, not exceeding 30,000 l.

III. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politick, Corporate, and Collegiate, and all other Person and Persons, of and in the said Undertaking, or the joint Stock or Fund of the said Company of Proprietors, shall be deemed Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Shares to be Personal Estate.

IV. And be it further enacted, That every Body Politick, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed

Subscribers to have a Vote for every or Share,

but not ex-
ceeding Five
Votes in the
Whole

Votes may be
given by
Proxy.

or undertaken for One Share in the said Undertaking, his, her, or their respective Successors, Executors, and Administrators, shall have a Vote for every such Share, but not exceeding Five Votes in the Whole, although possessed of more than Five Shares (except as herein-after excepted) in the General and Special General Assemblies, to be holden as herein appointed for carrying on the Undertaking; which Vote or Votes may be given by them, him, or her, or by their, his, or her Proxies or Proxy, constituted under the Seal of such Body Politick, Corporate, or Collegiate, or the Hand of the Proprietor constituting the said Proxy, every such Proxy being a Proprietor in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient, to all Intents and Purposes, as if such Principal had voted in Person; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any General or Special General Assembly of the said Company of Proprietors, shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Share, provided that the Members present be possessed of not less than Fifty Shares: Provided nevertheless, that no Person shall give or deliver in Proxies for more than Five Shares; and the Appointment of such Proxies may be made according to the Form following; (that is to say),

Form of
Proxies.

‘ I A. B. of One of the Proprietors of
‘ the *West Middlesex* Waterworks, do hereby nominate, constitute, and
‘ appoint C. D. of to be my Proxy, in my
‘ Name, and in my Absence, to vote or give my Assent or Dissent to
‘ any Business, Matter, or Thing relating to the said Undertaking in
‘ such Manner as he the said C. D. shall think proper, according to his
‘ Opinion and Judgement, for the Benefit of the said Undertaking, or
‘ any Thing appertaining thereto. In Witness whereof, I have hereunto
‘ set my Hand [or, Seal] the Day of

Proprietors
not entitled to
vote unless
possessed of
their Shares
Two Calendar
Months.

V. Provided always, and be it enacted, That, from and after the First Day of *October* next ensuing, no Proprietor shall be deemed qualified to vote for himself, or by Proxy, who has not possessed his Share or Shares, and been entered in the Books of the said Company as the Possessor and Proprietor of such Share and Shares, for the Space of Two Calendar Months; and that no Proprietor who has not possessed his Share or Shares for the said Space of Two Calendar Months, shall be entitled to vote at any General or Special Meeting of the Proprietors of the said Undertaking, by himself or by his Proxy, under Pain of forfeiting his said Share or Shares to the Use of the said Company: Provided also, that no Proprietor shall be entitled to vote for any Share or Shares either by himself or by his Proxy, unless he possesses the same *bona fide*, and in his own Right, and not as the Right or Property of any other Person whomsoever, upon Pain of forfeiting the said Share or Shares to the Use of the said Company.

Power to raise
among them-
selves a further
sum, if neces-
sary, not ex-
ceeding
50,000l.

VI. And be it further enacted, That in case the Money herein-before authorized to be raised shall be found insufficient for the making, completing, and maintaining of the said Reservoirs and Aqueducts, and other the Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then and in such Case it shall and may be law-
ful

ful for the said Company of Proprietors to raise and contribute amongst themselves in Manner and Form aforesaid, and in such Shares and Proportions, as to them shall seem meet, or to raise by the Admission of new Subscribers, any further or other Sum of Money for completing and perfecting the said Undertaking, not exceeding the Sum of Fifty thousand Pounds; and every Body Politick, Corporate, or Collegiate, or other Person, being a Subscriber towards raising such further or other Sum of Money, shall be a Proprietor in the said Undertaking, and shall have a like Vote by themselves, himself or herself, or their, his, or her Proxies or Proxy, in respect of every One hundred Pounds of the said additional Sum to be raised, and shall also be liable to such Forfeitures, and stand interested in all the Profits of the said Undertaking, in Proportion to the Sum they, he, or she, shall or may subscribe thereunto, as generally and extensively, to all Intents and Purposes, as if such further or other Sum hereby allowed to be subscribed for and raised had originally been Part of the Sum of Fifty thousand Pounds; any Thing herein contained to the contrary thereof in anywise notwithstanding.

VII. Provided always, and be it enacted, That in case the said Company of Proprietors shall be desirous of raising the said Sum of Fifty thousand Pounds, or any Part thereof, by Mortgage of the said Undertaking, it shall be lawful for the said Company of Proprietors to borrow and take up at Interest all or any Part of the said Sum of Fifty thousand Pounds, on the Credit of the said Undertaking, and to assign the Property of the said Undertaking, and the Sums of Money arising or to arise to the said Company of Proprietors by virtue of this Act, or any Part thereof, (the Costs and Charges of assigning the same to be paid out of such Sums of Money), as a Security for any Sum or Sums of Money so to be borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees who shall advance the same; all which said Assignments shall be made under the Common Seal of the said Company of Proprietors, in the Form or to the Effect following; (that is to say),

or to raise the
said 50,000 l.
by Mortgage.

‘ **BY** virtue of an Act made in the Forty-sixth Year of the Reign of King George the Third, intituled, “ *An Act [here insert the Title of this Act]*”, We, the Company of Proprietors of the said Undertaking, incorporated by and under the said Act, in Consideration of the Sum of _____ to us in Hand paid by *A. B.* of _____ do hereby bargain, sell and assign unto the said *A. B.* his Executors, Administrators, and Assigns, the said Undertaking, and all the Works thereto belonging, and all and singular the Sums of Money arising and payable to us for Water by virtue of the said Act, and all our Estate, Right, Title, and Interest of, in, and to the same, to hold unto the said *A. B.* his Executors, Administrators, and Assigns, until the said Sum of _____ with Interest for the same, after the Rate of _____ *per Centum per Annum*, shall be fully paid and satisfied. Given under our Common Seal this _____ Day of _____ in the Year of our Lord One thousand eight hundred and _____

And all Persons to whom such Assignment shall be made shall be equally entitled, one with the other, to their Proportion of the said Sums and Premises,
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Premises, according to the respective Sums in such Assignment mentioned to be advanced, without any Preference by reason of the Priority of any such Assignments, or any other Account; and a Memorial of every such Assignment, containing the Date, Name or Names, Addition or Additions, of the Person or Persons to whom made, the Sum of Money borrowed, and Rate of Interest, shall, within Thirty Days from the Date of every such Assignment, be entered in One or more Book or Books to be kept by the Clerk to the said Company, and shall and may be perused at all reasonable Times by any of the Proprietors or Creditors of the said Undertaking, and any other Persons interested therein, without Fee or Reward; and the Person or Persons to whom any such Assignment shall be made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his, her, or their Right or Interest therein to any Person or Persons, by Writing under his, her, or their Hand and Seal, or Hands and Seals, which Transfer shall and may be in the Form or to the following Effect; (that is to say),

Which Mortgage may be assigned.

Form of Assignment.

‘ I *A. B.* of _____ in Consideration of the Sum
 ‘ of _____ paid by *C. D.* of _____
 ‘ Do hereby transfer a certain Mortgage made by the Company of Proprietors of the *West Middlesex* Waterworks, to
 ‘ bearing Date the _____ Day of _____
 ‘ for securing the Sum of _____ and all Interest now
 ‘ due and to become due thereon, and all my Right and Property therein,
 ‘ to the said *C. D.* his Executors, Administrators, and Assigns. Dated
 ‘ this _____ Day of _____ in the
 ‘ Year of our Lord One thousand eight hundred and _____

And every such Transfer shall, within Thirty Days after the Date thereof, be produced to the Clerk to the said Company of Proprietors, who shall cause a Memorial to be made thereof, in like Manner as of the original Mortgages or Assignments, for which Memorial the said Clerk shall be paid such Sum as the said Company of Proprietors shall appoint, not exceeding Two Shillings and Sixpence; and every such Entry made of such Transfer shall from thenceforth entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage, and it shall not from thenceforth be in the Power of any Person or Persons, who shall have made any such Assignment, to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof.

Interest to be paid Half-yearly, &c.

VIII. And be it further enacted, That the Interest of the Money which shall be borrowed or raised by Mortgage as aforesaid, shall be provided for, and paid Half-yearly to the several Persons entitled thereto, before any Yearly or other Interest or Dividends due to the said Company of Proprietors, or any of them, shall be paid, made, or divided.

Mortgagees not to be considered as Proprietors of Shares.

IX. Provided always, That no Person to whom any such Mortgage or Assignment shall be made or transferred as aforesaid, shall be deemed a Proprietor of any Share, or be capable of acting or voting by virtue of such Mortgage or Assignment, at any Assembly or Meeting of the said Company of Proprietors, for or on account of his or

or her having lent or advanced any Money on the Credit of any such Assignment.

X. Provided always, and be it enacted, That no Sum or Sums of Money so lent and advanced on Mortgage, shall be paid off and discharged (save and except with the Consent of the Person or Persons so lending and advancing such Sum or Sums of Money), unless Six Calendar Months previous Notice, under the Common Seal of the said Company of Proprietors, shall have been given to the Person or Persons lending and advancing such Sum or Sums of Money, or left at his, her, or their last or usual Place or Places of Abode, of such their Intention to pay off and discharge the same.

Notice to be given of paying off Money.

XI. And be it further enacted, That the First General Assembly of the said Company of Proprietors for putting this Act into Execution shall be held at the *Freemasons Tavern in Great Queen Street, Lincoln's Inn Fields*, in the County of *Middlesex*, upon the *Tuesday* Four Weeks after the passing of this Act, or as soon after as conveniently may be, at the Hour of Eleven in the Forenoon; and all future General Assemblies of the said Company (except such Special General Assemblies as herein-after mentioned) shall be held on the First *Tuesday* in the Months of *May* and *November* in every Year, at the Hour of Eleven in the Forenoon, at such Place or Places as the said Company of Proprietors at their preceding General Assemblies shall from Time to Time direct and appoint, of which future General Assemblies Ten Days previous Notice at least shall be given by public Advertisement, to be inserted in some Newspapers usually circulating in the County or Counties through which the said Works shall pass, or in such other Manner as the said Company of Proprietors at their respective General Assemblies shall direct, and at such General Assemblies it shall be the Duty of the Directors of the said Company to report to the Proprietors at large the State of the said Undertaking, and their Proceedings in carrying this Act into Execution, which Report shall be fairly entered into the Books of the Corporation by the Clerk, and a Copy of the same be left at their Head Office for the Perusal of the Proprietors, who shall have Access thereto during such Hours as the said Office is usually open.

First and other General Assemblies.

XII. And be it further enacted, That the said Company of Proprietors shall, at their first General Assembly, or at any Adjournment of the same, nominate and appoint by Ballot Twelve Persons, of and out of the said Company of Proprietors, to be Directors for conducting the Business of the said Undertaking, until the next General Assembly of the said Company to be holden on the First *Tuesday* in the Month of *May* then next ensuing; but no Person shall be capable of being chosen, or of acting as such Director, unless he shall hold and be possessed of Five Shares at the least in the said Undertaking: Provided always, that no Person holding any Place, Office, Employment, or Contract under the said Company, shall be capable of being chosen or acting as a Director during the Time of his Continuance in such Place, Office, Employment, or holding such Contract.

Officers of the Company, and Court of Directors.

XIII. And be it further enacted, That the said Company of Proprietors at their General and Special General Assemblies shall and may appoint a Chairman; and such Chairman shall not only vote as a Proprietor or

Chairman to be appointed.

Proxy,

Proxy, but, in Case of an Equality of Votes, shall have the decisive or casting Vote.

Subsequent
Appointment
of Directors
(by the Pro-
prietors) in
the room of
those going
out of Office
by Rotation.

XIV. Provided always, and be it enacted, That the said Twelve Directors so nominated and appointed, or the Person or Persons appointed in their Room or Stead by virtue of this Act, shall continue in Office until the First *Tuesday* in the Month of *May* next after such Nomination and Appointment, and on such Day Four of the said Directors shall go out of Office, and cease to be Directors of the said Company; and in order to determine who of the said Directors shall go out of Office, and cease to be Directors of the said Company, the Clerk of the said Company, at the General Assembly of the said Company to be holden on that Day (or some Adjournment thereof), shall and he is hereby required to write, upon Twelve distinct Pieces of Paper, of equal Size, the Name of one of each of the said Directors, and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box or Wheel, and Four of such Papers shall then be drawn out of such Box or Wheel by such Clerk, one by one, and the Four Directors, whose Names shall be upon such Papers respectively so drawn, shall go out of Office, and cease to be Directors of the said Company; and the said Company shall then nominate and appoint Four other Members of the said Company, who shall severally be possessed of and entitled to Five Shares at the least in the said Undertaking, and such Four Persons so appointed shall continue in Office for the Space of Three Years, (except in Case of Death or Refusal to act, or ceasing to be qualified in Manner by this Act directed), and no longer; and on the First *Tuesday* in the next succeeding Month of *May* Four more of the Directors first nominated and appointed by virtue of this Act as Directors, or the Person or Persons nominated or appointed in his or their Room or Stead shall go out of Office and cease to be Directors of the said Company; and in order to determine who of such Eight Directors shall go out of Office, and cease to be Directors of the said Company, the Clerk of the said Company, at the General Assembly of the said Company to be holden on that Day (or at some Adjournment thereof), shall and he is hereby required to write upon Eight distinct Pieces of Paper, of an equal Size, the Name of one of each of such Directors, and all such Papers shall be rolled up in the same Form, as near as may be, and put into a Box or Wheel by such Clerk, and Four of such Papers shall be then drawn out of such Box or Wheel by such Clerk, one by one, and the Directors, whose Names shall be upon such Papers respectively so drawn, shall go out of Office, and cease to be Directors of the said Company; and the said Company shall then nominate and appoint Four other Members of the said Company qualified as aforesaid to be Directors of the said Company, in the Room or Stead of such Four Directors, and such Four Persons so nominated and appointed shall continue in Office for the Space of Three Years, (except in case of Death or Refusal to act, or ceasing to be qualified in Manner by this Act directed), and no longer; and on the First *Tuesday* in the next succeeding Month of *May* the Four remaining Directors first nominated and appointed by virtue of this Act as Directors, or the Person or Persons nominated or appointed in his or their Room or Stead, shall go out of Office, and cease to be Directors of the said Company; and the said Company shall, at their General Assembly to be holden on that Day, nominate and appoint such Four other Members of the said Company, qualified as aforesaid, to be Directors of the said Company, in the Room or Stead of such

Four

Four Directors, and such Four Persons so nominated and appointed shall continue in Office for the Space of Three Years (except in case of Death or Refusal to act, or ceasing to be qualified in Manner by this Act directed) and no longer; and on the First Tuesday in every succeeding Month of May in each and every Year, Four Directors out of the Members of the said Company, qualified as aforesaid, shall be nominated and appointed by the said Company, and such Four Directors shall continue in Office for the Space of Three Years (except in Case of Death or Refusal to act, or ceasing to be qualified in Manner by this Act directed) and no longer: Provided always, that it shall and may be lawful to and for the said Company of Proprietors again to nominate and appoint any such Person or Persons so qualified as aforesaid, and going out of Office to be a Director or Directors of the said Company.

XV. Provided also, and be it enacted, That in case on any such First Tuesday in the Month of May in any Year no such Nomination and Appointment of such Four Directors shall be made, then and in every such Case another Meeting of the said Company shall be holden on the Tuesday following, for the Purpose of making such Election; and in case no such Nomination and Appointment of such Four Directors shall be then made, then and in every such Case another Meeting of the said Company shall be holden on the Tuesday following, for the Purpose of making such Election, and so *toties quoties*, until such Four Directors shall be chosen, but such Four Directors shall not continue in Office, or be Directors of the said Company, for any longer Space of Time than if they had been elected on the said First Tuesday in the Month of May as aforesaid.

In Case Directors are not appointed on the Day mentioned, another Meeting to be had for that purpose.

XVI. And be it further enacted, That in case any Person or Persons nominated and appointed by the said Company as a Director or Directors of the said Company shall die or refuse to act in the Execution of this Act, or shall not or cease to be entitled to Five Shares at the least in the said Undertaking, or shall hold any Place, Office, Employment, or Contract under the said Company, then and in every such Case it shall and may be lawful to and for the said Company to nominate and appoint, at some Assembly of the said Company, some Person or Persons qualified as aforesaid to be a Director or Directors of the said Company, in the Room or Stead of the Director or Directors so dying or refusing to act, or ceasing to be so qualified, or holding any Place, Office, Employment, or Contract under the said Company, and every Person so nominated and appointed shall have the like Powers and Authorities, and shall be subject to the like Rules, Regulations, and Restrictions, as the Person in whose Room or Stead he shall be so nominated and appointed, and shall continue in Office as a Director for such Time, and no longer, as the Director in whose Room or Stead he shall be so nominated or appointed would have continued in Office.

Subsequent Appointment of Directors (by the Proprietors) in the Room of those who shall die, refuse to act, or become disqualified.

XVII. And be it further enacted, That if at any such General Assembly there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled unto at least Fifty Shares in the said Undertaking, such General Assembly of the said Company shall be adjourned to that Day Fortnight to be holden at the same Place, and so from Time to Time until there shall be such Persons present at such

General Assemblies for choosing Directors to consist of Fifty Shares.

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General

General Assembly, having such Number of Shares as aforesaid, and of every such adjourned Meeting Five Days Notice shall be given in Three or more of the *London Newspapers*; and in case of Failure of the assembling of a sufficient Number of Proprietors, having such Shares, as Principals or Proxies, at such General Assembly, every Proprietor who shall not attend such Second or adjourned General Assembly in Person or by Proxy, shall forfeit and pay to the said Company, for every Share which he or she shall possess in the said Undertaking, the Sum of Ten Shillings, to be deducted out of his or her next succeeding Payment of Interest or Dividends of the Profits of the said Undertaking (as the Case may happen); and in case no Interest or Dividends shall be payable to such Person or Persons making Default as aforesaid, within Twelve Calendar Months next after the making of such Default, then and in such Case such Penalty and Forfeiture of Ten Shillings shall and may be levied and recovered by such Ways and Means as any other Penalty or Forfeiture imposed by this Act may be levied and recovered.

No Director,
&c. to be
concerned in
any Con-
tract, &c.

XVIII. And be it further enacted, That no Director shall hold any Contract, or enjoy any Place of Profit created by this Act, or be beneficially employed, or in any Manner interested or concerned, directly or indirectly, in supplying any Articles or Materials for the Use of the said Company; and in case any Director shall hold any Contract, or enjoy any Place of Profit created by this Act, or shall be in any Manner beneficially employed or concerned, directly or indirectly, in supplying any Articles or Materials for the Use of the said Company, every such Director shall forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Impar lance shall be allowed, and One Half of such Penalty, when recovered, shall be paid to the Person or Persons who shall sue for the same, and the other Half shall be paid to the said Company to be applied to the Purposes of this Act; and the Person or Persons so convicted shall be absolutely disqualified from acting any longer as a Director or Directors of the said Company; and no Director interested in any such Contract, Matter, or Thing as aforesaid, shall vote in any Question touching or concerning the same.

Powers to
General
Assemblies.

XIX. And be it further enacted, That the said Company of Proprietors shall have Power and Authority at any such General Assembly to remove and displace any Director nominated and appointed by virtue of this Act, and from Time to Time to nominate and appoint another Person or Persons in his or their room or stead; and it shall and may be lawful to and for the said Company of Proprietors, at any General or Special General Assembly, to order and dispose of the Custody of their Common Seal, and the Use and Application thereof, and to make such Rules, Bye Laws, and Orders, for the good Government of the said Company, and their Servants, Agents, and Workmen, and for the Superintendence and Management of the said Undertaking, and from Time to Time to alter and repeal the said Bye Laws, Rules, Orders, and Regulations, or any of them, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons who shall offend against the same, as to such General or Special

cial General Assembly shall seem meet, not exceeding the Sum of Five Pounds for any one Offence; and all such Rules, Bye Laws, and Orders, being reduced into Writing, under the Common Seal of the said Company, and printed, shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that the same be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions and Directions in this Act contained, or to any of them; and every such General and Special General Assembly shall have Power to call for, audit, and settle all Accounts of Money received, laid out, and disbursed on Account of the said Undertaking, by the Treasurers, Receivers, or Collectors of any Money for the said Company, and other Officers by them appointed, or by any other Person or Persons whomsoever employed by, or concerned for or under them in and about the said Undertaking, and the Works thereto belonging; but no Vote or Votes by Proxy shall be given, or have any Power in or as to the auditing and Settlements of Accounts; and the said Company shall have Power to adjourn themselves from Time to Time to such Place or Places as shall at any such General or Special General Assemblies be thought proper and convenient.

XX. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act into Execution a Special General Assembly of the said Company of Proprietors is necessary to be held, it shall be lawful for any Nine of the said Proprietors, possessing in the whole Fifteen Shares in the said Undertaking, to cause Twenty-one Days Notice at least to be given of such Special General Assembly in some Newspaper usually circulated in the said Counties of *Middlesex* and *Surrey* (as the Case may be), or in such Manner as the said Company of Proprietors shall at any General Assembly direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special General Assembly, and the Time when, and the Place where the same shall be holden, which Place shall be within Two Miles of the Head Office of the said Waterworks; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present at such Special General Assembly shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors with respect to such Matters alone as shall be specified in such Notice; and in such Acts, Orders, or Determinations of the Proprietors, or the major Part of them so met together at every such Special General Assembly (provided that the Proprietors present, either as Principals or Proxies, shall be possessed of at least Fifty Shares in the said Undertaking) shall be as valid with respect to the Matters specified in such Notice as if the same had been done at any stated General Assembly.

XXI. And be it further enacted, That it shall be lawful for the said Company of Proprietors at any General Assembly to nominate and appoint, under the Common Seal of the said Company, a Treasurer or Treasurers, Engineer or Engineers, Clerk or Clerks, Collector or Collectors, and such other Officers as to them the said Company of Proprietors shall seem proper, and from Time to Time to remove any such Treasurer or Treasurers, Engineer or Engineers, Clerk or Clerks, Collector or Collectors, or other Officers, or any of them, and to nominate and appoint another Person or Persons in his or their room or stead, in

Manner

Assemblies
of the Pro-
prietors may
be specially
convened.

Officers to
the Com-
pany to be
appointed.

Manner aforesaid, taking such Security from every such Treasurer, Engineer, Clerk, Collector, or other Officer, for the due Execution of their respective Offices, and granting them such Salary or Compensation as the said Company of Proprietors shall think proper; and such Clerk or Clerks shall, in a proper Book or Books to be provided by the said Company of Proprietors for that Purpose, enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons who shall from Time to Time become Owners and Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company of Proprietors and Directors respectively; and each of the said Proprietors of the said Undertaking shall and may at all Times have recourse to, and peruse and inspect the same, and also the Book or Books to be kept by the Chief or other Clerks to the said Company of Proprietors, *gratis*, and may demand and have Copies thereof, or any Part thereof, paying the Sum of Sixpence for every One hundred Words so to be copied; and if any such Clerk or Clerks to the said Company of Proprietors shall refuse to permit any Proprietor or Proprietors, so interested as aforesaid, to inspect or peruse such Book or Books of Proceedings at all convenient Times and Seasons, or refuse to make any such Copy or Copies at the Rate or Price aforesaid, he shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

For appoint-
ing Officers
in Case of
Vacancies.

XXII. And be it further enacted, That it shall be lawful for the said Directors to suspend or remove any Treasurer, Engineer, Clerk, Collector, Officer, or Servant of the said Company, for any Neglect, Misconduct, or Inability, and to appoint some other Person in their respective Places, and also to fill up the Vacancies that may occur by Death, Resignation, or otherwise; but in case any such new Appointment shall be made by the said Directors, the same shall only continue until the next General or Special General Assembly of the said Proprietors, when the Appointment of such Person shall either be confirmed, or such other fit Person shall be appointed to succeed to such Office, as the said Proprietors at such General or Special General Assembly shall think proper.

Officers, etc.
to account.

XXIII. And be it further enacted, That every such Treasurer, Engineer, Clerk, Collector, and all other Officers and Persons so to be appointed as aforesaid, shall under their Hands, at such Time and Times, and in such Manner as the said Company of Proprietors or their Directors shall direct, deliver to the said Company of Proprietors, or to the said Directors, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Engineer, Clerk, Collector, Officer, or Officers, and Person or Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Company of Proprietors, or to the said Directors, or to such Person or Persons as they respectively shall appoint; and if any such Treasurer, Engineer, Clerk, Collector, Officer, or Person shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver

deliver to the said Company of Proprietors, or to the said Directors, or to such Person or Persons as they respectively shall appoint, within Ten Days after being thereunto required by the said Company of Proprietors, or by the said Directors, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Company of Proprietors, or to the said Directors, or as they respectively shall direct or appoint, then and in either of the Cases aforesaid the said Company of Proprietors may and are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons respectively ; or if Complaint shall be made by the said Company of Proprietors, or by the said Directors, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any One or more of the Justices of the Peace for the County, City, or Place wherein the said Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing shall be and reside, such Justices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons so refusing or neglecting, to be brought before them, and upon his, her or their appearing, or not being to be found, to hear and determine the Matter in a summary Way, and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justices that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons, such Justices may and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons respectively, and if no Goods or Chattels of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Officer or Officers, Person or Persons shall still persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Company of Proprietors, or to the said Directors, or as they respectively shall appoint, then and in any or either of the Cases aforesaid, such Justices shall commit every such Offender to the Common Gaol for such County, City, or Place, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Company of Proprietors, or with the said Directors, and shall have paid such Composition in such Manner as they respectively shall appoint, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Company of Proprietors, or to the said Directors ; but no Treasurer, Engineer, Clerk, Collector,

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tor, Officer, or Person so committed for Want of sufficient Distress, shall be confined or detained in Prison by virtue of this Act, for any longer Space than Twelve Calendar Months.

Power of the
Directors.

XXIV. And be it further enacted, That no Director shall have more than One Vote at any Meeting of the said Directors, except the Chairman, and who, in Case of an Equality of Votes upon any Question which may be agitated at any Meeting, shall have the casting Vote, although he may have given One Vote before; and all the Powers and Authorities hereby vested in or directed to be exercised by the said Directors may be done and exercised by the major Part of them present at their respective Meetings, the whole Number present not being less than Three; and the said Directors shall from Time to Time make Reports of their Proceedings to the said General Assemblies, and if required, to the said Special General Assemblies of the Proprietors, and shall obey their Orders and Directions, and the said Directors shall (subject nevertheless at all Times to such Orders and Directions as aforesaid) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Times and Places as they shall think fit; and in order to defray the Expences of their Meetings, the said Directors shall from Time to Time receive out of the said Capital Stock of the said Proprietors such Sum or Sums of Money as shall be directed, adjusted, and settled at such General Assemblies; and the said Directors shall and may contract for and agree for the Purchase of the Lands, Tenements, or Hereditaments, that may be taken for the Purposes of the said Undertaking and the Works thereunto belonging, and shall and may settle, adjust, and determine all Matters, Questions, and Differences, which shall or may arise between the said Company of Proprietors and the several Owners of and Persons interested in any Lands, Tenements, or Hereditaments, which shall or may be taken, used, damaged, or affected by the Execution of any of the Powers hereby granted, and shall and may make Contracts, Agreements, and Bargains, with the Workmen, Agents, Undertakers, and other Persons employed or concerned in making and completing, and continuing the Works belonging to the said Undertaking, and all and every Part or Parts thereof; and the said Directors shall (subject nevertheless to the Orders and Directions of such General or Special General Assemblies as aforesaid) have full Power and Authority to direct and manage the Affairs of the said Company of Proprietors; and the said Directors shall by themselves, or the Clerk to the said Company of Proprietors, keep a full and true Account of all Money disbursed and Payments made by the said Directors, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on Behalf or in respect of the said Undertaking from any Collector or Collectors, or other Officer or Officers, or from any other Person or Persons whomsoever, employed in or having any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly, by themselves or their Clerk as aforesaid, write, insert, and enter in a Book or Books to be from Time to Time provided at the Expence of the said Company of Proprietors for that Purpose, Minutes or Copies (as the Case shall require) of every such Contract, Bargain, Receipt, and Disbursement, and all other their Orders and Proceedings, which Book or Books shall be deposited with and kept locked up under the Care
and

and Direction of the said Directors; provided always, that every Proprietor shall have free Access thereto upon every reasonable Desire for his and her Inspection; and the said Directors shall have Power from Time to Time to make such Call or Calls for Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they the said Directors from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds upon each Share, and such Calls shall not be made but at the Distance of Thirty Days at least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid, by Advertisement in some Newspaper or Newspapers usually circulating in the City of *London* and the said Counties of *Middlesex* and *Surrey*, or in such other Manner as the said Company of Proprietors shall at any General Assembly direct and appoint; provided that it shall not be lawful to make any further Call upon any Proprietor or Proprietors who shall have paid to the said Company, in Obedience to the said Calls, or otherwise, the full Amount of the Sum which by his, her, or their Subscription he, she, or they had undertaken to pay for his, her, or their said Share or Shares, and every Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid to such Person or Persons, and at such Time and Place as the said Directors shall from Time to Time order and direct; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part of the said Money so called for as aforesaid, at the Time and Place appointed by the said Directors, or within Thirty Days next ensuing, he, she, or they so neglecting or refusing shall forfeit and pay the Sum of Ten Shillings for every Share he, she, or they, shall have in the said Undertaking; and if such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable Call or Calls as aforesaid, for the Space of Three Calendar Months next after the Time so appointed for Payment thereof, then he, she, or they so neglecting or refusing, shall forfeit his, her, or their respective Share and Shares in the said Undertaking, and all the Profits and Benefits thereof, all which Shares so forfeited, shall be vested in the said Company of Proprietors, in Trust for, and for the Benefit of all the rest of the said Proprietors, in Proportion to their respective Interests in the said Undertaking, or shall at the Discretion of any of the said General or Special General Assemblies, be publickly sold for the Use of the rest of the said Proprietors whose Shares and Interests shall not have been forfeited as aforesaid: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares, until Notice shall have been given to or left at the usual or last Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, provided such Place or Places of Abode shall be known to the Clerk of the said Company of Proprietors, and shall be within Ten Miles of the Royal Exchange in the City of *London*, nor until the same Share or Shares shall likewise have been declared to be forfeited at some General or Special General Assembly of the Company of Proprietors.

XXV. Provided always, and be it further enacted, That the respective Persons who have subscribed, or who shall hereafter subscribe or advance any Money for and towards the said Undertaking, or shall be

Subscribers
to pay their
Subscription.

Owner or Owners, Proprietor or Proprietors, of any Share or Shares in the said Undertaking, shall and are hereby required to pay the Sum or Sums by them respectively subscribed (or such Parts and Proportions thereof as shall from Time to Time be called for by the Directors of the said Company of Proprietors, by virtue of the Powers and Directions of this Act) at such Times and Places, and in such Manner as shall be directed by the said Directors; and in case any of such Subscribers shall neglect or refuse to pay the same at the Time and Place, and in Manner so required for that Purpose, the said Company of Proprietors are hereby empowered to sue for and recover the same in any Court of Law or Equity.

Directing
the Proceed-
ings in
Actions for
Calls.

XXVI. And be it further enacted, That in all Actions brought by the said Company of Proprietors, against any Person or Persons who hath or have subscribed, or who shall hereafter subscribe or advance any Money for and towards the said Undertaking, or against any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable to the said Company, for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and alledge that the Defendant or Defendants, being an Owner or Owners, Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in Arrear shall amount to, for such and so many Call or Calls of such or so many Sum or Sums of Money, upon such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be) whereby an Action hath accrued to the said Company, by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall be only necessary to prove that the Defendant or Defendants, at the Time of making such Call or Calls, was or were an Owner or Owners, Proprietor or Proprietors of some Share or Shares in the said Waterworks, and that such Call or Calls was or were in Fact made, and that such Notice was given thereof as is directed by this Act; and the said Company shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call exceeded the Sum of Ten Pounds for every One Hundred Pounds, or was made within the Distance of Thirty Days from the last preceding Call, or without Notice given as aforesaid; and after Judgment shall be given for the said Company in any such Action, Execution shall not be stayed by reason of any Writ of Error brought by the Defendant or Defendants therein, unless such Defendant or Defendants, with Two sufficient Sureties, shall first become bound to the said Company by Recognizance, to be acknowledged in the Court in which such Judgment shall be given, in double the Sum adjudged to the said Company by such Judgment, to prosecute the said Writ of Error with Effect; and also if the said Judgment shall be affirmed, or the said Writ of Error be non-prossed, to satisfy and pay the Debt, Damages, and Costs adjudged by the said Judgment, and all Costs and Damages to be awarded for Delay of Non-execution.

Directors
may allow
Interest to
Proprietors
on Payments
in Advance.

XXVII. Provided always, and be it enacted, That if any Subscriber to the said Undertaking, shall be minded and desirous to pay or advance immediately into the Hands of the said Directors, or of the Person whom they shall appoint to receive the same, the full Amount of his Subscription

tion for such Share or Shares for which he may have subscribed, or any Part thereof, not being less than a Sum of Fifty Pounds, without waiting for the said Call or Calls, then and in such Case it shall be lawful for the said Directors to pay to the said Subscriber or Subscribers, out of the Funds of the said Company, Interest upon the same at the Rate of Five Pounds *per Centum per Annum* upon the Amount which such Payment or Advance may be over and above the said Calls, and from the Period of the Call immediately preceding such Payment or Advance, up to the Period of such subsequent Call respectively, according to the Sum then in Advance, over and above the Amount of the said Call.

XXVIII. And be it further enacted, That if any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall happen to die before such Call or Calls shall have been made for the full Sum or Sums to be advanced on any Share or Shares which he, she, or they shall have been possessed of, or entitled to, without having made Provision by Will or otherwise, how and in what Manner such Share or Shares shall be disposed of, and how or by what Means the future Calls in respect thereof shall be paid to the said Company of Proprietors, for the Purpose of the said Undertaking, then and in such Case the Executors or Administrators of any such Owner or Owners so dying, or the Trustee or Trustees, Committee or Committees, of any Lunatic or Lunatics, Guardian or Guardians of any Infant or Infants, or of any other Person or Persons entitled to the Estate and Effects of such deceased Owner or Owners, Proprietor or Proprietors, shall be indemnified against all and every such Infant or Infants, and against all and every other Person or Persons whomsoever, for or on account of his, her, or their having paid any Sum or Sums of Money when called for as aforesaid, to complete every such Subscription; and if such deceased Owner or Owners, Proprietor or Proprietors shall not have left Assets sufficient, or in case the Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians of any such Owner or Owners, Proprietor or Proprietors, shall refuse or neglect to answer such Calls, the said Company of Proprietors shall be, and they are hereby authorized and required to admit any other Person or Persons to be an Owner or Owners, Proprietor or Proprietors of the Share or Shares of such deceased Owner or Owners, Proprietor or Proprietors, on Condition that he, she, or they so admitted, do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Owner or Owners, Proprietor or Proprietors, or to the Trustee or Trustees, Committee or Committees, Guardian or Guardians of any Infant or Infants, or to any other Person or Persons who may be entitled to his or her Effects, the full Sum or Sums of Money which shall have been paid by such Owner or Owners, Proprietor or Proprietors, in his, her, or their Lifetime, by virtue of any Call or Calls or otherwise, upon such Share or Shares, or such other Sum or Sums of Money as the same can be sold for; and in case no Person or Persons shall be found who is or are willing to be admitted upon such Condition as aforesaid, then and in every such Case such Share or Shares shall be forfeited to, and become vested in the rest of the Company of Proprietors of the said Undertaking, in Trust for, and for the equal Benefit of all the rest of the said Proprietors, in Proportion to their respective Interests in the said Undertaking, and shall be subject to be sold and disposed of in like

On the Death of Subscribers, their Executors may complete the Payment of their Shares.

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Manner as other forfeited Shares may be sold and disposed of by virtue of this Act.

Shares may
be sold.

XXIX. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, his, her, or their respective Executors, Administrators, and Assigns, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned, the Conveyance of which Shares shall be in the Form, or to the Effect following; *videlicet*:

Form of
Conveyance
of Shares.

‘ I *A. B.* in consideration of paid to
‘ me by *C. D.* of Do hereby bargain,
‘ sell, assign, and transfer to the said *C. D.* the Sum of
‘ Capital Stock of and in the *West Middlesex Waterworks*,
‘ being Part [*or, the Whole, as the Case may be*] of my Share [*or, Shares*]
‘ in the said Undertaking, to hold to the said *C. D.* his, [*or, her*] Execu-
‘ tors, Administrators, and Assigns, subject to the same Rules, Orders,
‘ and Restrictions, and on the same Conditions that I held the same im-
‘ mediately before the Execution hereof; and I the said *C. D.* do hereby
‘ agree to take and accept the said Capital Stock or Share, subject to the
‘ same Rules, Orders, Restrictions, and Conditions. As witness our
‘ Hands and Seals, the Day of

And on every such Sale, the said Deed of Conveyance being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares, shall be kept by the said Purchaser or Purchasers, for his, her, or their Security, after the Clerk to the said Company of Proprietors shall have entered in a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer and Sale for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid, and the said Clerk is hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares, paid to him, her, or them, nor any Vote in respect thereof, as a Proprietor or Proprietors of the said Undertaking.

No Shares
shall be sold
after a Call,
till the Money
is paid.

XXX. And be it further enacted, That after any Call of such Money shall have been made by the said Directors as aforesaid, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, on Pain of forfeiting his, her, or their respective Share or Shares therein to the said Company of Proprietors, in Trust for the Benefit of all the said Proprietors, unless he, she, or they at the Time of such Sale or Transfer shall have paid and discharged to the Treasurer of the said Company of Proprietors, the whole and entire Sum of Money which shall have been called for upon each Share so sold or transferred, such Forfeiture, nevertheless, to be notified and declared at a General or Special General Assembly.

For ascer-
taining the
Proprietor-

XXXI. And whereas in Case where the original Subscriber of One or more Share or Shares in the said Undertaking shall die, become insol-

went, or Bankrupt, or go out of the Kingdom, or shall transfer his Right and Interest to some other Person; and no Register shall have been made of the Transfer thereof with the said Clerk, as directed by this Act, it may not be in the Power of the said Company of Proprietors, or their Treasurer or Clerk, to know who is the Owner or Proprietor of such Share or Shares, in order to give him, her, or them Notice or Notices of Calls made on such Share or Shares as is hereby required, and to maintain any Action or Actions against him, her, or them for the Recovery of the same, or for the Purpose of safely paying to him, her or them the Interests or Dividends to which he, she, or they may be entitled by virtue thereof; be it further enacted, That in all the Cases aforesaid, where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Proprietor thereof to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof as herein directed, an Affidavit shall be made and sworn to by Two credible Persons before One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, and such Affidavit shall be transmitted to the Clerk to the said Company of Proprietors, to the Intent that he may, and he is hereby required to enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors in the said Undertaking, to be kept in the Office of the said Clerk; and that in all or any of the said Cases it shall be lawful for the said Company of Proprietors, at any General Meeting, after Three Calendar Months Notice shall have been given by the said Treasurer or Clerk to the Owners or Persons claiming by such Affidavit to be Owner or Owners thereof, and such Person or Persons shall not have paid, his, her, or their Proportion of the Money becoming payable by virtue of any Call or Calls as aforesaid, and after Notice thereof shall have been given thereof Three Times, at the Intervals of Fourteen Days between each Advertisement, in some Two *London* Newspapers circulating in the said Counties of *Middlesex* and *Surrey*, to declare at any General Meeting the same Share or Shares to be forfeited, and in such Case the same shall be and become forfeited, and sold and disposed of in such Manner as the said Company of Proprietors shall direct, or otherwise become consolidated in the general Fund of the said Company.

XXXII. And, for the better Security of the several Proprietors of the said Undertaking, as to their respective Shares therein, be it further enacted, That the said Company of Proprietors shall and are hereby required, at their Second or some subsequent General Meeting, to cause the Names and proper Additions of the several Persons who shall be then entitled to the Shares in the said Undertaking, with the Number of Shares which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books, to be kept by the Clerk to the said Company of Proprietors; and after such Entry made, to cause their Common Seal to be affixed thereto, and shall also cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber upon Demand, specifying the Share or Shares to which he, she, or they is entitled in the said Undertaking, every such Proprietor paying to the Clerk Two Shillings and Sixpence,

ship of shares
in certain
Cases.

Names of
Proprietors,
and Number
of their Shares,
to be entered
in a Book, and
Tickets, with
the Numbers,
delivered to
them.

Sixpence, and no more, for every such Certificate or Instrument; and such Certificate or Instrument shall be admitted in all Courts whatever, as Evidence of the Title of such Subscriber, his, her, or their Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Certificate or Instrument shall not hinder or prevent the Owner or Proprietor of any of the said Shares from selling or disposing thereof; and in case any such Certificate or Instrument shall become defaced, worn out, or damaged, or shall be found to have been lost or destroyed, then another shall be made out and entered by the Clerk, on the same Terms and Conditions as aforesaid.

Power to
make Water-
works, and
take Land,
etc.

XXXIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors and their Successors, by themselves, their Deputies, Officers, Agents, Servants, Workmen, and Assistants, to make, complete, maintain, and keep Waterworks, Reservoirs, Aqueducts, Water Wheels, Fire Engines, and other Engines, Pipes, and other Conveniences in the several Parishes, Townships, or Places of *Saint Luke Chelsea*, on the West Side of the Line or Boundary herein-after particularly described, such Part of the Parish of *Saint Margaret Westminster* as lies within the Town of *Kensington*, and also in the several Parishes, Townships, or Places of *Saint Mary Abbots Kensington*, *Saint Paul Hammer-smith*, *All Saints Fulham*, *Saint Nicholas Chiswick*, *Saint Mary Ealing*, *Saint Mary Hanwell*, *Old Brentford*, *New Brentford*, *Heston*, *Hounslow*, and *All Saints, Isleworth*, in the said County of *Middlesex*, and in the Parishes, Townships, or Places of *Saint Mary Battersea*, *Saint Mary Wandsworth*, *Saint Mary Putney*, *Saint Mary Barnes*, *Mortlake*, *Saint Mary Magdalen Richmond*, and *Saint Anne Kew*, in the said County of *Surrey*, and other Places, for supplying the same respectively with Water from the River *Thames* by the said Waterworks; and the said Company of Proprietors are hereby fully empowered, by themselves, their Deputies, Agents, Workmen, or Servants, to supply the said intended Waterworks and the said Reservoirs and Aqueducts, whilst the same shall be making, and at all Times for ever after the same shall be made, with Water from the River *Thames*, and to make such and so many Feeders, Tunnels, and Shafts, and to make, erect, and set up such and so many Stop Gates, Locks, Sluices, Weirs, Engines, Steam Engines, and other Machines for supplying the said Waterworks and the said Reservoirs and Aqueducts with Water, and for any other Purposes for the making, maintaining, and using of such Waterworks, Reservoirs, and Aqueducts, as they the said Company of Proprietors, or their Successors, shall from Time to Time think proper and expedient; and for the better effectuating the Purposes aforesaid the said Company of Proprietors, and their Successors, Agents, Officers, Workmen, and Servants, are hereby empowered to go, enter, and pass in, upon, over, under, or through the Lands and Grounds, Brooks, Streams, Waters, Highways, Roads, Passages, Streets, Commons, and all other Lands and Places of or belonging to any Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, and to set out and ascertain such Part or Parts thereof as they the said Company of Proprietors shall think necessary and proper for making, completing, maintaining, improving, and using the said Waterworks, Reservoirs, and Aqueducts, and all such other Works, Matters, and Conveniences as they shall think necessary, for effecting the Purposes aforesaid, and to bore, dig, cut, trench,

trench, and fough, and to remove and lay Earth, Clay, Stone, Rubbish, Trees, Roots of Trees, Gravel, or Sand, or any other Matters or Things which may be dug or gotten in the making of the said Waterworks, Reservoirs, and Aqueducts, or the Tunnels, Shafts, Trenches, Passages, Sluices, Pens for Water, Gutters, Soughs, Ditches, Drains, or Watercourses, and other the Works of the said Waterworks, Reservoirs, and Aqueducts, or which may prevent or obstruct the making, completing, maintaining, and using the same, or any of them respectively, according to the true Intent and Purport of this Act; and also to construct, make, build, and set up, in or upon the said Reservoirs or Aqueducts, or upon the Lands adjoining to or lying near the same, such and so many Banks, Bridges, Fords, Tunnels, Shafts, Aqueducts, Pipes, Sluices, Locks, Weirs, Pens for Water, Drains, Steam Engines, Houses, or other Buildings upon the same, and other Works for raising and returning Water for the Use of the said Waterworks, Reservoirs, and Aqueducts, and for the conveying of Water from one Level to another, and for all other the Purposes of the said Undertaking; and also to make such Engines, Watch-houses, and other Works, Roads, Ways, and Conveniences, and all such Cisterns, Ponds, Basons, Main Pipes, Rider Pipes, Hand Pipes, Stand Pipes, Service Pipes, Branches of Lead, and other Metal Cocks, Chamber Cocks, Cocks in common, Stock Cocks, Valves, Fire Plugs, Air Plugs, Fire Cocks, Boxes, Mains, Ferries, Feeders, Faniers, Drains, Pumps, Sluices, and all such other Works and Devices as and wherever the said Company of Proprietors shall think requisite for the several Purposes of this Act; and also from Time to Time to divert, alter, and repair, widen, enlarge, amend, and discontinue the same, and to make and maintain any other Works or Conveniences of or belonging to the said Waterworks, Reservoirs, and Aqueducts respectively, as shall be deemed necessary or proper for the making, erecting, finishing, altering, repairing, amending, maintaining, and using the said Waterworks, Reservoirs, and Aqueducts respectively, and the Works thereof, and for carrying and conveying Articles and Things to and from the said Waterworks; and also to place, lay, manufacture, and work any Materials on the Grounds where found, or near to the Place or Places where the said Works or any of them shall be, or are intended to be made, erected, repaired, or done; and also to make, maintain, repair, and alter any Fences or Passages over, under, or through the said Waterworks, Reservoirs, and Aqueducts, and the Works and Conveniences which shall or may at any Time or Times hereafter belong to or communicate therewith, and also to make, set out, and appoint such Paths, Banks, and Ways, convenient for passing in, through, alongside, or upon the said Waterworks, Reservoirs, and Aqueducts, and Feeders to the said Works, for any such Purposes as they the said Company of Proprietors shall think convenient; and also to dig, take, and carry away, for the Use of the said Company of Proprietors, any Clay, Soil, Gravel, Sods, or Loam, which may be proper and convenient for making the said Waterworks, Reservoirs, Aqueducts, Steam Engines, or other Works, and also for repairing, supporting, maintaining, and using the same, in, upon, or from any Grounds adjoining or lying contiguous or convenient thereto, and to construct, erect, alter, keep in Repair, and use any Piers, Arches, or other Works or Buildings, in, upon, or across any Creeks or Brooks for the making, using, maintaining, and repairing the said Waterworks, Reservoirs, Aqueducts, Watercourses,

[*Loc. & Per.*] 28 G and

and Feeders, and the Paths on the Sides of the said Works, without Impediment, and also to construct, erect, do, and perform all other Matters and Things which shall be deemed necessary and convenient for the making, completing, using, preserving, and improving of the said Waterworks, Reservoirs, Aqueducts, and Feeders, and the Works connected therewith, in pursuance and within the true Intent and Meaning of this Act, they the said Company of Proprietors, their Agents, Deputies, Officers, Workmen, and Servants doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction, in Manner hereinafter mentioned, to the Owners or Proprietors of, and all Persons interested in any Lands or other Hereditaments which shall be taken and removed, diverted, or prejudiced, for all Damages which shall be sustained by such Owners or Occupiers of, and other Persons interested in the Lands and Hereditaments which shall be taken or used by or on the Behalf of the said Company of Proprietors, or which shall be prejudiced or damaged by being overflowed, or otherwise, in surveying, setting out, making, maintaining, altering, and repairing and using the said Waterworks, Reservoirs, Aqueducts, and Feeders, or other Works; or in or by the Execution of any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company of Proprietors, their Deputies, Servants, Workmen, and all other Persons for what they or any of them shall do by virtue of the Powers hereby granted; provided always, that the Furnace of every Steam Engine to be erected by the said Company of Proprietors shall be constructed upon the Principle of consuming its own Smoke.

Houses,
Gardens,
&c. not to be
injured.

XXXIV. Provided always, That nothing in this Act contained shall authorize or empower the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, in the making or completing of the said Waterworks, Reservoirs, Aqueducts, or other Works relating thereto, or any other of the Purposes aforesaid, any House, Bridge, or other Building, which was erected or built on or before the passing of this Act, or any Land or Ground which on or before that Time was set apart and used as or for a Yard, Park, Paddock, Garden, planted Walk or Avenue to a House, without the Consent of the Owner or Owners thereof for the Time being.

Describing
the Limits
within which
the Works
shall be exe-
cuted.

XXXV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend, to enable the said Company of Proprietors, or their Successors, to lay or drive any Pipes, Trunks, or other Works, or to supply with Water any of the Inhabitants residing on the East Side of any of the Streets or Places forming the Line or Boundary hereinafter described; or into any of the Streets or Places on the East Side of the said Line or Boundary; (that is to say), from the River *Thames* up *Robinson's Lane*, *Pound Lane* to the *King's Road* eastward, along the *King's Road* to *White Lands Lane*, along *White Lands Lane* to the House now known by the Sign of *The Admiral Keppel*, in the *Fulham Road*, from *The Admiral Keppel* to the House now known by the Sign of *The Horns* at *Brompton*, from *The Horns* at *Brompton*, along *Brompton Road*, to the North End of *Sloane Street*, from the North End of *Sloane Street* across the Road to *Hyde Park Wall*, taking the Line that separates the Parish of *Kensington* on the East, nor to

go into any Part of the City and Liberties of *Westminster* (excepting that Part of *Saint Margaret's Westminster*, lying in the Town of *Kensington*, and included in the Preamble); and in case the said Company of Proprietors of the *West Middlesex* Waterworks shall supply any House, Building, or Place, forming such Line, or included in the said Boundary, then and in every such Case the said Company of Proprietors of the *West Middlesex* Waterworks shall forfeit and pay to the Governor and Company of *Chelsea* Waterworks the Sum of Ten Pounds per Annum, for every House or Building so served or supplied with Water, to be recovered by the said Governor and Company of *Chelsea* Waterworks, in any of His Majesty's Courts or Record at *Westminster*, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Effoign, Protection, Wager of Law, or more then One Impar lance shall be allowed.

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Company of Proprietors, their Agents, Servants, or Workmen, or any other Person or Persons whomsoever, to intermeddle with, break up, take, or use for any of the Purposes in this Act mentioned, any Land or Ground belonging to the Right Honourable *William* Lord *Kensington*, Lord of the Manor of *Earls Court*, in the said County of *Middlesex*, or his Lessees, Tenants, or Undertenants, or to erect or construct any Engine, or other Work, thereupon, or upon any Part thereof, or to lay any Mains, Drains, Pipes, or Aqueducts, in, upon, or through any of the Waste Lands belonging to the said Manor of *Earls Court*, so as to molest or injure the Houses, Buildings, or other Erections already made upon any such Waste Land, or so as to obstruct, hinder, or prevent the said *William* Lord *Kensington*, his Heirs or Assigns, or any other Person or Persons, by his or their Authority, from erecting or building any Houses, or other Erections, in or upon any such Waste Land, without the special Licence and Consent in Writing of the said *William* Lord *Kensington*, His Heirs or Assigns, under his or their Hand or Hands, for all or any of such Purposes first had and obtained.

For restraining the Company from making Use of certain Lands belonging to Lord *Kensington*.

XXXVII. And, in order to enable the said Company to supply the Inhabitants in the County of *Surrey* with Water, be it enacted, That it shall be lawful for the said Company to convey and carry their Pipes over the respective Bridges of *Battersea*, *Putney*, and *Kew*, with the Consent of the major Part of the Trustees for or Managers of the said Bridges, so that in conveying or carrying the said Pipes, no Damage be done to the said Bridges, or Impediments placed in the Way of the Passengers over the same.

For carrying the Works into the County of *Surrey*.

XXXVIII. And be it further enacted, That after any Lands, Grounds, or Hereditaments, shall be set out and ascertained for making the said Waterworks, Reservoirs, Aqueducts, Feeders, and other Works, or any Part or Parts thereof, or any of them, it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and to and for all Husbands, Guardians, Trustees and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other

Bodies Politic and Corporate, Tenants for Life, and other incapacitated Persons empowered to sell and convey Lands for the Purposes aforesaid.

other Trustees and Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their *Cestuique* Trusts, whether Infants, Issue unborn, Lunatics, Idiots, or other Person or Persons, and for all Females Covert, who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever who is, are, or shall be seised, possessed of, or interested in any Lands, Grounds, or Hereditaments, which shall be so set out and ascertained for the Purposes aforesaid, to contract for, lease, sell, and convey the same and every Part thereof to the said Company of Proprietors and all such Contracts, Agreements, Sale, Conveyance, and Assurance, shall be made at the Expence of the said Company of Proprietors: And such of them as shall be made of any Lands, Tenements, or Hereditaments, to the said Company of Proprietors shall be made according to the following Form:

Form of the
Conveyance
to the Com-
pany.

‘ I A. B. of in Consideration of the Sum of
‘ to me paid [*or*, in Consideration of the an-
‘ nual Rent of to me to be here-
‘ after yielded and paid by Yearly, *or*, Half-Yearly Payments, [*as*
‘ *may be agreed upon*] by the Company of Proprietors of *The West Mid-*
‘ *dlessex Waterworks*, do hereby grant and release to the said Company, all
‘ [*describing the Premises to be conveyed*] and all my Right, Title, and
‘ Interest to and in the same, and every Part thereof, to hold to the said
‘ Company and their Successors for ever, by virtue and according to the
‘ true Intent and Meaning of the Act, passed in the Forty-sixth Year of
‘ the Reign of His Majesty King George the Third, intituled [*here insert*
‘ *the Title of this Act.*] In witness whereof I have hereunto set my Hand
‘ and Seal this Day of
‘ in the Year of our Lord One thousand eight hundred and

And if the Premises shall happen to be Leasehold for Years, they shall be assigned by a Form answerable to the above, only substituting the Words applicable to the Assignment of a Chattel, which said Conveyance shall be kept by the Clerk of the said Company of Proprietors, who shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons requiring the same; and shall have and receive Sixpence for every One hundred Words of each such attested Copy, and so in Proportion for any less Number of Words.

Company
empowered
to resell
Lands which
may not be
wanted.

XXXIX. And whereas in order to carry into Effect the Purposes of this Act, and to avoid Disputes with the Owners of Lands, Grounds, or Hereditaments, which may be affected by making the said Waterworks, Reservoirs, Aqueducts, and other Works, the said Company of Proprietors may purchase Lands, Buildings, or Hereditaments, not necessary to be made use of for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company of Proprietors to sell and dispose of, and by Indenture under their Common Seal, absolutely to grant and convey such Part or Parts of the Lands or Hereditaments which shall be so purchased by and conveyed to the said Company of Proprietors as aforesaid, and as shall not be wanted for the Purposes of this Act, and also to lay out and appropriate any Part of the said Lands and Premises

as for a Way or Ways, Avenue or Avenues, Passage or Passages; and that all such Conveyances from the said Company of Proprietors shall be valid and effectual, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Rents, or Premises, or any Parts or Parcels thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Company of Proprietors, to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands, Rents, or Premises shall be sold, or for so much thereof as in such Receipt shall be expressed to be received, and such Person or Persons shall not be answerable for any Losses, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof: Provided always, that the said Company of Proprietors, before they shall sell and dispose of such Lands or Hereditaments, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, and in case such Person or Persons shall not then and thereupon agree, or shall refuse to repurchase the same, then and in every such Case an Affidavit being sworn before a Master Extraordinary in the High Court of Chancery, or before one of his Majesty's Justices of the Peace for the County where such Lands or Hereditaments shall lie, by some Person or Persons no way interested in the said Land or Hereditaments, stating that such Offer was made by or on the Behalf of the said Company of Proprietors, and was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so made, which shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

XL. And be it further enacted, That in all Grants, Demises, and Conveyances to be made by the said Company of Proprietors under or by virtue and in pursuance of the several Powers and Authorities to them hereby given, the Words "Grant, Bargain, and Sell" shall amount to, and be construed and adjudged in all Courts of Judicature, to be express Covenants to the Grantee, Lessee, or other Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Company of Proprietors, for themselves and their Successors, that they the said Company of Proprietors, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant, Lease, or Conveyance seised of the Hereditaments and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances for quiet Enjoyment thereof against the said Company of Proprietors, their Successors and Assigns, and all claiming under them; and all such Purchasers should be indemnified and saved harmless by the said Company of Proprietors, and their Successors.

The Words
"Grant,
Bargain; and
Sell," to operate as Covenants for the Title.

XLI. And be it further enacted, That all and every Sum and Sums of Money which shall be had, received, and taken by the said Company of Proprietors, as the Consideration of any such Sale as aforesaid, or that may be reserved by way of Rent upon any such Leases so to be granted as aforesaid, shall be paid, applied, and disposed of in such and the like

Application
of Rent and
Purchase
Money.

[Loc. & Per.]

28 H

Manner

Manner as any other Sums of Money arising or to arise from the said Waterworks, Reservoirs, Aqueducts, and Feeders, are hereby directed to be paid, applied, and disposed of.

Satisfaction
to be made.

XLII. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Femmes Covert, Husbands, Guardians, Committees, Trustees, and all and every Person and Persons who is or are seised, possessed of, or interested in any Lands or other Hereditaments, through, in, or upon which the said Waterworks, Reservoirs, Aqueducts, Watercourses, or Feeders, or other Works hereby authorized are intended to be made, may accept and receive Satisfaction for the Value of such Lands, Grounds, and Hereditaments, and for the Damages to be sustained by the making and completing the said Works hereinbefore directed, either in gross Sums or by annual Rents (except in Cases of Spiritual Persons, to whom Compensation for Glebe and Tythes shall be made by annual Rent, in Manner herein directed), as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company of Proprietors, or their Directors; and in case the said Company of Proprietors, or their Directors, and the Parties interested in such Lands, Grounds, or other Hereditaments, cannot agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Verdict of a Jury as is hereinafter directed.

If Parties are
dissatisfied
with the Di-
rectors De-
termination,
they may
cause a Jury
to be impan-
nelled to
decide the
Matter.

XLIII. And be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executor, Administrator, Husband, Guardian, Trustee, Committee of or for any Lunatic or Idiot, or any Feme Covert, or any Person, whether Tenant for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or other Person or Persons, so interested or entitled as aforesaid, shall be dissatisfied with any Sum of Money offered by the said Directors, or any Three or more of them, and shall give Notice thereof in Writing to the Clerk to the said Directors within Twenty-one Days next after the same shall have been made, or if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons shall, upon Notice in Writing given to the principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Feoffee or Feoffees in Trust, Executor, Administrator, Husband, Guardian, Trustee, Committee of or for any Lunatic or Idiot, or to such Feme Covert, or to such Tenant for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or other Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments to be made Use of for the Purposes of this Act, for the Space of Twenty-one Days next after such Notice, Neglect, or Refusal to treat, or shall not agree with the said Company of Proprietors, or by reason of Absence, or otherwise, shall be prevented from treating, or through Disability by Nonage, Coverture, or other impediment, cannot treat for themselves, or make such Agreement, or Agreements, as shall be necessary for the Purposes aforesaid, or shall not within the before-mentioned Space of Twenty-one Days produce and fully

fully disclose the State of the Title to the Premises which they are or shall be in Possession of, and to the Interest which they claim therein, then and in every such Case the said Directors, or any Three or more of them, shall, and are hereby empowered and required, to issue a Warrant under their Hands and Seals, to the Sheriff of the County in which the Matter in Question shall arise; and in case any such Sheriff or his Under Sheriff shall be one of the said Company of Proprietors, or enjoy any Office or Place of Profit or Trust under them, or shall be otherwise interested in the Matter in Question, then to any One of the Coroners of such County, who shall not be so interested as aforesaid; and in case all the said Coroners of such County shall be so interested, then to the last Person who filled the Office of Sheriff of such County, and who shall not be interested as aforesaid, commanding such Sheriff, Coroner, or other Person, to impanel, summon, and return a Jury of Twelve sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts at *Westminster*, to appear before the Justices of the Peace for the County, City, Division, District, or Liberty wherein the Land or Premises shall be, at some Court of General or Quarter Sessions of the Peace to be holden there, or at some Adjournment, as in such Warrant shall be appointed, and to attend such Court from Day to Day until discharged by the said Court; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Justices are hereby empowered and required, by any Precept or Precepts, to summon and call before them all and every Person or Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in question, and to hear and examine such Witness or Witnesses upon Oath, and the said Justices may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matter or Matters in Question, which Jury upon their Oaths (which Oaths, and also the Oaths of such Persons as shall be called to give Evidence, such Justices are hereby authorized to administer) shall enquire of, assess, and ascertain the Sum or Sums of Money, or annual Rent, to be paid for the Purchase of such Lands or other Hereditaments, or the Recompences to be made for the Damages that shall or may be sustained as aforesaid, and shall assess separate Damages for the same, and for any several and separate Interests of any Owners, Tenants, Tenants for Life, or Lessees, or Tenants at Will, or any other Interest therein, and the said Justices shall give Judgement for such Purchase Monies, Rent or Recompence, so to be assessed by such Jury, which said Verdict, and the Judgement thereupon to be pronounced as aforesaid, shall be signed by the said Justice, and shall be binding and conclusive, to all Intents and Purposes, against all Bodies Politic, Corporate, or Collegiate, and all other Persons, and shall not be removed by *Certiorari*, or any other Writ or Process, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere; any Law or Statute to the contrary notwithstanding.

XLIV. And be it further enacted, That if the Sheriff, or other Person so directed to summon and return a Jury as aforesaid, or his Deputy or Agent, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn, or to give his Verdict, or shall

Compelling
the Sheriff
to summon
a Jury.

shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be examined, or to give Evidence, every Person so offending, having no reasonable Excuse, (to be allowed by the said Justices) shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus, after such Penalty, and the Charges of such Distress and Sale, shall be deducted; and every such Penalty so recovered from any Person who shall have been so summoned to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justices to be injured by the Default of such Person.

Punishing Person guilty of Perjury.

XLV. And be it further enacted, That all Persons who in any Examination to be taken upon Oath by virtue of this Act, shall wilfully give false Evidence, or otherwise forswear themselves, before any such Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same; and upon Conviction thereof, shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

For making Satisfaction for Tythes.

XLVI. And be it further enacted, That full Recompence and Satisfaction shall be made by the said Company of Proprietors, for all the Tythes, both Great and Small, of the Lands which shall or may be taken, or made use of by the said Company, for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled or who would have been entitled to such Tythes, in case such Lands had not been so taken or made Use of, according to their respective Interests therein, such Tythes to be estimated at the Average Value of Seven Years, commencing at Michaelmas Day One thousand Seven hundred and Ninety-six, such Average Value to be ascertained (in Case of any Difference concerning the same) in like Manner as the Value of any Lands or other Hereditaments is hereinbefore directed to be ascertained: Provided always, that the Recompence and Satisfaction to be given by virtue of this Act for all Glebe Lands and Tythes belonging to Spiritual Persons, shall be made to such Persons by an Annual Rent.

Expences of Witnesses and Jury by whom to be paid.

XLVII. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money, or for a greater Annual Rent, as a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons whomsoever, or as a Compensation for any Damages done or to be done to such Lands, Tenements or other Hereditaments, or other Property, than had been previously offered by or on Behalf of the said Company or their Directors, or where any Verdict shall be found for any Damages, where the Dispute is for Damages only, and where no Compensation had been previously offered or tendered in respect thereof by or on Behalf of the said Company, or their Directors, or where by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall

shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with, and make Conveyances to and receive Compensation from the said Company, as hereinbefore mentioned, then and in all such Cases, all the Expences of summoning such Jury, and taking such Verdict, shall be defrayed by the said Company; but if any Verdict shall be given for the same Sum or Rent that had been previously offered by or on behalf of the said Company, or for a less Sum than had been so previously offered, or in case no Damages shall be given by the Verdict, where the Dispute is for Damages only, or in Case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to or receive Compensations from the said Company or their Directors, by any Body or Bodies Politic, Corporate or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act, or otherwise, legally capacitated to treat and convey, or receive such Compensations as aforesaid, then and in all such Cases the Costs and Expences of summoning such Jury, and taking such Verdict, shall be borne and paid by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons, with whom the said Company shall have such Concerns, Controversies, or Disputes, which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money, shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict, where the Dispute is for Damages only, such Costs and Expences, after being so ascertained and settled as aforesaid, shall and may be recovered by the said Company, by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

XLVIII. And be it further enacted, That the said Justices and Juries respectively, in their Awards, Determinations, Judgements, and Verdicts, concerning the Value of Lands and other Hereditaments, shall separately and distinctly proportion off any particular Estate, Terms, or Interests; and also any Damages sustained, or to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon such Estate, Term, and Interest, and the Money adjudged for such Damages as aforesaid, separately and apart from each other.

Determinations by the Directors or Jury, concerning the Value of Lands, to be distinct from those relating to Compensations for Damages.

XLIX. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money, or given good and sufficient Security for Payment of any such annual Rent as shall have been contracted or agreed for between the Parties, or adjusted and determined by any Jury or Juries for the Purchase of any such Lands, Tythes, or other Hereditaments, or as a Recompence for any Yearly Produce or Profits thereof, or as a Compensation for Damages as hereinbefore mentioned, to the Proprietor or Proprietors of such Lands, Tythes, or other Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money, Rent, or Compensation, respectively, or to his, her, or their Agent or Agents, at any Time after the same shall have been actually so agreed for, determined, or assessed, or upon Payment

The Lands are to vest absolutely in the Company, upon their either paying or giving Security for Payment of the Value of the Land, or Compensation for Damages.

[Loc. & Per.]

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of

of the said Sum or Sums of Money into the Bank of *England* (in case the same shall be requisite) in Manner by this Act directed and required, for the Use of such Person or Persons so interested or entitled as aforesaid, then and in every such Case it shall be lawful for the said Company of Proprietors, and their Agents, Workmen, and Servants, immediately to enter upon the Lands, Tenements, and other Hereditaments respectively (or before such Payment or Tender, or Security given, by Leave of the Owners and Occupiers thereof) and then and thereupon such Lands, Tenements, and other Hereditaments, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in, and become the sole Property of the said Company of Proprietors, to and for the Purposes of this Act, for ever; and such Tender, Payment, Investment, or Deposit, or the giving of such Security for the same as aforesaid, shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to, and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever, interested therein: Provided nevertheless, that before such Payment, Tender, Investment, Deposit, or Security as aforesaid, shall be made, it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut the Lands or Grounds of the Person or Persons entitled to such Payment or Security for the Purpose of making the said Waterworks, Reservoirs, Watercourses, and Feeders, Aqueducts, or Works, or any of them, without the Consent of such Person or Persons respectively.

Verdicts of
the Jury to
be recorded
by the Clerk
of the Peace.

L. And be it further enacted, That each and every Verdict so given shall be transmitted to, and be kept by the respective Clerks of the Peace, or other Persons having the Custody of the Records of the Quarter Sessions for the said Counties of *Middlesex* and *Surrey* respectively, and shall be deposited with, and deemed to be Records of such Quarter Sessions respectively, to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in Proportion for any less Number of Words.

Purchase
Monies, or
Compensati-
ons due to
Corporate Bo-
dies, Miners,
etc. to be laid
out to the
same Uses, etc.

LI. And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, Feoffees in Trust, Executors, Administrators, Husbards, Guardians, Committees, or other Trustees, or Persons acting as Guardians, Committees, or other Trustees for or on Behalf of any Lunatics, Idiots, Females Covert, or other *Cestuique* Trusts, or to any Person or Persons whose Lands or Estates are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, for the Purchase or Exchange of, or the Damages to be done to any Lands, Tenements, or Hereditaments, by virtue of the Powers herein contained, shall be paid and applied in Manner following; (that is to say), in case the same shall amount to or exceed the Sum of Two Hundred Pounds, it shall with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery,

Chancery, to be placed to his Account *ex parte* the Company of Proprietors of "The *West Middlesex* Waterworks," to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Redemption or Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance, or Part thereof, as the said Court shall authorise to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase and Settlement were made.

LII. Provided always, and be it further enacted, That in case the Money so payable to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being, entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Directors (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed,

Application where the Compensation Money does not exceed 200l. and above 20l.

directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application
where less
than 20l.

LIII. And be it further enacted, That in case the Money payable to such Corporation, or to any Person under Disability or Incapacity as aforesaid, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments in respect whereof the same shall be paid, in such Manner as the said Directors, or any Three or more of them, shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Directors shall direct the same to be paid, shall be sufficient Discharges for the same.

In case of not
making out
Titles;

or if Per-
sons cannot
be found,
Purchase
Money to be
paid into the
Bank;

Subject to
the Order of
the Court of
Chancery,
on Motion or
Petition,

LIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Directors, or any Three or more of them; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Directors, or any Three or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [*describing them*] subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable, and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Uses the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any
Question
shall arise,
touching the
Title to
Money to be

LV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any
Estate

Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends, or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

paid the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase shall be deemed entitled thereto, according to such Possession, unless, etc.

LVI. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Directors, or any Three or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Company.

LVII. And be it further enacted, That every Tenant at Will, or Lessee for a Year, or any other Person or Persons in Possession of any such Lands, Tenements, and Hereditaments, or any Part thereof, which shall be purchased, occupied, taken, and used by virtue of and for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenants at Will, or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Company of Proprietors, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Six Calendar Months Notice to quit such Possession from the said Company of Proprietors, or from the Person or Persons so authorized by them to take such Possession; and such Person or Persons in Possession shall, at the End of the said Six Calendar Months, whether such Notice be given with Reference to the Time or Times of such Tenants holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Company of Proprietors, or the Person or Persons authorized by them to take Possession thereof, and in case any such Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid (all reasonable Satisfaction being first made or tendered), it shall be lawful for the Directors of the said Company, or any Three or more of them, to issue their Precept or Precepts to the Sheriff of the County in which the Premises

Tenants at Will to deliver Possession at Six Months Notice.

[Loc. & Per.]

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shall

shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly; and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Mortgagees
to convey.

LVIII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall on the Tender of the Principal Money, and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Company of Proprietors, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Company of Proprietors, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, that then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company of Proprietors, or to such Person or Persons as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage, or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained as directed by this Act, then the said Company of Proprietors shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest, due on any Mortgage as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is herein-before directed in Cases of other Payment into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trusts, Property, Claim and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the Premises comprized in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

Respecting the
Supply of
Water.

LIX. And be it further enacted, That such of the Inhabitants of the several Parishes, Townships, Hamlets, and Places aforesaid, and all such other Persons as shall be desirous of having Water from the said Waterworks laid into their Houses, Buildings, or other Premises to the Westward

ward of the Boundary Line herein-before described, may and are hereby authorized and empowered, at their own Expence (having first obtained the Consent in Writing under the Hand of such Person as shall be authorized by the said Company of Proprietors, or their Directors, to give such Consent), and with the Consent of the Owners of the Premises through which the Pipes shall be conveyed, to open the Ground between the Company's Aqueducts or Main Pipes, and the respective Houses, Buildings, or other Premises of such Inhabitants, and to lay any Leaden Pipe or Pipes (the Bore thereof to be ascertained by the said Company) from such respective Houses, Buildings, or other Premises to communicate with the said Aqueducts or Main Pipes, such respective Inhabitants paying to the said Company of Proprietors, Yearly, Quarterly, or Monthly, such Rate or Rates, or Sum or Sums of Money for such Water, as shall be mutually agreed upon between them; and in case of Default in Payment of any such Rate or Rates, Sum or Sums of Money, so to be paid as aforesaid, it shall be lawful for the said Company of Proprietors to cause the Pipe or Pipes belonging to the Person or Persons making such Default, and communicating with the Aqueducts and Main Pipes belonging to the said Company of Proprietors, to be separated from the same Aqueducts or Main Pipes, and to cause the Water to be stopped from issuing or running into the House, Building, or other Premises of every Person making such Default; and that the Rate or Rates, Sum or Sums of Money, which shall be due and in Arrear from such Person or Persons to the said Company of Proprietors, shall and may be recovered by the said Company of Proprietors, by Distress and Sale of the Goods and Chattels of the Persons liable to pay the same, in the same Manner as Rents reserved on common Demises may by Law be recovered; and if any Person shall lay or cause to be laid any Leaden or other Pipe to communicate with any such Aqueduct or Main Pipe belonging to the said Company of Proprietors, without such Consent being obtained as aforesaid, every such Person shall forfeit and pay to the said Company of Proprietors, and their Successors, any Sum not exceeding Five Pounds for every Day such Pipe shall so remain: Provided always, that all and every Person and Persons who shall have laid any Leaden Pipe or Pipes as aforesaid shall be at Liberty to remove and take away such Pipe and Pipes, and the Cock or Cocks to such Pipe or Pipes belonging.

Persons upon agreeing with the Company, may open Ground, and lay Pipes to the Mains laid by the Company.

LX. Provided always, and be it enacted, That when and as often as any Ground shall or may be opened or broken up, either by the said Company of Proprietors, or by any other Person or Persons, for laying, taking up, or repairing any Aqueduct or Main Pipe, or Communication Pipe, by virtue of this Act, then and in every such Case the said Company of Proprietors, or other Persons respectively, shall fill or cause to be filled in such Ground, and the Rubbish occasioned by the opening or breaking up the same to be carried away as soon as conveniently may be, and in the mean Time to cause such Ground to be fenced or guarded, so that the same may not be dangerous to Passengers or Cattle: Provided always, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or in any of the Agents or Servants of the said Company of Proprietors, or in any such other Person or Persons, in taking up or repairing any of the said Aqueducts or Main Pipes, or any of the said Communication Pipes, or in filling in such Ground, or removing the Rubbish thereby occasioned, then and in every such Case

When Ground is broken up for laying Pipes, it is to be filled in again as soon as possible, and fenced in the mean Time, to prevent Accidents.

the said Company of Proprietors, or such other Persons so offending respectively, shall forfeit and pay any Sum not exceeding Forty Shillings.

For preserving
the Water
clean and
wholesome.

LXI. And, in order to preserve the Water clean and wholesome, BE it further enacted, That if any Person shall bathe in any Reservoir, Aqueduct, Waterway, Feeder, or Pond, made, maintained, or supported by virtue of this Act, or wash any Dog or other Animal therein, or throw or cast any Dog or Cat, or any Filth, Dirt, or other noisome or offensive Thing, or wash or cleanse any Cloth or any Wool or Leather, or the Skins of Sheep, Lambs, or other Animals, or any noisome or offensive Thing, in any such Reservoir and Aqueduct, Waterway, Feeder, or Pond, or cause or suffer the Water of any Sink, Sewer, or Drain, to run or be conveyed into any such Reservoir, Aqueduct, Waterway, Feeder, or Pond, or cause any other Annoyance to be done to the Water contained in any such Reservoir, Aqueduct, Waterway, Feeder, or Pond, whereby or by Means whereof the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in each and every such Case every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

For hindering
Persons sup-
plied from
supplying
others, and for
punishing Per-
sons for wil-
fully letting
off the Water.

LXII. Provided always, and be it further enacted, That if any Person or Persons shall take or use, or cause, permit, or suffer to be taken or used, any Water from or out of any Reservoir, Aqueduct, or Pipe, which shall be made or laid by virtue of this Act, without the previous Consent of the said Company of Proprietors; or if any Person or Persons supplied with Water by virtue of this Act, shall supply any other Person with any Part of such Water; or if any Person or Persons shall wilfully let off, or cause to run to waste any Water from any such Aqueduct or Pipe, then and in every such Case every Person so offending shall for every such Offence forfeit and pay to the said Company of Proprietors any Sum not exceeding Forty Shillings, and it shall and may be lawful to and for the said Company of Proprietors, if they shall so think fit, to take or cut off the Water so supplied by the said Company from the House, Building, or other Premises of the Person or Persons so offending.

Except in cer-
tain Cases.

LXIII. Provided nevertheless, and be it enacted, That nothing herein contained shall extend or be construed to extend, to subject any Person or Persons whomsoever, supplied with Water by virtue of this Act, to any Penalty or Forfeiture for supplying any Person or Persons whomsoever with any Quantity of such Water in case of Fire, or during any Time that the Pipe or Pipes, Cock or Cocks, belonging to any Person or Persons supplied with Water by the said Company of Proprietors, shall or may happen to be out of Repair, such Pipe or Pipes, Cock or Cocks, nevertheless being repaired as soon as may be after any Damage shall happen thereto.

For enabling
the Company
to enter Pre-
mises, to see
that there is
no Waste of
Water.

LXIV. And be it further enacted, That it shall and may be lawful to and for any Engineer, or any other Person or Persons acting by or under the Authority of the said Company of Proprietors, or of their Directors, at any Time or Times between the Hours of Ten in the Forenoon and Four in the Afternoon, to enter into any House, Building, or other Premises supplied with Water by the said Company of Proprietors, in order

order to inspect and examine if there be any Waste, undue Diversion, or improper Appropriation of the Water so supplied by the said Company of Proprietors; and if such Engineer, or other Person acting by or under the Authority of the said Company of Proprietors, or their Directors, shall at any Time or Times between the Hours of Ten in the Forenoon and Four in the Afternoon, be refused Admittance or Entrance into any such Dwelling House, Building, or other Premises, for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination as aforesaid, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors to cut and turn off, or cause to be cut and turned off the Water supplied by the said Company of Proprietors from such House, Building, or other Premises.

LXV. And, to prevent as much as possible the wilful and negligent Waste of Water, BE it therefore enacted, That each and every Person supplied with Water by the said Company of Proprietors, shall, and he, she, and they is and are hereby required to provide a proper Cistern or Cisterns, of Lead, Brick or Wood, or other Materials, to receive and hold such Quantity of Water as shall be by him or them deemed sufficient for his, her, or their Consumption, and he, she, and they is and are hereby required to provide a Ball and Stop Cock, and to affix or cause to be affixed the same to the Pipe conducting the Water from the Main belonging to the said Company of Proprietors, to such Cistern or Cisterns, for the Purpose of preventing the Water running into such Cistern or Cisterns from running to Waste when the same shall be full; and in case any Person or Persons supplied with Water by the said Company of Proprietors, shall neglect to provide such Cistern or Cisterns, and also a Ball and Stop Cock, and to affix or cause to be affixed the same in Manner aforesaid, for the Purpose of preventing the Water from running to Waste when such Cistern or Cisterns shall be filled as aforesaid, it shall and may be lawful to and for the said Company of Proprietors, or their Directors, or any Person or Persons acting by virtue of or under Authority of the said Company of Proprietors, to cut and turn off the Water by such Ways and Means as to him or them shall seem right or proper from the House, Building, or other Premises of every such Person, until such Cistern or Cisterns, and Ball or Stop Cock shall be provided, and such Ball or Stop Cock added in Manner aforesaid.

Cisterns to be provided.

LXVI. And be it further enacted, That if any Person shall throw any Ballast, Gravel, Stones, or Rubbish, into any Part of the said Waterworks, Reservoirs, Aqueducts, Trenches, Watercourses, or Feeders, to be made by virtue of this Act; or shall wantonly or unnecessarily open or cause to be opened any Lock, Gate, Paddle, Valve, or Clough, belonging to the said Waterworks; or shall snare, angle, or take any Fish out of the same, or wash or bathe therein; or if any Person or Persons shall wilfully flush or draw off, or cause to be flushed or drawn off, the Water from any Part of the said Waterworks, or shall leave any of the said Valves or Cloughs open and running belonging to the same, or shall draw, or cause to be drawn, any Paddle, Valve, or Clough, in any of the Locks, Stop or Clew Gates on the said Waterworks, so as to mis-spend or waste the Water thereof, its Courses, or Feeders, or shall wilfully obstruct,

Penalty on Persons opening the Locks, or doing other Damage to the Water Works.

[Loc. & Per.]

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hinder,

hinder, or prevent any Person in the Execution of this Act, every Person offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Punishment
on destroying
Works.

LXVII. And be it further enacted, That if any Person or Persons shall knowingly, wilfully, or maliciously break, throw down, damage, or destroy any Banks, or other Works erected, made, or maintained by virtue of this Act, then and in every such Case every such Person shall be judged guilty of Felony, and the Court by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be transported for the Term of Seven Years, or, in Mitigation of such Punishment, such Court may award such Sentence as the Law directs in Cases of Petit Larceny.

Water not to
be subject
to the Com-
missioners of
Sewers.

LXVIII. And be it further enacted, That the said Waterworks, Aqueducts, Reservoirs, and Feeders, shall not be subject to, or under the Controul, Direction, Survey, or Order of any Commissioners of Sewers, or to any Law or Statute relating to Sewers.

LXIX. Provided always, and be it further enacted, That nothing in this Act contained, shall authorize or empower the said Company of Proprietors, their Agents, Servants, or Workmen, or any other Person or Persons whomsoever, to intermeddle with, break up, take, or use for any of the Purposes in this Act mentioned, any Land or Ground belonging to His Majesty, His Heirs or Successors, or any Land or Ground or Waste Ground belonging to Her Majesty, as Lady of the Manor of *Richmond*, and *West Sheene*, in the County of *Surrey*, or to the Lord or Lady of the said Manor for the Time being, or to his or her Lessees, Tenants or Undertenants respectively, or to erect or construct any Engine, or other Work, in or upon any such Land or Ground, or any Part thereof, without the Special Licence and Consent of His Majesty, his Heirs or Successors, or of Her Majesty, as Lady of the said Manor of *Richmond* and *West Sheene*, or the Lord or Lady of the said Manor for the Time being, according to their several and respective Rights and Interest in such Lands or Grounds: Provided always, that nothing herein contained shall extend, or be construed to extend, so as to prevent or restrain the said Company from laying any Main or Mains, Pipe or Pipes, in, over, through, or upon, any Lands or Grounds belonging to his said Majesty, his Heirs or Successors, or to Her said Majesty, as Lady of the said Manor of *Richmond*, and *West Sheene*, or the Lord or Lady of the said Manor for the Time being, or his or her said Lessees, Tenants, or Undertenants respectively.

LXX. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, so as to enable or empower the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take or make use of, for any of the Purposes of this Act, any Wastes, Lands, Tenements, or Hereditaments, situate within the said County of *Surrey*, belonging to or the Property of *George John Earl Spencer*, his Heirs or Assigns, or in the Occupation or Holding of the said *George John Earl Spencer*, as Lessee for any Life or Lives, or for any Term or Number of Years, or to make, erect, or construct any Engine, Reservoir, or other Work thereupon, or upon any Part thereof,
without

without the special Licence and Consent in Writing of the said Earl *Spencer*, his Heirs or Assigns, under his, her, or their Hand or Hands, first had and obtained.

LXXI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend, to prejudice or derogate from the Rights, Interests, Privileges, Franchises, or Authorities of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction, which at the Time of making this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, did or might lawfully claim, use, or exercise, nor to authorize or empower the said Company of Proprietors, their Workmen, or Servants, or any of them, to embank, encroach upon, or interfere with any Part of the Soil or Bed of the said River, or the Banks or Shores thereof (except so far as is hereinafter mentioned) without the Licence and Consent of the said Mayor and Commonalty and Citizens first had and obtained in Writing for that Purpose; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the Rights of the City of *London*, as Conservators of the *Thames*.

LXXII. And be it further enacted, That the said Company of Proprietors shall pay to the said Mayor and Commonalty and Citizens of the City of *London* the Sum of Five Pounds and Five Shillings, as a Fine or Acknowledgement for the Liberty of opening a Communication between the said Waterworks and the River *Thames*, and also to pay to the said Mayor and Commonalty and Citizens of the said City, their Successors, Collectors, or Assigns, for ever, an Annual Rent or Sum of Five Pounds and Five Shillings *per Annum*, after the opening a Communication between the said Waterworks and the River *Thames*, and such Annual Sum is hereby charged upon, and made payable by, and may be recovered from the said Company of Proprietors by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

Directing what shall be paid to the City of *London* for cutting into the *Thames*.

LXXIII. And be it further enacted and declared, That in Consideration of the said Fine and Annual Sum, it shall be lawful for the said Company of Proprietors to cut, make, and maintain the said Waterworks, Cuts, and Feeders, into the said River *Thames*, and to make and construct such Works as shall be necessary, not exceeding Thirty-six Feet in width at any One Place, and for this Purpose to construct a Cofferdam or Cofferdams, or Battredeaux on the Bank or Shore of the said River, to keep out the Water while such Watercourse or Watercourses and other Works are constructing, and at any Time or Times afterwards, when the same shall want repairing, and when necessary, to scour out and deepen the said Bank, so as to maintain an Entrance or Entrances sufficiently deep to enable the Water to flow in sufficient Quantities to the said Waterworks out of the said River *Thames* at all Times; and also that it shall be lawful for the said Company, at all Times, to admit the Water of the said River *Thames* into the lower Level of the said Waterworks, and to raise the same by the Power of Steam or otherwise into the upper Levels, for the Use of the said Waterworks, and for all other Purposes whatsoever.

Company empowered to cut into the *Thames*, and take Water therefrom.

LXXIV. Provided always, That nothing herein contained shall extend, or be construed to extend, to authorize or empower the said Company of Proprietors, or any Person or Persons, by their Order, or under their Direction, to take any Water from or out of that Part of the River *Thames*, which lies to the Westward of *Kew* Bridge, or from or out of any Brook or Stream, communicating with or falling into any Part of the said River *Thames*, to the Westward of *Kew* Bridge aforesaid.

Fines and
Forfeitures
how to be
recovered
and applied.

LXXV. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted by this Act, or which shall be inflicted by any Rule, Order, or Bye Law to be made in pursuance thereof, the Manner of levying and Recovery whereof is not particularly herein directed, shall, in Case of Nonpayment thereof, on Conviction of the Offender or Offenders respectively, be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place wherein the Offence shall be committed, or the Offender shall be or reside; which Warrant such Justice is hereby empowered and required to issue upon the Confession of the Party or Parties, or upon the Evidence of any credible Witnesses or Witnesses upon Oath (which Oath such Justice is hereby empowered and required to administer), and all Fines, Forfeitures, and Penalties (the Application whereof is not herein particularly directed) shall be paid into the Hands of the Treasurer of the said Company of Proprietors, and shall be applied and disposed of for the Use of the said Company, and the Overplus of the Money raised by such Distress and Sale, after deducting the Fines, Penalties, or Forfeitures, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained, and for Want of sufficient Distress, and in case the Fine, Penalty, or Forfeiture, shall not be forthwith paid, it shall be lawful for such Justice, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Four Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Form of
Conviction.

LXXVI. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or against any Order of Sessions, or against any Bye Law, Rule, Order, or Regulation made in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say,)

BE it remembered, That, on this _____ Day of _____
in the _____ Year of the
Reign of _____ *A. B.* is convicted before
of His Majesty's Justices of the Peace for the
of having [*as the Offence shall be*] and I [*or, we*] the
said _____ do adjudge him [*her, or, them*] to forfeit and
pay for the same, the Sum of _____ Given under my
Hand and Seal [*or, our Hands and Seals*] the Day and Year aforesaid.

LXXVII. And

LXXVII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgement made or given in pursuance of any Rule, Bye Law, or Order of the said Company of Proprietors or Directors, or by any Order, Judgement or Determination, of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, then and in every such Case such Person or Persons may, within Four Calendar Months next after such Order, Judgement or Determination shall have been made or given, appeal to the Justices of the Peace at the General or Quarter Sessions of the Peace to be holden in and for the County, City, or Place, in which the Cause of Appeal shall arise (first giving Ten Days Notice of such Appeal to the Person or Persons appealed against, and of the Nature and Matter thereof, and forthwith after such Notice, entering into a Recognizance before some Justice of the Peace for such County, City, or Place, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon), and the said Justices shall, in a summary Way, either hear and determine the said Appeal at such General or Quarter Sessions, or if they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be holden for such County, City, or Place; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, Judgement, or Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall judge reasonable.

Allowing an Appeal.

LXXVIII. And be it further enacted, That no Order, Verdict, Judgement, Conviction, or other Proceeding, touching or concerning any of the Matters aforesaid, or touching or concerning any Offence against this Act, shall be quashed or vacated for want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings not to be quashed or removed by *Certiorari*.

LXXIX. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distrained; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage, in an Action upon the Case.

Distresses not unlawful for Want of Form.

LXXX. Provided always, and be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode Fourteen Days before such Action shall be commenced, of such intended Action,

Plaintiff not to recover without Notice, or after Tender of Amends:

[*Loc. & Per.*]

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signed

signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, his, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgement, shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of
Actions.

LXXXI. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid and brought in the County or Place where the Matter in Dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before the Expiration of Fourteen Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time so limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have double Costs, and shall have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases by Law.

Publick Act.

LXXXII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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