



ANNO QUINQUAGESIMO

GEORGI III. REGIS.

Cap. 132.

An Act to enable the Company of Proprietors of the *West Middlesex Waterworks* to raise a further Sum of Money ; and to alter, vary, amend and enlarge the Powers of the Act passed in the Forty-sixth Year of His present Majesty, for making the said Waterworks ; and for extending the same.

[24th May 1810.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His present Majesty, intituled *An Act for supplying with Water the Inhabitants of Kensington, Hammer-smith, Brentford, Battersea, Putney, Richmond, and several other Parishes and Places in the Counties of Middlesex and Surry*, whereby several Persons therein named, and their Successors, were made one Body Politick and Corporate, by the Name of *The Company of Proprietors of the West Middlesex Waterworks*, for the making, completing, and maintaining certain Waterworks, Reservoirs, Aqueducts and other Works and Conveniences ; and the said Company of Proprietors were thereby authorized to raise amongst themselves, for the Purposes of the said Act, in such Proportions as they should think proper, any Sum or Sums of Money not exceeding in the whole the Sum of Thirty thousand Pounds, to be divided into Shares of One hundred Pounds each ; and to raise and contribute in Manner aforesaid, or by the Admission of new Subscribers, any further Sum of Money for completing and perfecting the said Undertaking, as to them should seem meet, not exceeding the Sum of Fifty thousand Pounds ; and the said Company of Proprietors were thereby also authorized to borrow all or any Part of the said Sum of Fifty thousand Pounds on the Credit of the said Undertaking, and to assign, in Manner and Form, and subject to the Regulations therein expressed and contained, the Property of the said Undertaking, and the Sums of Money arising or to arise to the said Company of Proprietors by virtue of the said Act or any Part thereof, as a Security for any Sum or Sums of Money so to be borrowed, with Interest as therein expressed :

[Loc. & Per.]

33 M

And

And whereas, in pursuance of the Powers and Authorities of the said recited Act, the said Sum of Thirty thousand Pounds hath been raised and contributed by the said Proprietors, as also the said further Sum of Fifty thousand Pounds: And whereas the Waterworks authorized to be made by the said recited Act have been nearly completed: And whereas the Supply of Water from the said Waterworks might be further and beneficially extended (in addition to the Parishes, Townships, and Places to which they are extended by the said Act) to the several Parishes, Townships or Places hereinafter mentioned; (that is to say) the several Parishes of *Saint James Westminster, Saint Ann Soho, Saint Mary le Strand, Saint Clement's Danes, Saint Paul Covent Garden, Paddington, Saint Mary-le-Bone*, such Part of the Parish of *Saint Pancras* as lies south of *Fig Lane*, *Saint George's Bloomsbury*, and *Saint Giles's in the Fields*, in the said County of *Middlesex*: And whereas, in order to enable the said Company of Proprietors to complete the said Waterworks, and extend the Supply of Water from the same as aforesaid, it is necessary and expedient that they should be authorized and empowered to raise a further Sum of Money, and that for those Purposes the Powers and Provisions of the said recited Act should be altered and enlarged; May it therefore please Your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Company of Proprietors of the *West Middlesex* Waterworks to raise and contribute among themselves for the Purposes of the said Act, in addition to the Money which has already been raised by them under the Powers of the said recited Act for the Purposes thereof, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and sixty thousand Pounds in such Proportions as they shall think fit; which said Sum of Money shall be laid out and applied in the first Place in discharging the Expences of obtaining and passing this Act, and otherwise carrying the Purposes of the said recited Act and of this Act into Execution; which said Sum of One hundred and sixty thousand Pounds shall be divided into Shares of One hundred Pounds each, and it shall and may be lawful to and for any Person or Persons, Body or Bodies Politick, or Corporate or Collegiate, possessed of any Share or Shares in the Capital of the said Company of Proprietors under the said recited Act, to accept and take any Number of such new or additional Shares so created by this Act, in Proportion to any original Share or Number of original Shares holden by such Person or Persons, Body or Bodies Politick, Corporate or Collegiate, as shall be assigned to them under or by virtue of any Resolution of the Company of Proprietors or their Board of Directors for the Time being, subject nevertheless to the Restrictions herein-after contained; and such new or additional Shares, and the several Shares made and created by virtue of the said recited Act, shall to all Intents and Purposes be and they are hereby declared to be consolidated and to be one and the same Joint Stock and Property; and all Persons, Bodies Politick, Corporate and Collegiate, their several and respective Successors, Executors, Administrators and Assigns, who have severally subscribed for One or more Share or Shares, or such Sum or Sums of Money as shall be called for and demanded for the Purposes of the said Act and of this Act, and who shall severally subscribe for one or more Share or Shares or such Sum or Sums of Money as shall be called for or demanded for the Purposes of the said recited Act and this Act, shall respectively be entitled to and receive the entire and net Distribution of an equal proportionate Part, according to the Money so by them respectively paid, of the Profits and Advantages that shall or may arise or

accrue

For enabling the Company to raise a further Sum of Money not exceeding 160,000l.

Capital to be divided into Shares of 100l. each.

accrue by the respective Rates and other Sums of Money to be raised, recovered or received by the said Company of Proprietors by the Authority of the said recited Act and this Act; and every Body Politic, Corporate and Collegiate, and Person having such Shares and Property as aforesaid, shall bear and pay a proportionable Sum towards carrying on the said Works respectively, in Manner directed by the said recited Act and this Act.

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

Power to
raise by
Mortgage.

III. And be it further enacted, That each and every Proprietor of each and every Share which shall or may be created by virtue of this Act shall be entitled to such and the same Powers, Privileges and Advantages, and shall be subject to such and the same Rules, Regulations, Restrictions, Penalties and Forfeitures, as if the Share or Shares so holden by him, her or them, were Part of the Shares already created by virtue of the said recited Act made in the Forty-sixth Year of the Reign of His present Majesty, and now vested in the several and respective Proprietors of the said Undertaking; and the Admission of all and every Person and Persons to any such new Share or Shares, by any Order or Resolution of the said Company of Proprietors or their Directors for the Time being, shall be and be deemed to be a good and effectual Title to such Person or Persons, and his, her or their respective Executors, Administrators and Assigns, on his, her or their paying to the said Company of Proprietors, or their

Proprietors
of Shares un-
der this Act
to be entitled
to the same
Powers, Pri-
vileges and
Advantages
as those un-
der the Act
of 46 G. 3.

Treasurer or Treasurers for the Time being, the Purchase Money or Price agreed to be paid for such Shares respectively.

Repeal of
Clause as to
holding only
Five Shares.

IV. And be it further enacted, That so much of the said recited Act as declares that no Body Politic, Corporate or Collegiate, or Person contributing thereto or becoming a Proprietor of the said Undertaking, should become a Proprietor of more than Five Shares in the whole therein, shall be and the same is hereby repealed.

Any Propri-
etor may hold
Shares not
exceeding
Fifty.

V. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for any Body Politic, Corporate or Collegiate, or any Person or Persons to be possessed of or interested in any Number of Shares in the said Waterworks not exceeding Fifty Shares in the whole.

Repeal of
Clause regu-
lating the
Scale of
voting.

VI. And be it further enacted, That so much and such Parts of the said recited Act as enacts that every Body Politic, Corporate or Collegiate, and every Person who shall by virtue of the said Act have subscribed or undertaken for One Share in the said Undertaking, his, her or their respective Successors, Executors, and Administrators, shall have a Vote for every such Share, but not exceeding Five Votes in the whole, although possessed of more than Five Shares (except as hereinafter is excepted) in the General and Special General Assemblies to be holden as therein appointed for carrying on the said Undertaking; and that such Vote or Votes may be given by them, him or her, or by their, his or her Proxies or Proxy constituted under the Seal of such Body Politic, Corporate or Collegiate, or the Hand of the Proprietor constituting the said Proxy, every such Proxy being a Proprietor in the said Undertaking; and also so much of the said Act as enacts that every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if such Principal had voted in Person, and that every Question, Matter or Thing which shall be proposed, discussed or considered in any General or Special General Assembly of the said Company of Proprietors, shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Share, provided that the Members present should be possessed of not less than Fifty Shares, and that no Person should give or deliver in Proxies for more than Five Shares, shall be and the same are hereby repealed.

Scale of
voting regu-
lated.

VII. Provided always, and be it enacted, That every Body Politic, Corporate or Collegiate, and every Person or Persons being a Proprietor or Proprietors of One or more Share or Shares in the said Joint or Capital Stock, shall be entitled to vote at the several General or Special General Assemblies of the said Company of Proprietors in respect of such Share or Shares in the Proportions following (that is to say) if a Proprietor of One Share and less than Three Shares to One such Vote; if a Proprietor of Three and less than Six Shares, to Two such Votes; if a Proprietor of Six and less than Ten Shares, to Three such Votes; if a Proprietor of Ten and less than Fifteen Shares, to Four such Votes; if a Proprietor of Fifteen and less than Twenty Shares, to Five such Votes; if a Proprietor of Twenty and less than Twenty-five Shares, to Six such Votes; if a Proprietor of Twenty-five and less than Thirty Shares, to Seven such Votes; if a Proprietor of Thirty Shares and less than Forty, to Eight such Votes; if a Proprietor of Forty Shares and upwards, to Ten such Votes; but that no Proprietor shall be entitled to more than Ten Votes; and that such Vote or Votes may be given by every Female Proprietor of any Share or Shares by her Proxy, constituted by an Instrument under the Hand and Seal of such Female Proprietor constituting the said Proxy, such
Instrument

Instrument being in the Form prescribed and required by the said recited Act, every such Proxy being a Proprietor in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if such Principal had voted in Person: Provided nevertheless, that no Person shall give or deliver in Proxies for more than Ten Votes; and every Question, Matter or Thing which shall be proposed, discussed or considered, in any General or Special General Assembly of the said Company of Proprietors or any Adjournment thereof, shall be determined by the Majority of the Votes given at such Assembly, whether in Person or by Proxy as aforesaid.

VIII. And be it further enacted, That from and after the Distribution or Appropriation of the new Shares under and by virtue of this Act, no Person shall be qualified to be chosen a Director for conducting the Business of the said Undertaking or acting under the said Act or this Act, or shall be qualified or allowed to act or vote or do any Act, Matter or Thing, or make any Order or attend any Meeting as a Director, unless he shall hold and be possessed of Ten Shares at the least in the said Joint Consolidated Stock and Property, instead of Five Shares as in the said last mentioned Act; any Thing in the said recited Act to the contrary notwithstanding.

No Proprietor qualified to be a Director unless possessed of Ten Shares.

IX. And be it further enacted, That if any Director of the said Company shall neglect or refuse to attend the Meetings of the said Directors for the Space of Four Calendar Months, unless prevented by Illness, the Director so neglecting or refusing shall at the Expiration of such Four Calendar Months cease to be a Director to all Intents and Purposes, and another Person shall thereupon be elected in his stead in the same Manner as if he were actually dead or had ceased to be a Director by any other Means whatsoever.

Directors disqualified by a Non-attendance for Four successive Months.

X. And be it further enacted, That in all Cases in which the Presence of Proprietors either as Principals or Proxies, being possessed of at least Fifty Shares in the said Undertaking, would have been necessary by virtue of the said recited Act in order to constitute a General Assembly or a Special General Assembly of the said Company of Proprietors, and to give Validity and Effect to the Proceedings of such General or Special General Assembly, the Presence of Proprietors either as Principals or Proxies, being possessed of at least Three hundred Shares in the said Undertaking, instead of Fifty Shares as required by the said Act, shall, from and after the passing of this Act, be necessary and requisite for those Purposes.

Repeal of Numbers to constitute General Assembly.

General Assemblies to consist of 300 Shares.

XI. And be it further enacted, That from and after the passing of this Act, 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 in the several Parishes and Parts of Parishes and Places specified in the said recited Act of the Forty-sixth Year aforesaid in the Counties of *Middlesex* and *Surry*, and Parishes or Parts of Parishes or Places to be supplied by the said Company, and also in the several Parishes of *Saint James Westminster*, *Saint Ann Soho*, *Saint Mary le Strand*, *Saint Clements Danes*, *Saint Paul Covent Garden*, *Paddington*, *Saint Mary-le-bone*, such Part of the said Parish of *Saint Pancras* as lies South of *Fig Lane*, *Saint George's Bloomsbury*, and *Saint Giles's in the Fields* in the County of *Middlesex*, such Main Pipes, and Service and other Pipes, Cocks, Plugs, and such other Works, Devices and Things as may be necessary for supplying the said several last-mentioned Parishes with Water, from any of the Reservoirs or Works now erected, or which may hereafter be erected

For empowering the Company to extend their Works.

under and by virtue of the Powers of the said recited Act or this Act, or belong to the said Company of Proprietors, and for that Purpose to lay down any such Main or Service or other Pipes, or make any such Cocks or Plugs in and along any of the Public Roads, Streets, Ways or Paths within the said Parishes or any of them or any Parts thereof, so as that in laying the same all Damage which shall be thereby done or at any Time thereafter arise from the said Pipes to any of the said Roads, Streets, Ways or Paths, shall be immediately repaired, and the said Roads, Streets, Ways and Paths made as good as the same were before any such Damage.

No Reservoir to be made in any of the Parishes or Places directed by this Act to be supplied with Water.

That the Powers vested in the Company by this Act shall not be alienable.

XII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to enable the said Company of Proprietors to erect or make any Reservoir or Reservoirs in any or either of the Parishes or Places by this Act directed to be supplied with Water.

XIII. And be it further enacted, That it shall not be lawful for the said Company at any Time hereafter to sell or dispose of any of the Rights, Privileges or Powers or Authorities vested in them by this Act, of supplying the said Parishes or Places with Water, or any of such Parishes or any Part of any of them, to any other Water Company, now existing or which may hereafter be established for the supplying of Water, or to any Person or Persons whomsoever, but only to take and demand such Sums as shall be reasonable for the Water supplied under the Provisions of this Act.

Requiring the Company to make Fire-plugs in every Street, &c.

XIV. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, upon the carrying into and laying down any Main-pipe in any Square, Street, Passage or Place for the supplying the same with Water, to fix and place or cause to be fixed and placed at the Time of laying down such Main-pipe, One or more proper and sufficient Fire-plug or Fire-plugs in each Square, Street, Passage or Place supplied with Water from such Main or Mains, for the Supply of Water for the extinguishing of Fires; and when and so soon as any such Fire-plugs shall be finished, the said Company shall immediately deliver a Key or Keys of such Fire-plug or Fire-plugs at each and every House or Place in the Parish in which such Fire-plug shall be, wherein any Engine shall be kept for the extinguishing of Fires.

Directing how Pipes shall be laid down, and requiring the Company to conform to the Provisions of certain Paving Acts as to Water-pipes.

XV. Provided always, and be it further enacted, That no Water-pipes belonging to the said Company of Proprietors shall be laid down at a less Depth under Ground than Twenty Inches under the Bottom of the Pavement in any of the Streets or Places within the said several Parishes herein-before mentioned, and that all and every the Clauses, Provisions, Powers, Authorities, Regulations, Restrictions, Fines, Penalties, Matters and Things whatsoever contained in any Act or Acts of Parliament for paving the said several Parishes respectively, or either of them or any Part thereof, touching or in anywise concerning the Water Companies therein mentioned or referred to, shall extend to and operate upon and be construed to extend to and operate upon the Water Company established by the said recited Act, as well in respect to the making, completing, maintaining and keeping as to the repairing, relaying or amending of any Mains, Pipes, Cocks, Plugs, Works, Devices and Things of the said Company to be made and done by virtue and in pursuance of this Act, and that the said last-mentioned Water Company shall be subject and liable to the Payment and Discharge of all Charges and Expences to be incurred by the breaking, taking up, relaying, re-instating,

re-instating and making good all such Ground and Pavement in any of the said Streets and Places within the said several Parishes as shall be broken or taken up, either for the Purpose of laying down or for repairing, relaying and amending any Mains, Pipes, Cocks or Plugs to be made or laid down by virtue and in pursuance of this Act, or afterwards repaired, relaid or amended, and to all Fines and Penalties for neglecting to repair, re-instate and make good such Ground and Pavement, in such and the same Manner to all Intents and Purposes, and as fully and effectually as if the said Water Company by the said recited Act established had been previously established and mentioned by Name in and by the said Paving Acts relating to each and every of the said Parishes respectively, and thereby expressly made subject thereto; any Thing herein or in the said recited Act contained to the contrary notwithstanding.

XVI. And be it further enacted, That the said Company shall within Three Years from the passing of this Act, lay down Three Mains at the least in the Parishes of *Saint Mary le Bone* and *Saint Pancras*, (that is to say) along *Oxford Street* from the *Edgeware Road*, along *Upper Seymour Street* to *Tottenham Court Road*, and along the *New Road* to *Tottenham Court Road*, each of which Main Pipes shall always be charged with Water during the Night, to be used in case of Accidents by Fire, and that a Fire Plug shall be fixed to all such Mains and Pipes already laid or hereafter to be laid, wherever it shall be judged necessary by the Vestrymen of the said Parish of *Saint Mary le Bone*, or by the Commissioners for paving the said Parish of *Saint Pancras* West of *Tottenham Court Road*, or their respective Surveyors or Surveyor for the Time being, and that no Pipes except Main Pipes shall be laid down more than Six Days previous to Water being ready to be driven through such Pipes, nor shall any Ground be filled in until Water has been so driven through for the Trial of such Pipes.

Mains to be laid in Three particular Places and kept full of Water during the Night.

XVII. And be it further enacted, That in case the several or any of the Insurance Companies established in the Cities of *London* and *Westminster*, or either of them, shall be desirous of and shall apply to the said Company of Proprietors of the *West Middlesex* Waterworks for a Key or Keys of the Mains, Plugs or Services belonging to the said Waterworks, in order that such Key or Keys may be kept by the said Company or Companies so applying, or the Fireman or other their Men, Officers or Servants, to the End that thereby in Cases of Fire the Supply of Water from the said Works may the more easily and readily be obtained; the said Company of Proprietors of the said *West Middlesex* Waterworks shall be bound and obliged to furnish such Key or Keys to such Company or Companies so applying in order to their being so kept; and in case the said Company of Proprietors of the *West Middlesex* Waterworks shall refuse such Key or Keys to any Company so applying, they shall forfeit to such Company to whom such Refusal shall be made, the Sum of Fifty Pounds *per Annum*, which Penalty shall and may from Time to Time be recovered by Action, Complaint or Suit in any Court in *Westminster* Hall.

Requiring the Company to deliver Keys of Pipes, &c. to certain Fire Offices.

XVIII. And be it further enacted, That so much of the said recited Act of the Forty-sixth Year of the Reign of His present Majesty, as may be deemed and construed to authorize or empower the said Company of Proprietors of the *West Middlesex* Waterworks to supply any other Places than are in the said Act specified, or any Places adjacent or near unto any of the Parishes or Parts of Parishes or Places specified in the said Act, shall be and the same is hereby repealed.

Repealing so much of former Act as empowers the Company to supply any Places but such as are particularly named therein.

Extending
the Provisions
of former Act
to this Act.

XIX. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Clauses, Restrictions, Matters and Things whatsoever contained in the said recited Acts so far as the same are not expressly altered or repealed by this Act, shall extend and be construed to extend to operate and be in force with respect to the Monies allowed to be raised and to the additional Shares to be made or created under this Act, and also to the Cuts, Aqueducts, Pipes, Cocks, Plugs, Works, Devices and Things to be constructed by virtue of this Act for the Purposes aforesaid, and for the Protection of the said Company against any Damage, Injury or Interruption or improper Use of the Works supplied by the said Company, and to all other Cases, Matters and Things whatsoever which may happen or arise in the Execution of this Act, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in this Act, and were made Part thereof, and the said recited Act and this Act shall, as to all Matters and Things whatsoever except as aforesaid, be construed as One Act.

Lands not
to be taken
without Con-
sent.

XX. Provided always, and be it further enacted, That nothing in this Act or in the said recited Act contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors to take or purchase any Lands, Tenements, Hereditaments, or Premises whatsoever, without the Consent of the Owners, Proprietors or Tenants thereof.

Saving
Rights of the
Commis-
sioners of
Sewers for
Westminster,
&c.

XXI. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter or take away any of the Rights, Powers and Authorities vested in the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, but all the Rights, Powers and Authorities vested in them shall be as good, valid and effectual, as if this Act had not been made.

Saving
Rights of the
New River,
York Build-
ings, and
Chelsea
Waterworks
Companies.

XXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to hinder or obstruct the Company commonly called "The Governor and Company of the New River brought from *Chadwell* and *Amwell* to *London*," or the Mayor, Citizens and Commonalty of the City of *London*, or their Lessees or Assignees; or the Governor and Company of Undertakers for raising *Thames* Water in *York Buildings*; or the Governor and Company of *Chelsea* Waterworks, or any other Proprietors or Undertakers of any Waterworks whatsoever, or any or either of them, or any claiming by, from or under them, or any of them, from holding, using, exercising or enjoying all such lawful Rights, Titles, Estates, Interests, Privileges, Powers and Advantages whatsoever, which they or any of them now have or at any Time hereafter shall or may have or be entitled to.

Publick Act.

XXIII. 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.