ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

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Cap. 36.

An Act to authorize the Company of Proprietors of the *West Middlesex* Waterworks to raise a further Sum of Money, for enabling them more effectually to carry on their Works. [15th *April* 1813.]

WHEREAS by an Act passed in the Forty-sixth Year of the Reign of His present Majesty, intituled *An Act for supplying* 46G.3.c.119.
with Water the Inhabitants of Kensington, Hammersmith, Brentford, Battersea, Putney, Richmond, *and several other Parishes and Places in the Counties of* Middlesex *and* Surrey, the Company of Proprietors of the *West Middlesex* Waterworks were incorporated, and empowered to make and maintain certain Waterworks, Reservoirs, Aqueducts, and other Works, within certain Limits in the said Act specified; and to raise any Sum not exceeding Eighty thousand Pounds in the Whole, for the carrying into Execution the Purposes of the said Act: And whereas by another Act passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to enable the Company of Proprietors of the* West Middlesex 50G.3.c.132.
Waterworks to raise a further Sum of Money, and to alter, vary, amend, and enlarge the Powers of the Act passed in the Forty-sixth Year of His present Majesty, for making the said Waterworks, and for extending the same, the said Company of Proprietors were empowered to extend their Works (in addition to the Parishes, Townships, and Places to which they were limited by the said first recited Act) to the several Parishes, Townships, or Places in the said last recited Act specified, and to raise or borrow any Sum not exceeding One hundred and sixty thousand Pounds (in addition to the Money which had been raised by them under the Powers of the said first recited Act), for the Purposes thereof: And whereas the Works authorized to be made by the said last recited Act have been in great Part completed, and afford an ample Supply of Water for the Use of that Part of the Metropolis specified by the said Acts, so far as the Works of the said Company of Proprietors are completed: And whereas the Sums of Money which the said Company have been authorized to raise are not adequate to the carrying into complete Execution the Purposes of the said Acts: And whereas the said Company of Proprietors have, in the Construction of the Works authorized to be made by the said Acts, and in the Prosecution of their Engagements to afford an ample and lasting Supply of Water, from various unforeseen Causes and Expences, contracted Debts which the Money authorized to be raised under the said Acts will not enable them to pay; and it is expedient that they should be empowered to raise a further Sum of Money, and that the Powers and Provisions of the said Acts

should be altered and enlarged: 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 it shall be lawful for the said Company of Proprietors of the *West Middlesex* Waterworks to raise and contribute among themselves, in addition to the Money which has already been raised under the Powers of the said recited Acts for the Purposes thereof, any Sum or Sums of Money, not exceeding in the Whole the Sum of One hundred and sixty thousand Pounds, in such Proportions as they shall think fit; 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 afterwards in the Payment of such Debts and Expences as have been incurred in carrying the Purposes of the said recited Acts and of this Act into Execution, and as may be incurred in the Completion thereof; which said Sum of One hundred and sixty thousand Pounds, or such Proportion thereof as shall be from Time to Time raised for the Purposes aforesaid, shall be divided into Shares of One hundred Pounds each, or such other Shares, as to rate or value *per* Share, as the said Company of Proprietors shall from Time to Time think proper; and it shall be lawful for the said Company of Proprietors to dispose of the same at such Price or Prices as to the said Company of Proprietors shall from Time to Time seem proper and convenient; and it shall be lawful for any Person or Persons, and Bodies Politic, Corporate, or Collegiate, possessed at the Time of the passing of this Act of any Share or Shares in the Capital of the said Company of Proprietors, under the said recited Acts, and they are hereby respectively authorized and empowered to accept and take any Number of such new or additional Shares so created by this Act, in proportion to any original Share or Number of original Shares holden by such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, as shall be assigned to them under or by virtue of any Resolution of the Company of Proprietors, or their Board of Directors for the Time being; and all such new or additional Shares so made and created, and divided among and assigned to the Proprietors of the said Company by virtue of this Act, which shall be so accepted and taken by such Proprietors after such Assignment, shall to all Intents and Purposes be, and they are hereby declared to be consolidated, and to be one and the same joint Stock and Property; and all Sums of Money, due upon all such Shares which shall be so accepted and taken as aforesaid, shall be raised, collected, and paid under the Powers, Authorities, Provisions, Regulations, Penalties, and Forfeitures contained in the said first recited Act; and all Persons, Body or Bodies Politic, Corporate, and Collegiate, their several and respective Successors, Executors, Administrators, and Assigns, entitled to any such Share or Shares as aforesaid, shall respectively be entitled to and receive the entire and net Distribution of an equal proportionate Part, according to the Money by them respectively paid upon such Share or Shares, of the Profits and Advantages that shall or may arise or accrue by the respective Rates and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of the said recited Acts and this Act; and every Body Politic, Corporate, and Collegiate, and Person and Persons having accepted and taken such Share or Shares and Property as aforesaid, shall bear and pay a proportionable Sum towards carrying on the said Works respectively, in manner directed by the said recited Acts and this Act.

Empowering the Company to raise a further Sum not exceeding 160,000l.

Capital to be divided into such Shares as the Company may think expedient.

II. Provided always, and be it enacted, That it shall be lawful for the said Company of Proprietors, in case they shall think it meet and expedient, to borrow the Whole of the said Sum of One hundred and sixty thousand Pounds, or any Part or Parts thereof, upon Promissory Notes, under

Directors may raise the said Sum by Promissory Notes.

under the Common Seal of the said Company of Proprietors, and all such Notes shall be made payable in such Manner, and at such Time or Times, and with such legal Rate of Interest, as the said Company of Proprietors shall think proper; and all such Notes shall be made either with or without a Power in the respective Holders thereof to have an Option of becoming a Proprietor of any Share or Shares in the said Undertaking, in lieu of the principal Money by such several Promissory Notes to be secured, or so much or such Part thereof as the said Company of Proprietors, or their Directors for the Time being, and the Person or Persons advancing such Money on the Security of the said Notes, shall jointly agree upon: Provided always, that no Person shall in any Case be admitted to be a Proprietor of any Share in the said Undertaking in lieu of a less principal Sum of Money than Fifty Pounds advanced on the Security of such Notes; and the Terms and Particulars upon which the respective Holders of such Notes shall be entitled to such Option of becoming a Proprietor or Proprietors in the said Undertaking shall be fully expressed and set forth in the said several and respective Notes.

III. And be it further enacted, That in case the said Company of Proprietors shall think it advisable to borrow and take up the said Sum of One hundred and sixty thousand Pounds by Mortgage or Annuity, or shall deem it expedient to raise only a Part of the said Sum of One hundred and sixty thousand Pounds by way of Augmentation of their capital Stock, and to borrow and take up the Remainder thereof on Mortgage or by Annuity, then and in any of those Cases it shall be lawful for the said Company of Proprietors to borrow and take up in manner aforesaid, on Security of the said Undertaking, and on the Credit of the Rates and Duties by the said recited Acts and this Act granted to the said Company, any Sum or Sums of Money in addition to any Sum or Sums of Money already borrowed or taken up at Interest (if any), so as the Whole to be raised under the Authority of this Act shall not exceed One hundred and sixty thousand Pounds; and in order to the raising of the said Sum of One hundred and sixty thousand Pounds or any Part thereof in manner aforesaid, the said Company of Proprietors shall and may, at the Costs and Charges of the said Company, assign over the Property of the said Undertaking, and the Sums of Money arising or to arise to the said Company of Proprietors by virtue of the said recited Acts and this Act, or any Part or Parts thereof respectively, as a Security for the Repayment of any such Sum or Sums of Money so to be borrowed, with Interest, or for the Payment of any Annuity or Annuities so to be granted, to such Person or Persons as shall so advance or purchase the same, his, her, or their Trustee or Trustees, Nominee or Nominees, Executors or Administrators; and all such Assignments and Securities, and the Transfers thereof, shall be made and executed in the same Manner and Form, and the same, and the Monies so to be borrowed, granted, or secured, and the Interest thereof, and the Person lending the same, or entitled thereto, shall be subject to all the same or the like Provisions relative to Preference or Priority, Memorials, Entry with the Clerk to the said Company, Payment of Interest, Proprietorship, Notice of Payment, and all other Provisions, Regulations, and Directions whatsoever, in all Respects and to all Intents and Purposes, as are in and by the said recited Acts respectively prescribed and directed concerning the Assignments, Securities, and the Transfers of the Assignments and Securities to be made and given for the Monies thereby authorized to be borrowed, and concerning such last mentioned Monies, and the Interest thereof, and the Persons lending such Money or entitled thereto.

Power to raise by Mortgage or Annuity.

IV. And be it further enacted, That each and every Proprietor of each and every Share which shall or may be created by virtue of this Act, shall be

Proprietors of Shares under

this Act to be entitled to the same Powers, Privileges, and Advantages as those under the Acts of the 46th and 50th G. 3.

be entitled to such and the same Powers, Privileges, and Advantages, and shall be subject to such and the same Rules, Regulations, Restrictions, Penalties, and Forfeitures, as if the Share or Shares so holden by him, her, or them, were Part of the Shares already created by virtue of the said recited Acts made in the Forty-sixth and Fiftieth Years of the Reign of His present Majesty, and now vested in the several and respective Proprietors of the said Undertaking; and the Admission of all and every Person and Persons to any such new Share or Shares by any Order or Resolution of the said Company of Proprietors, or the Directors for the Time being, shall be and be deemed to be a good and effectual Title to such Person or Persons, and his, her, or their respective Executors, Administrators, and Assigns, on his or their paying to the said Company of Proprietors, or their Treasurer or Treasurers for the Time being, the Purchase Money or Price agreed to be paid for such Shares respectively.

Company empowered to buy up Shares.

V. Provided always, and be it further enacted, That if the said Company of Proprietors, or the Directors for the Time being, shall deem it expedient, out of any Surplus Monies or otherwise, to buy up any Share or Shares in the said Undertaking which shall be offered for Sale, then and in every such Case it shall be lawful for any General Assembly of the said Company of Proprietors either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company, in Trust for the said Company; and that such Share or Shares may in such last-mentioned Case at any Time thereafter be sold for the Benefit of the said Company of Proprietors, and for the raising of any Sum of Money which may be wanted for or towards the extending, completing, or repairing of the said Works, or any Part thereof, belonging to the said Company, or any other Purpose necessary for carrying on the same.

Repeal of Clause as to holding only Fifty Shares.

VI. And whereas it is by the said recited Act of the Fiftieth Year of His present Majesty enacted, that no Body Politic, Corporate, or Collegiate, or Persons contributing thereto, or becoming a Proprietor of the said Undertaking, shall become a Proprietor of more than Fifty Shares in the Whole therein, which Restriction has been found to be inconvenient; be it therefore enacted, That from and after the passing of this Act so much of the said recited Act of the Fiftieth Year of His present Majesty, as limits the Number of Shares to be holden by any One Proprietor, shall be and the same is hereby repealed.

Extending the Provisions of former Acts and this Act.

VII. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Clauses, Restrictions, Matters, and Things whatsoever contained in the said recited Acts, so far as the same are not expressly altered or repealed by this Act, shall extend and be construed to extend to operate and be in force with respect to the Monies allowed and directed to be raised, and to the additional Shares to be made or created under the said recited Acts and this Act, and to all other Matters and Things whatsoever, which may happen or arise in the Execution of this Act, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Acts and this Act shall, as to all Matters and Things whatsoever, except as aforesaid, be construed as one Act.

Public Act.

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

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