



ANNO QUADRAGESIMO QUINTO

# GEORGGII III. REGIS.

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## Cap. 119.

An Act for supplying the Inhabitants of the Parish of *Saint Giles Camberwell*, and Parts of the Parish of *Saint Mary's Lambeth*, and several other Parishes and Places in the County of *Surrey*, with Water.

[12th July 1805.]

**W**HEREAS the Inhabitants of the Parish of *Saint Giles Camberwell*, and Parts of the several Parishes of *Saint Mary Lambeth*, *Saint John's* and *Saint Mary Magdalen Bermondsey*, *Saint Mary Rotherhithe*, *Saint Nicholas* and *Saint Paul's Deptford*, and *Saint Mary Newington*, and also the Inhabitants of the several Townships, Hamlets, and Places following; that is to say, *Walworth*, *Kennington*, *Stockwell*, *Clapham*, *Peckham*, *Peckham Rye*, *Dulwich*, and Places adjacent, in the County of *Surrey*, are desirous to have an additional Supply of good and wholesome Water for domestick Purposes: And whereas some Parts of the said several Parishes, Townships, Hamlets, and Places, are become very populous, and are greatly increased in Houses and Buildings, and in case of Accidents by Fire, the Inhabitants of such Houses and Buildings would be exposed to the most calamitous Losses for Want of a further Supply of Water: And whereas the erecting and making of One or more Reservoir or Reservoirs, at or near a certain Place called *Kennington*

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*Green,*



*Green* in the said Parish of *Saint Mary Lambeth*, or at or near a certain Creek called *Vauxhall Creek*, or at or near a certain other Creek or Dock, near or adjoining certain Gardens, called *Cumberland Tea Gardens*, all in the said Parish of *Saint Mary Lambeth*, 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, Hamlets, and Places, would tend to promote the beneficial Purposes aforesaid: And whereas the several Persons hereinafter 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 Aid and 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 *Joseph Alcock, Thomas Alcock, John Alcock, George Alexander, Maria Alcock, Sir James Alexander, Thomas Bird, William Bowley, James Burton, William Broadhurst, Edward Bedell, Edward Bevan, James Brogden, John Corner, Thomas Crawley, Joseph Castell, Nathaniel Chateman, Horatio Claggett, William Coltman, Solomon Davies, Ewens, Arthur Edwards, William Green, John Garcias, Thomas Goleborn, John Hall, George Hill, Herron, J D Humbert, William Holmer, Charles Hyde, Samuel Hall, John Jackson, James Kiernay, Thomas Leach, Patrick Townsend Lightfoot, George Lambert, Sir Joseph Mawbey Baronet, Edward James Mascall, Macktaby, S Medley, Benjamin Hirst Newton, John Schavvill Newton, Newman, William Peppercorn, James Peppercorn, Archibald Paxton, George Powel, Thomas Pitman, Thomas Palsler, Joseph Quinsey, William Quinsey, William Rawson, Russel, Strother, Robert Slade, Thomas Simpson, Enos Smith, George Surridge, and Simon Watts*, together with such other Person or Persons, Bodies Politick and Corporate, as shall at any Time hereafter be possessed of One or more Share or Shares in the said Undertaking, and the Successors, Executors, Administrators, and Assigns of such several Persons, and Bodies Politick and Corporate, 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 South London Waterworks*; and by that Name shall have 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, for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Proprietors  
Names.

Incorporated.

Their Style.

Officers of the  
Company and  
Court of Directors,  
&c.

II. And be it further enacted, That, for the better managing and conducting the Affairs of the said Company, there shall be Twelve Directors, and a Treasurer, Engineer, and Principal Clerk, and such other Clerks and Officers as may be found necessary for conducting the Business of the said Waterworks; and that *Sir Joseph Mawbey Baronet, Sir James Alexander Knight, James Brogden, Joseph Alcock, William Green, Archibald Paxton,*



*Paxton, Joseph Quirsey, Timothy Leach, William Broadbust, Solomon Davies, Robert Slade, and Simon Watts*, Esquires, shall be the first Twelve Directors of the said Company, and shall continue Directors until some General Meeting to be held Twelve Calendar Months after the First General Meeting appointed to be held after the passing of this Act, and until others shall be chosen in their Stead, unless any such Director shall be removed or dispose of his Stock, so as to reduce the same below Five Shares of the Capital Stock of the said Company; and no Person shall be eligible or qualified to be chosen a Director, unless he shall possess and hold, in his own Right, Five Shares Capital Stock of the said Company; and at the Expiration of such Period, Three of the then Directors shall go out by Ballot, and the other Nine shall continue Directors for the succeeding Year, and Three more qualified Proprietors shall be chosen Directors; and at the End of the Second, Third, and Fourth Years, Three of the old Directors shall go out in like Manner, and Three more qualified Persons shall be chosen as Directors, and for ever thereafter Three of the oldest Directors shall in like Manner go out and others chosen in their Stead; and all the Directors chosen after the passing of this Act shall continue in Office until the annual General Meeting after their Election, and until others shall be chosen as above described.

III. 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 *Pilgrim Tavern, Vauxhall*, upon the Second Monday next after the passing of this Act, or as soon after as conveniently may be, at the Hour of Eleven of the Clock 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 Monday in the Month of *June* 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 the least shall be given by publick Advertisement, to be inserted in some Newspaper usually circulating in the County through which the said Waterworks shall pass, or in such other Manner as the said Company of Proprietors at their respective General Assemblies shall direct.

First and other General Assemblies.

IV. 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, Treasurer, Engineer, Principal Clerk, or Officer or Officers, Person or Persons, in this Act mentioned, or who shall have been chosen after the passing thereof, and to choose and elect others, and to revoke, alter, amend, or change any of the Rules and Directions which may have been prescribed or laid down by virtue of this Act, with regard to their Proceedings amongst themselves, as they shall think proper (the Method of calling General or Special Assemblies, and voting for and appointing Directors, only excepted); and shall have Power and Authority 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 Superintendance and Management of the said Undertaking, and from Time to Time to alter or repeal the said Bye-Laws, Rules, Orders, and Regulations, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons who shall offend against the same, as to the major Part of such General Assembly shall seem meet,

General Assemblies.

not



not exceeding the Sum of Ten Pounds for any One Offence; which said 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 they 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 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, or any 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; 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 Assemblies be thought proper and convenient.

Assemblies of  
the Proprietors  
may be  
specially con-  
vened.

V. And be it further enacted, That if it shall at any Time appear, that for the more effectually putting this Act in 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, giving Notice to the principal Clerk appointed under this Act, or hereafter to be appointed, to cause Twenty-one Days Notice at least to be given of such General Assembly in some *London* Newspaper usually circulating in the said County of *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 and Advertisement the Reason and Intention of requesting such Special Assembly, and the Time when and Place where the same shall be held, 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 shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors, with respect to the Matters so specified only; and all such Acts, Orders, or Determinations of the Proprietors, or of the major Part of them so met together at every such General Assembly, provided such major Part shall be possessed of at least Fifty Shares in the said Waterworks, 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; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any such Special General Meeting, or at any General Meeting of the said Company, to be held by virtue of this Act, shall be determined by the Majority of Votes then present, and if such Votes shall be equal, the Chairman presiding at such Meeting shall have the casting Vote, although he shall have given his Vote or Votes as a Proprietor; and every Question, if required by any Five or more Persons having Votes, shall be determined by Ballot to be entered upon and completed forthwith, in which Case the Chairman for the Time being shall in like Manner have a casting Vote.

Officers to the  
Company to  
be appointed.

VI. And be it further enacted, That it shall be lawful for the said Company of Proprietors, at their annual General Assembly, and in case of  
Vacancies



Vacancies by Death, Removal, or otherwise, at any other General Meeting, and they are hereby authorized to nominate and appoint a Director and Treasurer, and they are hereby authorized and empowered at all Times to nominate and appoint an Engineer, or principal, and other Clerk or Clerks, Collector or Collectors of the Rates herein-after granted, and such other Officers as may be required for carrying this Act into Execution, taking such Security from such Treasurer, Clerk, Collector, or other Officer having the Care or Custody of any Money, for the due Execution of their respective Offices, 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 to be copied; and if any such Clerk or Clerks to the said Company of Proprietors shall refuse to permit any Proprietor or Proprietors, or any other Person or Persons interested as aforesaid, to inspect or peruse such Book or Books or 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 Five Pounds nor less than Forty Shillings.

VII. And be it further enacted, That it shall be lawful for the said Directors to suspend or remove any Treasurer, Engineer, Chief or other 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 new Appointment shall be made by the said Directors to the said Office of Treasurer, the same shall only continue until the next stated or Special General Assembly of the said Proprietors, when the Appointment of the said Treasurer shall either be confirmed, or such other fit Person shall be appointed to succeed to such Office of Treasurer, as the said Proprietors at such stated or Special General Assembly shall think proper; and all such Treasurers, Collectors, and Clerks, and all other Officers of the said Company of Proprietors, who shall or may at any Time resign or be removed, and the respective Executors or Administrators, and each and every of them, of any such Officers who may die, shall, within Twenty Days after Notice given in Writing to him, her, or them, for that Purpose, produce and deliver up to the said Directors for the Time being, all Books, Accounts, Papers, or Writings whatsoever, relative to the Execution of such respective Offices, which shall be in his, her, or their Custody or Power; and every such Officer and other Person as aforesaid neglecting or refusing to deliver up such Books, Accounts, Papers, or Writings, shall for every

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For appointing Officers in case of Vacancies.



such Neglect or Refusal forfeit and pay to the said Company of Proprietors any Sum not exceeding Fifty Pounds.

Powers of the  
Directors.

VIII. And be it further enacted, That no Resolution shall be taken, or Business done (except for the Purpose of Adjournment) at any of the Meetings of the said Directors, unless Three of such Directors shall be present; and that all Orders for Payment of Money by the Treasurer, shall be signed by a Majority of the Directors present at such Meeting, never to be less than Three, and all such Orders shall be entered in the Company's Books; and that the Engineer and Clerk shall be intrusted with Money from Time to Time, by an Order in Writing signed by a Majority of the said Directors present at such Meeting, upon the Treasurer, to enable them to pay Expences incurred by them in the Course of their Offices, and they shall account for the same to the Directors assembled as aforesaid, who shall regularly examine and sign the said Accounts as often as they shall see fit; and the said Treasurer's Accounts shall be examined and compared with the Books of the said Directors every Half-year or oftener (if it shall be deemed necessary) and shall be made up, and the Balance settled and signed by the said Directors so assembled, or any Three or more of them; and that no Director, although he may be a Proprietor of many Shares in the said Waterworks, shall have more than One Vote at any Meeting of the said Directors except the Chairman, who shall be chosen by and out of the said Directors at every Meeting, 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 every such Meeting of Directors shall from Time to Time make Reports of their Proceedings to the said stated 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, but no Person holding any Place, Office, or Employment under the said Company, shall be capable of being chosen to serve as a Director during the Time of his Continuance in such Place, Office, or Employment; and in order to defray the Expences of their Meetings, the said Directors shall from Time to Time receive out of the Capital Stock of the said Proprietors such Sum or Sums of Money as shall be directed, adjusted, and settled at such stated General Assemblies; and the said Directors shall make 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 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



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, Notes, Minutes, or Copies (as the Case shall require) of every such Contract, Bargain, Receipt, and Disbursement, and of all other their Orders and Proceedings, which Book or Books shall be deposited with and kept locked up, under the Care and Direction of the said Directors (provided always, that every Proprietor shall have free Access thereto, as hereinbefore mentioned, for his or 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 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 County of Surrey, or in such other Manner as the said Company of Proprietors shall at any General Assembly direct and appoint; and such Directors shall (subject nevertheless to the Orders and Directions of such General Assemblies as aforesaid) have full Power and Authority to direct and manage all and every the Affairs of the said Company of Proprietors, as well in contracting for and purchasing Lands, Tenements, and Hereditaments, and Materials for the Use of the said Undertaking, in making Contracts and Bargains touching the said Undertaking, and every Owner or Owners 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 appoint 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 such Directors, it shall be lawful for the said Company of Proprietors to sue for and recover the same in any of His Majesty's Courts of Record, by Action of Debt or on the Case; and in case such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable 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 the said stated 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, and shall be within Ten Miles of the said Reservoirs, and also by Advertisement in some such Newspaper as aforesaid, nor until the same Share or Shares shall likewise have been declared to be forfeited, at some stated or Special General Assembly of the Company of Proprietors,

These Calls  
if not paid  
may be sued  
for.

If unpaid  
for Three  
Months  
they become  
forfeited.

within



within Twelve Calendar Months next after such Forfeiture shall have been incurred.

Directing the Proceedings in Actions for Calls.

IX. And be it further enacted, That in Actions brought by the said Company of Proprietors against any Owner or Owners 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 a Proprietor or Proprietors of such or so many Share or Shares in the said Waterworks, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in Arrear shall amount unto, for such or 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 only be necessary to prove that the Defendant or Defendants, at the Time of making such Call or Calls, was or were a Proprietor or Proprietors of some Share or Shares in the said Waterworks, and that such Call or Calls were in fact made, in pursuance of the Directions of this Act, and that such Notice thereof was given 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 Judgement 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 Judgement shall be given, in Double the Sum adjudged to the said Company by such Judgement, to prosecute the said Writ of Error with Effect; and also, if the said Judgement be affirmed, or the said Writ of Error be non-prossed, to satisfy and pay the Debt, Damages, and Costs adjudged by the said Judgement, and all Costs and Damages to be awarded for Delay of Execution.

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

X. And be it further enacted, That if any Owner or Owners 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 so dying, or the Trustee or Trustees, Committee or Committees of any Lunatick or Lunaticks, 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, 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 or her having paid any Sum



of Sums of Money when called for as aforesaid to complete every such Subscription; and if such deceased Owner or Owners shall not have left Assets sufficient, or in case the Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians, 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 Proprietor or Proprietors of the Share or Shares of such deceased Owner or Owners, 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, 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 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 on such Condition as aforesaid, then and in 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 Manner as other forfeited Shares may be sold and disposed of by virtue of this Act.

XI. 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*,

Shares may be sold.

I *A. B.* in Consideration of *C. D.* paid to me by *C. D.* of  
do hereby bargain, sell, assign, and transfer to  
the said *C. D.* the Sum of *C. D.* Capital Stock of and in  
*The South London 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.* Executors, Administrators, and Assigns,  
subject to the same Rules, Orders, and Restrictions, and on the same  
Conditions that I held the same immediately 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 Witnesses our Hands and Seals, the  
Day of

Form of  
Conveyance  
of Shares.

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 or Clerks 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 or Clerks is or are

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hereby



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.

XII. And be it further enacted, That after any Call of such Money shall have been made by such Committee 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 Assembly in Manner before directed.

For ascertaining the Proprietorship of Shares in certain Cases.

XIII. And whereas in Cases where the original Subscriber of One or more Share or Shares in the said Undertaking, shall die, become insolvent, or bankrupt, or go out of the Kingdom, or shall transfer his Right and Interest to some other Person, and no Register shall be 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 Interest 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, which is hereby required to be produced to the said Clerk for the Purpose herein expressed, 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 which 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 Three Times at Intervals of Fourteen Days between each Advertisement, in some Two *London* Newspapers circulating in the said

Counties



Counties of *Surrey* and *Kent*, 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.

XIV. 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 Assembly, to cause the Names and proper Additions of the several Persons who shall then be entitled to the Shares in the said Undertaking, with the Number of the Shares, or the Amount of all the Subscriptions 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 Ticket 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 or she is entitled in the said Undertaking, every such Proprietor paying to the Clerk Two Shillings and Sixpence and no more, for every such Ticket or Instrument; and such Ticket or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Ticket or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof; and in case any such Ticket 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.

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

XV. 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, Waterwheels, Engines, Pipes, and other Conveniencies in the several Parishes, Townships, Hamlets, and Places of *Saint Giles Camberwell*, and certain Parts of the Parishes of *Saint John's* and *Saint Mary Magdalen Bermondsey*, *Saint Mary's Rotherhithe*, *Saint Nicholas* and *Saint Paul's Deptford*, *Saint Mary's Lambeth*, and *Saint Mary's Newington, Walworth, Kennington, Stockwell, Clapham, Peckham, Peckham Rye, Dulwich*, 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, 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,

Power to make Waterworks and take Land, &c.

and



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 Politick, 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 Conveniencies, as they shall think necessary for effecting the Purposes aforesaid; and to bore, dig, cut, 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, Houles, 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 Conveniencies, 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, Bores, Mains, Ferries, Feeders, Fanipers, 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, repair, widen, enlarge, amend, and discontinue the same, and to make and maintain any other Works or Conveniencies 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 Conveniencies which shall or may at any Time or Times hereafter belong to or communicate therewith; and

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also to make, set out, and appoint such Paths, Banks, and Ways, convenient for passing in, through, alongside, or upon the said Waterworks, Reservoirs, 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 Soil, Clay, Gravel, Sods, or Loam, which may be proper or convenient for making the said Waterworks, Reservoirs, Aqueducts, 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, and across any Creeks or Brooks, for the making, using, maintaining, and repairing the said Waterworks, Reservoirs, Aqueducts, Watercourses, 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 herein-after mentioned, to the Owners or Proprietors of and all Persons interested in any Lands or other Hereditaments which shall be taken, used, 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, repairing, and using the said Waterworks, Reservoirs, Aqueducts, 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.

XVI. And whereas a Map or Plan, describing the Places where the said Reservoirs are to be made or erected, and the Line of the Creeks or Watercourses along which the Water will flow to such Reservoirs hath been deposited with the Clerk of the Peace for the County of *Surrey*; be it therefore enacted, That such Map or Plan shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and that all Persons interested therein shall at all reasonable Times have Liberty to inspect and peruse the same and take a Copy thereof, or any Part thereof, paying a reasonable Compensation to the Clerk of the Peace or his Deputy for every such Inspection; and that the said Company shall not make any other Reservoir or Reservoirs, or have any Right or Authority to take any other Land for making any other Reservoir or Reservoirs, or for making any other Aqueduct, Feeder, or Tunnel for the supplying of any Water than the Reservoir or Reservoirs, Aqueduct, Feeder, or Tunnel in the said Map or Plan described, nor in making the

Plan of the  
Reservoirs,  
&c.

[*Loc. & Per.*]

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said



said Reservoir or Reservoirs, Aqueduct, Feeder, or Tunnel deviate more than Twenty Yards of Three Feet each from the Place or Places, Line, or Course described in the said Map or Plan without the Consent in Writing of the Person or Persons, Bodies Politick or Coporate, in, or through, or upon whose Lands any such Reservoir or Reservoirs, Aqueduct, Feeder, or Tunnel shall be erected or made, or through whose Lands any such Deviation shall be made.

Restraining  
the Company  
from supply-  
ing certain  
Places with  
Water.

XVII. Provided always, and be it 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 in any of the Streets or Places forming the Line or Boundary herein-after described, or into any of the Streets or Places included within such Boundary; that is to say, beginning from the *Thames*, at *White Hart Dock*, *Broad Street*, including *Broad Street* and *Lambeth Butts*, to *Lambeth Walk*; thence Northward along *Lambeth Walk* to *Walnut Tree Walk*; thence Eastward through *Walnut Tree Walk* to the Turnpike Road at *Walcot Place*; thence Northward along the said Turnpike Road to *Brook Street*; thence South-east along *Brook Street* to *West Street*; thence in a right Line to the Elbow of the Ditch dividing the Parish of *Lambeth* from the Parish of *Newington*; from thence Eastward along a Ditch passing the North Side of *Newington Church Yard*; thence continuing Eastward, through *Parsonage Walk*, into the Turnpike Road at *Newington* afore-said; thence running North and North-eastward along the said Turnpike Road to *Blackman Street*; thence North-west, along the North-east Side of the King's Bench to *Belvidere Place*; thence North-east to *Great Suffolk Street*; thence North-west and North through *Great Suffolk Street*, *Saint James's Row*, and *Gravel Lane*, to the River *Thames* at *Falcon Wharf*; and from thence along the Shore of the said River *Thames* to *Broad Street* afore-said; and in case the said Company of Proprietors of *The South London 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 South London Waterworks* shall forfeit and pay to the Company of Proprietors of *The Lambeth 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 Company of Proprietors of *The Lambeth Waterworks*, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlanche shall be allowed.

Restrictions  
to the erecting  
of Engines  
and Reser-  
voirs.

XVIII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or be construed to authorize or empower or enable the said Company of Proprietors to erect, make, or use any Engine or Engines, which shall be worked by means of Fire or Steam in any Place or Places in which the Erection thereof would be deemed a Nuisance in Law to any Person or Persons residing in or near to such Place or Places, nor to erect the Reservoir described in the said Map or Plan, within the said Parish of *Saint Giles Camberwell*, without the Consent of the Lord Bishop of the Diocese, and the Patron and Vicar of the Vicarage of *Saint Giles Camberwell*, for the Time being respectively.

XIX. Provided



XIX. Provided always, and it is hereby further enacted, That whenever it shall be found necessary by such Proprietors, their Agents, or Workmen, to lay down Pipes, in, upon, or under any Part of the Roads distinguished and known by the Name of *The Surrey New Roads*, and *The Surrey and Sussex Roads*, or any or either of them, or any Part thereof, such Pipes shall be laid down on the Sides of the said Roads only, and as near to the Footpath as can be, unless in such Cases where the Intervention of a Common Sewer, or other unavoidable Hindrance or Obstruction shall make a Deviation absolutely necessary; and in case any such Pipes shall be laid down otherwise than as aforesaid, then the Surveyor or Surveyors to the said Trustees respectively, shall give Notice thereof to the said Proprietors, or their Agent or Agents, to take up and remove the same; and in case they shall neglect or refuse, for the Space of Twelve Hours after such Notice, to take up and remove such Pipes, then it shall be lawful for the Surveyor or Surveyors to the said Trustees respectively, and such other Person and Persons as he or they shall appoint, by Order of any Two Justices of the Peace acting in and for the County of *Surrey*, to take up and remove all and every such Pipes; and whenever it shall be found necessary by such Proprietors, their Agents, or Workmen, to open the Ground in or under any Part of the said Roads, for the Purpose of laying or amending their Water Pipes or Plugs, the same shall be done, and the Ground filled and rammed in, and the Roads made good as expeditiously as the Circumstances will admit of, at the Expence of such Proprietors; and in the mean Time such Agents or Workmen so opening the Ground shall secure the respective Parts in such Manner as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; upon Pain of forfeiting any Sum not exceeding Forty Shillings nor less than Ten Shillings, for every Hour that the Ground shall remain open or not secured in Manner aforesaid; and whenever it shall happen that by the bursting, breaking, or running of any such Pipe or Plug, the Water shall overflow any Part of the said Roads, so as to occasion any Danger or Inconvenience to Passengers, Cattle, or Carriages, then in case the said Proprietors, or their Agent or Agents shall, after Twelve Hours Notice thereof, neglect to do what shall be necessary to remedy the Danger and Inconvenience arising therefrom, it shall be lawful for the Surveyor or Surveyors of the said Roads respectively, to do what he or they shall judge requisite to drain off the Water, and to prevent any Danger or Inconvenience therefrom in future, the Expence whereof, and of taking up and removing such Pipes, to be ascertained by such Two Justices, shall be reimbursed to such Surveyor or Surveyors; all which respective Forfeitures and Sums shall and may from Time to Time be recovered of and from the Treasurer, Clerk, or Agent to the said Proprietors of Waterworks, in such Manner as other Penalties and Forfeitures are by this Act to be recovered; and when so recovered shall from Time to Time be paid to the said Trustees of the said Roads respectively, or any Five or more of them, or their respective Treasurer or Treasurers, and shall be applied for and towards amending the said Roads respectively.

Directions as to the laying down and amending Pipes, &c. in, upon, or under the Surrey New Roads and the Surrey and Sussex Roads.

XX. 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 make any Aqueduct, Tunnel, or Feeder, for supplying any Reservoir in the Town or Village of *Camberwell*,

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



*herwell*, over or across any Lands or Grounds, except with the Consent of the Owner or Owners thereof for the Time being, save and except along, in, or across any publick Highway, Road, or Footpath, or 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, Pleasure Ground or Garden, Paddock, planted Walk or Avenue to a House, without the Consent of the Owner or Owners thereof for the Time being.

Not to take any Land belonging to the Prince of Wales without his Consent.

XXI. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Company of Proprietors, or their Agents, Servants, or Workmen, to take or use for the Purposes in this Act mentioned, or any of them, any Land or Ground belonging to his Royal Highness the Prince of *Wales*, or his Successors, or his or their Lessees, without his or their Consent in Writing for that Purpose first had and obtained.

Not to take any Land belonging to the Archbishop of Canterbury without his Consent.

XXII. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Company of Proprietors, or their Agents, Servants, or Workmen, to take or use for the Purposes in this Act mentioned, or any of them, any Land or Ground belonging to his Grace the Archbishop of *Canterbury*, or his Successors, or his or their Lessees, without his or their Consent in Writing for that Purpose first had and obtained, or to erect or construct any Engine or other Work, or do any Act that shall be a Nuisance or Detriment to him or them, or to his or their said Estates.

Not to affect the Property of Joseph Windham Esquire, without his Consent.

XXIII. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Company of Proprietors, or their Agents, Servants, or Workmen, to take or use for the Purposes in this Act mentioned, or any of them, any Land or Ground, or to erect or construct any Engine or other Work, or do any Act upon any Land or Ground belonging to *Joseph Windham* Esquire, or his Lessee or Lessees or his or their Under-tenant or Under-tenants, without his Consent in Writing for that Purpose first had and obtained.

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

XXIV. 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 Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all 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, Lunaticks, Idiots, or other Person or Persons, and for all Females Covert, who are or shall be seized, 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 seized, possessed of, or interested







Lands held of the said Manor, which shall be purchased or vested in the said Company for the Purpose aforesaid, he or they shall be entitled to, and shall be paid by the said Company of Proprietors, a reasonable Recompence and Satisfaction for the Loss that will arise to him or them in respect to such Fines, Heriots, and other Services, the Enjoyment of which will be diminished or lost by the vesting and continuing of such Copyhold Premises in a Body Corporate; which Recompence and Satisfaction, and also the Apportionment of the certain Copyhold Rents issuing out of such Copyhold Tenements, of which a Part only shall be taken for the Use of the said Waterworks, if not settled by Agreement between the Parties, shall be ascertained and settled by the Directors hereby appointed, in such Manner, and subject to such Verdict of a Jury, if required, as herein-after directed.

Company empowered to resell Lands which may not be wanted.

XXVI. 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 or for a Way or Ways, Avenue and 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 Receipts shall be expressed to be received; and such Person or Persons shall not be answerable for any Losses, Misapplication, or Non-application of such Purchase Money, or any Part thereof: Provided always, that the said Company of Proprietors, before they shall sell or 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, an Affidavit, to be 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 Lands or Hereditaments, stating that such Offer was made by or on 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, 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.

XXVII. And be it further enacted, That in all 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 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 such Conveyance, seised of the Hereditaments and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance in Fee Simple, 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 shall be indemnified and saved harmless by the said Company of Proprietors and their Successors, from all Incumbrances committed by the said Company, and also for further Assurance of such Hereditaments and Premises thereby granted and sold, Leases granted or made by the said Company of Proprietors, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances or Leases, or any of them; and that such Purchasers or Lessees, and their several Heirs, Executors, Administrators, and Assigns respectively, shall or may, in any Action or Actions to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances respectively.

The Words  
"Grant, Bar-  
gain, and  
"Sell," to  
operate as  
Covenants  
for the Title.

XXVIII. 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 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.

Application of  
Rent and Pur-  
chase Money.

XXIX. Provided always, and be it further enacted, That all and every Body and Bodies Politick, Corporate, or Collegiate, Trustees or other Person or Persons herein-before capacitated to sell or convey Lands or other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of 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 herein-before directed, either in gross Sums or by annual Rents (except in Cases of Spiritual Persons, to whom all such Compensation for Glebe and Tythes are herein-after directed to be made by annual Rent, or by a Conveyance of Land as herein-after mentioned) as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company of Proprietors;

Satisfaction to  
be made.

and



and in case the said Company of Proprietors, 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 herein-after directed:

In all other Cases the Common or Waste Lands are to be conveyed by the Lords of the Manors.

XXX. And be it further enacted, That in all Cases where in making the said Waterworks, Reservoirs, Aqueducts, and other Works hereby authorized, or any Road or Roads thereto respectively, there shall be Occasion to cut through, take, or use any Part of any Commons or Wastes, the Conveyance of such Parts of such Commons or Wastes by the Lord or Lords, Lady or Ladies of the Manor or Manors in which the same are situate, to the said Company of Proprietors, shall be a good and sufficient Conveyance thereof (without the Commoners or other Persons interested therein joining in such Conveyance); and the said Directors shall ascertain what Portion of the Purchase Money shall be due to the said Lord or Lords, Lady or Ladies, for his, her, or their Interest in such Lands, and such Proportion shall be thereupon paid to him, her, or them, for his, her, or their own Use; and the Receipts of the said Lord or Lords, Lady or Ladies respectively, shall be sufficient Discharges to the said Company of Proprietors for the same.

If Parties are dissatisfied with the Directors Determination, they may cause a Jury to be impanelled to decide the Matter.

XXXI. And be it further enacted, That if any such Body Politick, Corporate, or Collegiate, or any Trustee or Trustees, or other Person or Persons so interested or entitled as aforesaid, shall be dissatisfied with any Sum of Money offered by the said Directors, 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 Politick, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, shall, upon Notice in Writing given to the principal Officer of any such Body Politick, Corporate, or Collegiate, or to such Trustee or Trustees, 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 Non-age, 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 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



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 or 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 Lands 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 Justice 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 Recompence 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 Justices, and shall be binding and conclusive, to all Intents and Purposes, against all Bodies Politick, 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.

XXXII. 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 any Sum not exceeding Fifty Pounds, nor less than Twenty 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 in any other Manner wilfully neglect his Duty, contrary to the true Intent 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, nor less than Twenty Shillings; 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 summoned to give Evidence as aforesaid, shall go and be paid to the Person or Persons

Compelling  
the Sheriff to  
summon the  
Jury.



who shall appear to the said Justices to be injured by the Default of such Person.

Punishing  
Persons guilty  
of Perjury.

XXXIII. 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 liable to 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.

XXXIV. 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 herein-before 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.

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

XXXV. 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.

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.

XXXVI. And be it further enacted, That either upon Payment or legal Tender of such Sum or Sums of Money, or giving 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 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 herein-before mentioned, to the Proprietor or Proprietors of such Lands and Premises, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money, Rent, or Compensation respectively, at any Time after the same shall have been actually so agreed for, determined, or assessed, or upon the said Company's previously giving good and sufficient Security, to the Satisfaction of the Owners or Proprietors, for the future Payment of such Sum of Money, or duly securing any such annual Rent; or if the Person or Persons interested in the said Lands or Hereditaments, shall not be able



to make a good Title thereto, to the Satisfaction of the said Company, or shall refuse to receive the Sum or Sums of Money awarded to him, her, or them, or to execute a Conveyance; or in case such Person or Persons, to whom such Sum or Sums shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered, then and in any of the said Cases, upon Payment of the said Sum or Sums of Money into the Bank of *England* (in case the same shall be requisite) in Manner herein-after mentioned, or if not then, on leaving or depositing the Money in the Hands of the Treasurer to the said Company of Proprietors, for the Use of such Person or Persons so interessed or entitled as aforesaid, or upon the said Company's giving previously such good and sufficient Security for the future Payment of any such Money; and in all or any of the said Cases, as often as the same shall happen, 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, without the Consent of such Person or Persons respectively.

XXXVII. And be it further enacted, That all the said Judgements and Verdicts 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 County of *Surrey*, and shall be deposited with the Records of such Quarter Sessions, 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.

The Determinations of the Directors and the Verdicts of the Jury, to be recorded by the Clerk of the Peace.

XXXVIII. And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politick, Corporate or Collegiate, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, or Persons acting as Guardians, Committees, or other Trustees, for or on Behalf of any Lunaticks, Idiots, Femes Covert, or other

Purchase Monies, or Compensation due to Corporate Bodies, Minors, &c. to be laid out to the same Uses, &c.



other *Cestuique* Trusts, or to any Person or Persons whose Lands or Estates are limited in strict or other Settlement, for the Purchase or Exchange of, or the Damage 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, to be placed to his Account *ex parte* the Company of Proprietors of *The South London Waterworks*, together with the Name or Names of such Person or Persons as Three of the Directors for executing this Act shall, by Writing signed by them, direct and appoint, 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 authorize 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 Meantime 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 Meantime, 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.

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

XXXIX. 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 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



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

XL. 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 not exceed 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.

Application where less than 20 l.

XLI. 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 Privity 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 publick 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

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Chancery, on Motion or Petition.



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 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, &c.

XLII. 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 Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to 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.

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

XLIII. 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.

Tenants at Will to deliver Possession at Six Months Notice.

XLIV. 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 Tenant 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



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 Five or more of them, to issue their Precept or Precepts to the Sheriff of the County in which the Premises 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 Distrels and Sale of his, her, or their Goods.

XLV. 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 Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and

Mortgagees to convey.



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.

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

XLVI. And be it further enacted, That such of the Inhabitants of the said several Parishes, Townships, Hamlets, and Places aforesaid, and all such other Persons inhabiting within the Distance of Two Miles of any Part of the Aqueducts or Pipes made by the said Company as aforesaid, as shall be desirous of having Water from the said Waterworks laid into their Houses or Offices, 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, under their common Seal, 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 or Buildings of such Inhabitants, and to lay Leaden Pipes (the Bore thereof to be ascertained by the said Company) from such respective Houses or Buildings 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 or other Building 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, their Successors, Executors, Administrators, or Assigns, any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, for every Day such Pipe shall so remain: Provided always, that any such Person as shall have laid leaden Pipes as aforesaid, shall be at Liberty to remove and take away the same Pipes, and the Cocks to the same Pipes belonging.

When Ground  
is broken up  
for laying  
Pipes, it is to  
be filled in  
again as soon  
as possible,

XLVII. Provided always, and be it further enacted, That any Ground which 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 Pipe, by virtue of this Act, shall, by the said Company of Proprietors or other Persons respectively, be filled in,



and the Rubbish occasioned thereby carried away as soon as conveniently may be, and in the Meantime shall be fenced or guarded, so that the same may not be dangerous to Passengers or Cattle; and that if there shall be any wilful or negligent Delay in any of the Agents or Servants of the said Company of Proprietors, or 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 or removing the Rubbish thereby occasioned, that then and in every such Case the said Agents or Servants of the said Company of Proprietors, or such other Persons respectively, shall forfeit any Sum not exceeding Five Pounds, nor less than Five Shillings.

and fenced in  
the Meantime  
to prevent  
Accidents.

XLVIII. And, in order to preserve the Water clean and wholesome, be it further enacted, That no Person shall bathe in any Part of the said Reservoirs, Aqueducts, Waterways, or Feeders, leading from the River *Thames*, or in the Reservoirs or any Ponds thereto belonging, or wash any Dogs or other Animals therein, 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 the said Reservoirs and Aqueducts, Waterways and Feeders, Reservoirs or Ponds, or cause or suffer the Water of any Sink, Sewer, or Drain, to run or be conveyed into the same, or cause any other Annoyance to be done to the said Water thereof, upon pain of forfeiting to the said Company of Proprietors for every such Offence any Sum not exceeding Five Pounds nor less than Five Shillings.

For preserving  
the Water  
clean and  
wholesome.

XLIX. 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 Ten Pounds, nor less than Five Shillings; and it shall also be lawful for the said Company of Proprietors, if they shall so think fit, also to take off the Water from the House or Building of any Person so supplied and offending, for every such Offence.

For hindering  
Persons sup-  
plied from  
supplying  
others, and  
for punishing  
Persons for  
wilfully let-  
ting off the  
Water:

L. Provided nevertheless, and be it further 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 other Person or Persons, also supplied by the said Company of Proprietors, with any Quantity of such Water in case of Fire, or during any Time that the Pipes or Cocks of such last mentioned Person shall or may happen to be out of Repair, such Pipes or Cocks nevertheless being repaired as soon as may be after any Damage shall happen thereto.

Except in  
certain Cases.



A Ball Cock  
to be provided  
in Cisterns,  
&c.

LI. And be it further enacted, That every Person or Persons contracting with the said Directors for being supplied with Water by the said Company of Proprietors, shall be compelled, under and subject to the like Penalties contained in the foregoing Clause, in every Water Butt, Cistern, or other Receptacle for Water, to be provided by the said Parties so contracting with the said Company of Proprietors, to attach or fix to the Pipe conveying the same from the said Waterworks, a Ball Cock or Turn-off Tube, to prevent the Water running to waste when the said Water Butt, Cistern, or other Receptacle for the Use of such particular Premises are full; and that the authorized Company's Servants or Servant shall have free Access (at all reasonable Times) to the said Premises so to be supplied as aforesaid, to inspect and see that the same are kept in proper and sufficient Repair and Condition.

The Company  
may raise  
among them-  
selves a Sum  
of Money not  
exceeding  
50,000 l.

LII. 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 Fifty 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 Conveniencies, and otherwise for putting this Act in Execution; and that the said Sum of Fifty 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 of 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 that the said Shares shall be and are hereby vested in the several Persons and Bodies Politick, Corporate, or Collegiate, so raising and contributing 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, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, shall be entitled to and receive, after the said Reservoirs, Aqueducts, and Works shall be declared fit for Service by the said Directors or Company of Proprietors, the entire and net 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.



LIII. 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.

LIV. And be it further enacted, That every Body Politick, Corporate, or Collegiate, and every Person who shall, by virtue of this Act, have subscribed or undertaken for One Share in the said Undertaking, himself, 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, in the stated and special General Assemblies, to be held as herein appointed for carrying on the Undertaking.

Subscribers to have a Vote for every Share;

but not exceeding five Votes in the Whole.

LIV. And be it further enacted, That in case the Money her-in-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 lawful 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 Thirty 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 said Sum of Thirty thousand Pounds; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Power to raise among themselves a further Sum, if necessary, not exceeding 30,000 l.

LVI. Provided always, That in case the said Company of Proprietors shall be desirous of raising the said additional Sum of Thirty 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 Thirty thousand Pounds, on the Credit of the said Undertaking, and to assign the Property of the same 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 said 30,000 l. by Mortgage.

• BY



Form of  
Mortgage.

' BY virtue of an Act, made in the Forty-fifth 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 Waterworks, 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 Com-  
 ' mon 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, 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 on 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 Effect following; that is  
 to say;

Which Mort-  
gages 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 South*  
 ' *London 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 the original Mort-  
 gages or Assignments, for which the said Clerk shall be paid such Sum as  
 the said Company of Proprietors shall appoint, not exceeding Two Shillings  
 and



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.

LVII. 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; and in case the same, or any Part thereof, shall be behind and unpaid, by the Space of Thirty Days next after the same shall become due and payable as aforesaid; and after Demand made thereof, that then it shall be lawful for the said Directors, and they are hereby required, on Request to them made by any Creditor whose Interest shall be so in arrear, by an Order under their Hands, to appoint One or more proper Person or Persons to receive the Whole, or such Part or Parts of the Sums of Money due to the said Company for Water, or that become due, or will be sufficient to pay the Interest so due and unpaid as aforesaid; and the Money so to be received by such Person or Persons is hereby declared to be as so much Money received by or for the Use of such Person or Persons to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the Rates shall be fully paid and satisfied; and after such Interest and Costs shall be paid and satisfied, the Power and Authority of such Receiver or Receivers for the Purposes aforesaid shall cease and determine, or otherwise the said Interest so due and unpaid as aforesaid, shall be sued for and recovered with Costs, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Interest to be paid Half-yearly, &c.

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

Mortgagees not to be considered as Proprietors of Shares.

LIX. 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 to 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.

LX. And be it further enacted, That if any Person shall throw any Ballast, Gravel, Stones, Filth, 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,

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

[*Loc. & Per.*]

26 L

belonging



Penalty on  
destroying  
Works.

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 Lock, Stop, or Clew Gates on the said Waterworks, so as to mispend or waste the Water thereof, or do any other Acts to disturb, foul, or injure the Water, its Courses, or Feeders, or shall wilfully obstruct, 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 Ten Pounds, nor less than Forty Shillings; and if any Person shall wilfully and maliciously, and to the Prejudice of the said Waterworks, Reservoirs, Aqueducts, or other Works, break, throw down, damage, or destroy any Banks or other Waterworks to be erected and made by virtue of this Act, every such Person shall be judged guilty of Felony; and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person shall be tried and convicted, shall have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or in Mitigation of such Punishment, such Court may award such Sentence as the Law directs in Cases of Petit Larceny; or otherwise every Person so offending, and being thereof lawfully convicted on the Oath of One or more credible Witness or Witnesses, before One or more of His Majesty's Justices of the Peace for the County or Place where such Offence shall be committed, shall forfeit any Sum not less than Double the Value or Amount of the Damage proved upon Oath to have been done, at the Discretion of such Justice or Justices, such Penalty, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus (if any) to such Offender; or such Offender shall and may be committed to the Common Gaol for the County or Place in which such Offence shall happen, for any Time not exceeding Four Calendar Months, at the Discretion of the Justice or Justices before whom such Offender shall have been convicted.

Water not to  
be subject to  
the Commis-  
sioners of  
Sewers.

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

Saving the  
Rights of the  
City of Lon-  
don as Con-  
servators of  
the Thames.

LXII. 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 of 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



or interfere with any Part of the Soil or Bed of the River, or the Banks or Shores thereof (except so far as is herein-after 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.

LXIII. 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 as a Fine or Acknowledgment 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 *per Annum*, after the opening a Communication between the said Waterworks and the River *Thames*, and which said annual Sum is hereby charged upon and made payable out of the Rates and Tolls of the said Undertaking, and may be recovered in the same Manner and with the same Powers, as are herein-before prescribed and given for the Recovery of the other annual Rents made payable by virtue of this Act.

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

LXIV. 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 River *Thames*, at or near *Vauxhall Creek*, or a certain Creek or Dock adjoining *Cumberland Gardens*, in the Parish of *Saint Mary Lambeth*, and there to make and construct such Works as shall be necessary, not exceeding Thirty Feet in Width, and for this Purpose to construct a Cofferdam or Batterdeaux on the Beach of the said River, to keep out the Water while the said Watercourse 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 sufficiently deep to enable the Water to flow in sufficient Quantities to the said Waterworks, into and 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 to take Water therefrom

LXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to give to the said Company of Proprietors, any Power or Authority to render the Communication of the said Waterworks with the River *Thames*, or with any Navigable Canal or Railway, a Conveyance for Goods, Wares, or Merchandize.

Communication between the Waterworks and the Thames not to be a Conveyance for Goods.

LXVI. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Company of Proprietors to convey Water by Pipes or otherwise from the said Reservoirs for the Purpose of supplying all or any of the Inhabitants residing within the Royal Manors of *East Greenwich* and *Sayes Court*, in the Counties of *Kent* and *Surrey*, or One of them, with Water, or in any other Manner to prejudice or injure the Proprietors of a certain Patent granted by His Majesty King

East Greenwich and Sayes Court not to be supplied with Water by the Lambeth Waterworks.



King *William* the Third; in the Thirteenth Year of His Reign, to *William Tarnold* and *Robert Watson*, enabling them, their Executors, Administrators, and Assigns, for the Term of Five hundred Years thence next ensuing, to convey Water by Pipes from the River *Ravensbourne* to the Houses and Premises of the Inhabitants of the said Manors of *East Greenwich* and *Sayes Court*.

Fines and  
Forfeitures.

LXVII. 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 levying and recovering whereof is or are not particularly herein-before directed, shall, in case of Non-payment thereof, on Conviction of the 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 or Place wherein the Offence shall be committed, or the Offender shall be or reside; and every such Justice is hereby authorized and required to examine Witnesses on Oath, and hear and determine the same; and all Fines, Forfeitures, and Penalties (the Application whereof is not herein-before particularly directed), shall be paid into the Hands of the Treasurer to 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.

Allowing an  
Appeal.

LXVIII. And be it further enacted, That any Person or Persons thinking 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, may, within Six Calendar Months next after such Order, Judgement, or Determination shall have been made or given (first giving Fourteen Days Notice of such Complaint to the Person or Persons against whom such Complaint is intended to be made) complain to the Justices of the Peace at the General Quarter Sessions to be held in and for the County in which the Cause of Appeal shall arise, who shall in a summary Way either hear and determine the said Complaint at such General Quarter Sessions, or if they think proper may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for such County; 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, or Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall judge reasonable; but no Proceedings to be had and taken in pursuance of this Act shall



shall be quashed or vacated for Want of Form, or be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form, nor removed by *Certiorari*.

LXIX. 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 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 be brought after the Time so limited for bringing the same, or 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.

Limitation of Actions.

LXX. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to give to or invest the said Company of Proprietors with any Powers which may at all interfere with any Rights, Powers, or Authorities heretofore granted to the *Grand Surrey Canal Company*, by an Act passed in the Forty-first Year of His present Majesty's Regn, intituled, *An Act for making and maintaining a Navigable Canal from the River Thames, at or near a Place called Wilkinton's Gun Wharf, in the Parish of Saint Mary at Rotherhithe, in the County of Surrey, to the Town of Mitcham, in the Parish of Mitcham, in the said County; and also divers collateral Cuts or Branches communicating from the same to certain Parishes and Places within the Counties of Surrey and Kent; or to enable the said Company of Proprietors of the South London Waterworks to take or purchase any of the Land laid down in the Line for the said Canal Company, or to take any Water from the said Canal, but the said Company of Proprietors are to have Power to lay their Mains or Pipes over or under the said Canal, doing no Damage or Hindrance to the Navigation thereof.*

To protect the Rights of Grand Surrey Canal Company.

LXXI. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to authorize or empower the said Company of Proprietors to take or use, or suffer to be taken or used for the Purposes of the said Undertaking, any Water out of or from the Rivers *Wandle* and *Ravenbourne*, or either of them, or out of or from any Part of the Springs, Feeders, or Streams of Water which run into

To secure the Waters of the Rivers Wandle and Ravenbourne.



2346

## 45° GEORGI II. Cap. 119.

or appertain to the said Rivers, or either of them, other than the River  
*Thames.*

Publick Act.

LXXII. 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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