



ANNO QUINQUAGESIMO PRIMO

# GEORGI III. REGIS.

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## Cap. 145.

An Act to enable the Company of Proprietors of the *Kent* Water Works to raise a further Sum of Money, and to alter and enlarge the Powers of an Act of His present Majesty, for making the said Water Works, and to extend the same.

[10th June 1811.]

**W**HEREAS an Act was passed in the Forty-ninth Year of the Reign of His present Majesty, intituled *An Act for supplying with Water the Inhabitants of Deptford, Greenwich, and several other Parishes and Places in the Counties of Kent and Surrey*, whereby certain Persons therein named, and their Successors, were made One Body Politic and Corporate, by the Name of 'The Company of Proprietors of the *Kent* Water Works,' for the making, completing, and maintaining certain Water Works, Reservoirs, Aqueducts, and other Works and Conveniences; and the said Company were thereby authorized to raise among 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 One hundred thousand Pounds, to be divided into Shares of One hundred Pounds each; and also in case the said Sum should be found insufficient for the making, completing, and maintaining of the said Reservoirs and Aqueducts, and other the Works thereby authorized to be made; and all necessary Charges, and Expences relating

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relating thereto, to raise and contribute in Manner aforesaid, or by the Admission of new Subscribers, any further or other Sum of Money for completing and perfecting the said Undertaking, not exceeding the Sum of Fifty thousand Pounds; and 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: And whereas in pursuance of the Powers and Authorities of the said Act, the Sum of One hundred thousand Pounds hath been raised and contributed by the said Proprietors, and also the Sum of Twenty-five thousand Pounds, Part of the said further Sum of Fifty thousand Pounds: And whereas the said Company of Proprietors are proceeding in the Execution of the Water Works, Aqueducts, and other Works authorized to be made by the said recited Act: And whereas the Supply of Water from the said Water Works might be further and beneficially extended (in addition to the Parishes, Townships, and Places authorized to be supplied by the said recited Act) to the several Parishes, Townships, or Places following; (that is to say) the several Parishes, Townships, or Places of *Saint Mary Woolwich*, *Saint Luke Charlton*, and *Saint Nicholas Plumstead*, in the County of *Kent*, and also the several Parishes, Townships, or Places of *Saint Mary Magdalen Bermondsey*, *Peckham*, and *Peckham Rye*, in the Parish of *Saint Giles Camberwell*, in the County of *Surrey*: And whereas, in order to enable the said Company of Proprietors to 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 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 all the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Penalties, Forfeitures, Clauses, Restrictions, Matters, and Things whatsoever contained in the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, 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, Reservoirs, Pipes, Cocks, Plugs, Works, Devices, and Things to be constructed, laid down, removed, or amended 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 for the securing of any Part or Parts of any Road, Way, or Passage to be opened for the laying down, removing, or amending any Pipe or Pipes or other Work, and for amending and making good such Road, Way, or Passage, 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 and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Act and this Act shall, as to

Extending  
the Provisions  
of the former  
Act to this  
Act.

all Matters and Things whatsoever, except, as aforesaid, be construed as One Act.

II. And be it further enacted, That from and after the passing of this Act it shall and may be lawful to and 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, Townships, or Places specified in the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, in the Counties of Kent and Surrey; and also in the several Parishes, Townships, or Places of *Saint Mary Woolwich*, *Saint Nicholas Plumstead*, and *Saint Luke Charlton*, in the said County of Kent; and also in the several Parishes, Townships, or Places of *Saint Mary Magdalen Bermondsey*, *Peckham*, and *Peckham Rye*, in the Parish of *Saint Giles Camberwell*, in the County of Surrey, such Main Pipes, and Service and other Pipes, Cocks, Plugs, and such other Works, Devices, and Things, as may be necessary and requisite for supplying the said several Parishes, Townships, and Places herein-before mentioned, with Water from any of the Reservoirs or Works now erected, or which may hereafter be erected under and by virtue of the Powers of the said recited Act or this Act; or which belong or hereafter may 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, Lanes, Ways, or Paths within the said Parishes, Townships, or Places, or any of them, or any Parts thereof, so as that in laying the same all Damage which shall be thereby done, or shall at any Time thereafter arise from the said Pipes to any of the said Roads, Streets, Lanes, Ways, or Paths, shall be immediately repaired, and the said Roads, Streets, Lanes, Ways, or Paths made as good as they were before any such Damage; any Thing in the said recited Act to the contrary thereof in anywise notwithstanding.

Forempowering the Company to extend their Works.

III. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and required, to contract and agree with the Commissioners acting under and by virtue of an Act passed in the Forty-seventh Year of His present Majesty's Reign, intituled *An Act for paving, cleansing, lighting, and watching the Town and Parish of Woolwich in the County of Kent, and removing and preventing Nuisances therein; for the better Relief and Employment of the Poor; for providing an additional Burial Ground; and for regulating the Market of the said Town and Parish*; and of an Act passed in the Forty-eighth Year of His present Majesty's Reign, intituled *An Act for supplying the Town and Parish of Woolwich in the County of Kent with Water; and for amending so much of an Act of the last Session as relates to the Erection of a Market House in the said Town*; for the absolute Purchase of, and the said Commissioners or any Three or more of them are hereby authorized and empowered to sell, convey, assign, and assure to the said Company of Proprietors, a certain Piece or Parcel of Land belonging to the said Commissioners, and purchased by them of Mr. *John Long*, situate in the said Parish of *Woolwich*, and also the Interest of the said Commissioners of and in certain Springs of Water arising or flowing in certain Fields belonging to Dame *Jane Wilson* and Sir *Thomas Maryon Wilson* Baronet, situate in the Parish of *Charlton*; any Thing in the said recited Acts of the Forty-seventh and Forty-eighth Years of His present Majesty to the contrary thereof in anywise notwithstanding: And upon such Purchase it shall be lawful

To enable the Company to purchase certain Lands, &c. of the Woolwich Commissioners.

lawful to and for the said Company of Proprietors to use the said Piece or Parcel of Land, and the said Springs of Water, for the Purposes of the said recited Act of the Forty-ninth Year of His present Majesty's Reign, and of this Act, or any of them, in such and the like Manner as the said Commissioners could or might have used or enjoyed the same prior to the making of any such Conveyance or Assignment.

Repeal of the Clause disabling the Company from taking Land without Consent, as to certain Lands.

IV. And be it further enacted, That so much of the said recited Act of the Forty-ninth Year of the Reign of His present Majesty as extends or may be construed to extend to disable the said Company of Proprietors from taking or using any Lands, Tenements, or Hereditaments whatsoever, for any of the Purposes of the said recited Act or this Act, without the Consent in Writing of the Owner or Owners, and Occupier or Occupiers of such Lands, Tenements, and Hereditaments, first had and obtained for that Purpose, shall be and the same is hereby repealed as far as the same is or may be applicable to such Lands, Tenements, and Hereditaments as are specified and laid down in certain Maps or Plans deposited with the Clerks of the Peace for the Counties of *Kent* and *Surrey* in the Month of *September* next previous to the passing of this Act, as requisite and necessary for the Purposes and in Execution of the said recited Act and this Act; save and except as to a certain Piece or Parcel of Meadow Land situate, lying, and being in the Parish of *Greenwich* aforesaid, near to the said Water Works; which said Piece or Parcel of Meadow Land is the Property of the Feoffees of a certain Charity called *Roan's Charity*, and on Lease to *Joseph Martyr*, and which is specified and laid down in the said Maps and Plans.

Not to take a certain Piece or Parcel of Meadow Land belonging to the Feoffees of *Roan's Charity*, without their Consent.

V. Provided always, and be it further enacted, That nothing in this Act contained shall enable, or be deemed, construed, or taken to enable, the said Company of Proprietors to take or use the said Piece or Parcel of Meadow Land, the Property of the Feoffees of the said Charity called *Roan's Charity*, and on Lease to *Joseph Martyr* as aforesaid, without the Consent in Writing of the Feoffees of the said Charity for the Time being, under the Hand of their Clerk, and of the Lessees or Lessee of the said Piece or Parcel of Land for the Time being, for that Purpose first had and obtained.

Incapacitated Persons empowered to sell and convey Lands to the Company.

VI. And be it further enacted, That after any Lands, Grounds, or Hereditaments shall be set out and ascertained for making the said Water Works, Reservoirs, Aqueducts, Feeders, and other Works by this Act authorized to be made, or any Part or Parts thereof, or any of them, it shall be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, or other Person or Persons, and to 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 in any Lands, Grounds,

Grounds, or Hereditaments which shall be so set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same and every Part thereof to the said Company of Proprietors; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors; and such of them as shall be made of any Lands, Tenements, or Hereditaments to the said Company of Proprietors, may be made according to the Form in the said recited Act of the Forty-ninth Year of the Reign of His present Majesty mentioned in respect of Conveyances from Bodies Politic, Corporate, and Collegiate; and if the Premises shall happen to be Leasehold for Years, they may be assigned by a Form answerable to the said Form, only substituting the Words applicable to the Assignment of a Chattel; which said Conveyances and Assignments shall be kept by the Clerk of the said Company of Proprietors, who shall from Time to Time when requested deliver attested Copies thereof, in like Manner and upon the same Terms as by the said recited Act of the Forty-ninth Year aforesaid directed in Cases of Conveyances from Bodies Politic, Corporate, or Collegiate.

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

If Parties are dissatisfied, they may cause a Jury to be impannelled to decide the Matter.

Proprietors, or enjoy any Office or Place of Profit or Trust under them, or shall be otherwise interested in the Matter in Question, then to any One of the Coroners of such County who shall not be so interested as aforesaid; and in case all the said Coroners of such County shall be so interested, then to the last Person who filled the Office of Sheriff of such County, and who shall not be interested as aforesaid, commanding such Sheriff, Coroner, or other Person to impanel, summon, and return a Jury; and the said Sheriff, Coroner, or other Person is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four honest, sufficient, and indifferent Men, qualified according to the Laws of this Realm, to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Coroner, or other Person, at such Time and Place as in such Warrant shall be appointed, such Time not being less than Fourteen Days, nor more than Twenty-eight Days, after such Warrant shall be served upon the said Sheriff, Coroner, or other Person; and Fourteen Days Notice at the least in Writing under the Hands of the said Directors, or any Three or more of them, is hereby required to be given to such Corporations, Trustees, or other Person or Persons so interested as aforesaid in any such Lands or other Hereditaments, of the Time and Place of the said Jury being so impanelled, summoned, and returned; and the said Sheriff, Coroner, or other Person is hereby required, out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve, who shall be the Jury for the Purpose aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, Coroner, or other Person shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid), to make up the said Jury to the Number of Twelve; and it shall and may be lawful to and for all Persons concerned, by themselves, their Counsel and Solicitors to attend and be heard, and to adduce Evidence before the said Sheriff, Coroner, or other Person; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Parties concerned may by a Summons or Notice for that Purpose require any Person or Persons to appear before the said Sheriff, Coroner, or other Person, who shall be thought necessary and proper to be examined as a Witness or Witnesses before the said Jury upon Oath touching and concerning the Premises; and the said Sheriff, Coroner, or other Person 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, if there be Occasion, and to use all other lawful Ways and Means as well for his as for the Jury's better Information in the Premises, as the said Sheriff, Coroner, or other Person shall think fit; which said Jury upon their Oaths (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff, Coroner, or other Person is hereby empowered and required to administer) shall inquire of, assess, and ascertain the Sum of Money or Annual Rent to be paid for the Purchase or Demise of such Lands or other Hereditaments, or what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Corporations, Trustees, or other Person or Persons interested, for and on account of the taking of such Lands or other Hereditaments for the Purposes aforesaid; and the said Sheriff, Coroner, or other Person shall give Judgment for such Purchase Monies, Rent,

Rent, or Recompence so to be assessed by such Jury; which said Verdict, and the Judgment thereupon to be pronounced as aforesaid, shall be signed by the said Sheriff, Coroner, or other Person, and shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, and Collegiate, and all other Person and Persons whomsoever, 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.

VIII. And be it further enacted, That if the Sheriff, Coroner, or other Person so directed to impanel, summon, and return a Jury as aforesaid, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding One hundred 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 and Meaning of this Act, or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be examined or to give Evidence, every Person so offending, having no reasonable Excuse (to be allowed by the said Sheriff, Coroner, or other Person), upon Proof thereof made before One of His Majesty's Justices of the Peace for the County in which the Matter in Question shall arise, upon the Oath of One or more credible Witnesses or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; which several and respective Penalties shall and may be levied by virtue of a Warrant under the Hand and Seal of any One of the said Justices by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty so recovered from any Person who shall have been so summoned to give Evidence as aforesaid, shall go and be paid to any Person or Persons who shall appear to the said Justices to be injured by the Default of such Person.

Compelling  
the Sheriff to  
summon a  
Jury.

IX. And be it further enacted, That all Persons who in any Examination to be taken upon Oath by virtue of the said recited Act of the Fortyninth Year of the Reign of His present Majesty, or this Act, shall wilfully and corruptly 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 the said last-recited Act or this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Punishing  
Persons guilty  
of Perjury.

X. And be it further enacted, That in each and every such Case where a Verdict shall be given for more Money, or for a greater Annual Rent, as a Recompence or Satisfaction for the absolute Sale or Demise of any Lands, Tenements, or other Hereditaments belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons whomsoever, or as a Compensation for any Damages done or to be done to any Lands, Tenements, or other Hereditaments, or other Property, than had been previously offered by or on behalf of the said Company or their Directors; or when any Verdict shall be found for any Damages where the Dispute is for Damages only, and when no Compensation had been previously

Expences of  
Jury and Wit-  
nesses by  
whom to be  
paid.

viously offered or tendered in respect thereof by or on behalf of the said Company or their Directors; or when by reason of Absence in foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, receive Compensations from the said Company as herein-before mentioned, then and in all such Cases all the Expences of such Jury and taking such Verdict shall be defrayed by the said Company; but if any Verdict shall be given for the same Sum or Rent that had been previously offered by or on behalf of the said Company, or for a less Sum than had been previously offered, or in case no Damages shall be given by the Verdict, when the Dispute is for Damages only, or in case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compensations from the said Company or their Directors, by any Body or Bodies Politic, Corporate or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, or this Act, or otherwise, legally capacitated to treat and convey, or receive such Compensations as aforesaid, then and in all such Cases the Costs and Expences of summoning such Jury and taking such Verdict shall be borne and paid by the said Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Company shall have such Concerns, Controversies, or Disputes; which said Costs and Expences having been settled and adjusted by the said Sheriff, Coroner, or other Person before whom such Verdict shall have been given (which said Sheriff, Coroner, or other Person is hereby empowered and required to examine, settle, and adjust the same), shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict, where the Dispute is for Damages only, such Costs and Expences, after being so ascertained and settled as aforesaid, shall and may be recovered by the said Company by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

Determinations concerning the Value of Land to be distinct from those relating to Compensation for Damages.

XI. And be it further enacted, That the said Juries respectively in their Awards, Determinations, Judgments, and Verdicts concerning the Value of Lands and other Hereditaments, shall separately and distinctly proportion off any particular Estate, Terms, or Interest, 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 the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, or this Act; and shall distinguish the Value set upon such Estate, Term, and Interest, and the Money adjudged for such Damage as aforesaid, separately and apart from each other.

The Lands are to vest absolutely in the Company upon their

XII. And be it further enacted, That 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 adjudged and determined by any Jury or Juries for



for the Purchase of any such Lands, Tithes, or other Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money, Rent, or Compensation respectively, or to his, her, or their Agent or Agents, at any Time after the same shall have been actually so agreed for, determined, or assessed, or upon Payment of the said Sum or Sums of Money into the Bank of *England* (in case the same shall be requisite) in Manner by the said recited Act of the Forty-ninth Year of the Reign of His present Majesty directed and required, for the Use of such Person or Persons so interested or entitled as aforesaid, then and in every such Case it shall be lawful for the said Company of Proprietors, and their Agents, Workmen, and Servants, immediately to enter upon the Lands, Tenements, and other Hereditaments respectively (or before such Payment or Tender or Security given, by the 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 the said last-recited Act and this Act, for ever; and such Payment, Tender, 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 should 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 Water Works, Reservoirs, Watercourses, and Feeders, Aqueducts or Works, or any of them, without the Consent of such Person or Persons respectively.

either paying or giving Security for Payment of the Value of the Lands or Compensation for Damages.

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

Verdict of the Jury to be recorded by the Clerks of the Peace.

XIV. And be it further enacted, That all Sums of Money which are to be paid to any 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 Lunatics, Idiots, Femes Covert, or other *Cestuique* Trusts; or to any Person or Persons whose Lands or Estates are limited in strict or other Settlement; or to any Person under any other Disability or Incapacity whatsoever, for the

Purchase Monies or Compensation due to Minors, &c. how to be laid out.

Purchase of, or the Damages to be done to any Lands, Tenements, or Hereditaments, by virtue of the Powers herein contained, shall be paid and applied, according to the Amount thereof respectively, in Manner by the said recited Act of the Forty-ninth Year of the Reign of His present Majesty directed in the Case of Bodies Politic, Corporate, or Collegiate.

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.

XV. 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 Directors of the said Company, 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 High 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, Control; and Disposition of the 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; and the said Court of Chancery shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Uses the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of Question touching the Title to Money to be paid for Lands, &c.

XVI. 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 said Court of Chancery, in pursuance of the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Monies, or the Dividends or Interests 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

faction of the said Court of Chancery; and the Dividends or Interests 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 to 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.

XVII. 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 the said last-recited Act of the Forty-ninth Year of the Reign of His present Majesty and this Act, and who shall have no greater Interest in the Premises than as Tenants at Will, or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Company of Proprietors, or to their Clerk for the Time being, or to such other Person or Persons as they shall appoint to take Possession of the same, upon having Three Calendar Months Notice to quit such Possession from the said Company of Proprietors, or their Clerk for the Time being, or from the Person or Persons so authorized by them to take such Possession; and such Person or Persons in Possession shall at the End of the said Three 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 their Clerk for the Time being, or to 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, in case such Person or Persons shall be required by the said Company to quit the said Premises before the Expiration of the current Year of his or their holding the same (such Satisfaction, in case of any Difference or Dispute concerning the same, shall be adjusted and settled by a Jury in like Manner as the Price of any Land to be taken in pursuance of this Act is hereinbefore directed to be settled in case of Difference or Dispute concerning the Value thereof), it shall be lawful for the Directors of the said Company, or any Three or more of them, to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Tenants at Will to deliver Possession.

XVIII. And be it further enacted, That full Recompence and Satisfaction shall be made by the said Company of Proprietors for all the Tithes 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 Tithes in case such Lands had not been so taken or made use of, according to their respective Interests therein; such Tithes to be estimated at the average Value of Seven Years, commencing at Michael-

For making Satisfaction for Tithes.

mas

mas One thousand eight hundred and four, 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 as 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 Tithes belonging to Spiritual Persons shall be made to such Persons by an Annual Rent.

Mortgagees  
to convey.

XIX. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, or 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 Three 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 Three Calendar Months, to be computed from the Day of giving such Notice, that then and at the End of the said Three Calendar Months, on Payment of the Principal Money 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, assign, and transfer 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 every 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, 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 such Mortgage as aforesaid into the Bank of *England* at the End of Three 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 said 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 Demand upon 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.

Company  
may re-sell  
Lands which  
may not be  
wanted.

XX. And whereas in order to carry into Effect the Purposes of the said recited Act of the Forty-ninth Year of the Reign of His present Majesty and this Act, and to avoid Disputes with the Owners of Lands, Grounds, or Hereditaments which may be affected by making the said Water Works, Reservoirs, Aqueducts, and other Works, the said Company  
of

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 and may 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 the said last-recited Act and this Act, and also to lay out and appropriate any Part of the said Lands and Premises as and for a Way or Ways, Avenue or Avenues, Passage or Passages; and that all such Conveyances from the said Company of Proprietors shall be valid and effectual; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands or Premises, or any Part or Parcels thereof, it shall and may 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 or Premises shall be sold, or for so much thereof as in such Receipt shall be expressed to be received; and such Person or Persons shall not be answerable for any Losses, Misapplication, or Non-application of such Purchase Money or any Part thereof: Provided always, that the said Company of Proprietors, before they shall sell and dispose of such Lands and Hereditaments, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same; and if such Person or Persons shall be desirous to repurchase the same, but cannot agree with the said Company as to the Value thereof, the Price at which the same shall be resold shall be adjusted and settled by a Jury in like Manner as the Price for any Land to be taken in pursuance of this Act is herein-before directed to be settled in case of Difference or Dispute as to the Value thereof; but in case such Person or Persons shall neglect or omit, for the Space of Fourteen Days after such Offer made, to treat with the said Company for the Repurchase thereof, or shall refuse to repurchase the same, then and in every such Case an Affidavit being sworn before a Master or 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 be, by some Person or Persons no way interested in the said Lands or Hereditaments, stating that such Offer was made by or on the Behalf of the said Company of Proprietors, and that the Person or Persons to whom the same was so made neglected or omitted for the said Space of Fourteen Days to treat for the Repurchase thereof, or refused to repurchase the same, such Affidavit shall in all Courts whatever be sufficient Evidence and Proof that such Offer was made, and that the Person or Persons to whom it was made neglected or omitted for the said Space of Fourteen Days to treat for the Repurchase thereof, or refused to repurchase the same, as the Case may be.

XXI. And be it further enacted, That in all Grants, Demises, and Conveyances to be made by the said Company of Proprietors under or by virtue of the several Powers and Authorities to them hereby given, the Words "Grant, Bargain, and Sell," shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee, Lessee, or other Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Company of Proprietors for

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themselves

The Words "Grant, Bargain, and Sell," to operate as Covenants for Titles.

themselves and their Successors; that the said Company of Proprietors notwithstanding any Act done by them, were at the Time of the Execution of every such Grant, Lease, or Conveyance, seized of the Hereditaments and Premises thereby granted, conveyed and sold, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances for quiet Enjoyment thereof against the said Company of Proprietors, their Successors and Assigns, and all Person or Persons claiming under them; and all such Purchasers shall be indemnified and saved harmless by the said Company of Proprietors and their Successors.

Application  
of Purchase  
Money.

XXII. 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, 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 Water Works, Reservoirs, Aqueducts, and Feeders, are in and by the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, or this Act, directed to be paid, applied, and disposed of.

Satisfaction  
to be made.

XXIII. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, and Collegiate, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every Person and Persons who is or are seized, possessed of, or interested in any Lands or other Hereditaments, through, in, or upon which the said Water Works, Aqueducts, Reservoirs, Watercourses, or Feeders, or other Works by the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, and this Act, 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 by the said last-recited Act and herein-before directed, either in gross Sums or by annual Rents (except in Cases of Spiritual Persons, to whom Compensation for Glebe and Tithes shall be made by annual Rent), in Manner herein directed, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company of Proprietors or their Directors; and in case the said Company of Proprietors or their Directors, and the Parties interested in such Lands, Grounds, or other Hereditaments, cannot agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Verdict of a Jury as herein directed.

For enabling  
the Company  
to raise a fur-  
ther Sum of  
Money, not  
exceeding  
100,000l.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors of the *Kent* Water Works to raise and contribute among themselves, or by the Admission of new Subscribers, for the Purposes of the said recited Act and of this Act, in addition to the Money which they are authorized and empowered to raise by and 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 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 and defraying the Expences of obtaining and passing this Act, and otherwise

carrying the Purposes of the said recited Act and this Act into Execution; which said Sum of One hundred thousand Pounds shall be divided into Shares of One hundred Pounds each; and such new or additional Shares so created by this Act; and the several Shares made and created or to be 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 Politic, Corporate, and Collegiate, their several and respective Successors, Executors, Administrators, and Assigns, who have severally subscribed or who shall hereafter subscribe for One or more Share or Shares, or such Sum or Sums of Money as shall be called for or demanded under and by virtue of the said recited 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 under and by virtue of this Act, 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 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, or Collegiate, and Persons 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.

to be divided  
into Shares of  
100l. each.

XXV. And be it further enacted, That in case the said Company of Proprietors shall think it advisable to borrow the said Sum of One hundred 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 thousand Pounds by way of Augmentation of their Capital Stock, and to borrow the Remainder thereof at Interest, then and in either of these Cases it shall be lawful to and 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 payable to the said Company for Water, 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 the Sum of One hundred thousand Pounds; and in order to the raising of the said Sum of One hundred thousand Pounds, or any Parts 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 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

Power to raise  
by Mortgage.

by the said recited Act prescribed and directed concerning the Assignments, Securities, and the Transfers of the Assignments and the 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.

Proprietors of Shares under this Act to be entitled to the same Powers, &c. and to be under the same Rules, &c. as those under the Act of 49 G. 3.

XXVI. 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 enacted by virtue of the said recited Act of the Forty-ninth 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, or Assigns, on his, her, or their paying to the said Company of Proprietors, or their Treasurer or Treasurers for the Time being, the Purchase Money or Price agreed to be paid for such Shares respectively, within the Time limited in such Order or Resolution for that Purpose.

Committee to be Directors.

XXVII. And be it further enacted, That from and after the passing of this Act the Committee of the said Company shall be and be styled *The Directors* of the said Company.

Repeal of Time for holding General Assemblies.

XXVIII. And be it further enacted, That so much of the said recited Act as directs that the General Assemblies of the said Company shall be held on the First *Tuesday* in the Months of *November* and *May* in every Year, shall be and the same is hereby repealed.

First General Assembly under this Act and future General Assemblies appointed.

XXIX. 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 *City of London Tavern, Bishopsgate Street*, in the City of *London*, on the *Monday* Four Weeks after the passing of this Act, or as soon after as conveniently may be, at the Hour of Twelve at Noon; and all future General Assemblies of the said Company (except Special General Assemblies) shall be held on the First *Monday* in the Months of *March* and *September* in every Year, at the Hour of Twelve at Noon; and such General Assemblies shall be subject to the same and the like Provisions relative to the Place or Places where the same shall be held, the previous Notice to be given thereof, the Duty of the said Directors to report thereto, the Manner of voting, and all other Matters and Things (except such as are by this Act repealed or altered) as are in and by the said recited Act prescribed and directed in respect of General Assemblies of the said Company.

Repeal of the Time for electing Directors and Auditors.

XXX. And be it further enacted, That so much of the said recited Act as directs that the Election of Directors and Auditors of the said Company shall take place on the First *Tuesday* in the Month of *May* in each and every Year, shall be and the same is hereby repealed.

XXXI. And



XXXI. And be it further enacted, That at the General Assembly of the said Company of Proprietors, to be holden on the First *Monday* in the Month of *March* next after the passing of this Act, all the then Directors of the said Company shall go out of Office, and the said Company of Proprietors shall thereupon nominate and appoint by Ballot or otherwise an equal Number of Persons duly qualified to be Directors of the said Company for One Year next ensuing, in the room of those so going out of Office as aforesaid; and at the General Assembly of the said Company to be holden on the First *Monday* in the Month of *March* in each and every succeeding Year, the then Directors shall go out of Office, and the said Company of Proprietors shall proceed to elect by Ballot or otherwise a like Number of Persons duly qualified to be Directors of the said Company for One Year next ensuing.

As to the future Election of Directors.

XXXII. And be it further enacted, That if any Director or Directors of the said Company of Proprietors shall die, refuse to act, resign, or become disqualified in Manner by the said recited Act of the Forty-ninth Year of the Reign of His present Majesty or in this Act mentioned, then and in every such Case the Vacancy or Vacancies so occasioned shall not be filled up by the said Company of Proprietors, unless the Number of such Directors shall be reduced below the Number of Nine, in which Case the said Company of Proprietors shall thereupon elect by Ballot or otherwise so many Persons duly qualified to be Directors of the said Company as aforesaid as shall make Nine Directors in the whole, and then and from thenceforth the Number of Directors of the said Company shall be limited to Nine; any Thing in the said recited Act to the contrary thereof in anywise notwithstanding.

Vacancies occasioned by Death, Refusal to act, Resignation, or Disqualification, not to be filled up unless reduced below Nine.

XXXIII. Provided always, That all or any of such Directors so going out of Office shall and may be eligible to be re-elected Directors of the said Company; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Directors going out may be re-elected.

XXXIV. And be it further enacted, That the present Auditors of the Accounts of the said Company, or the Person or Persons elected in their Room or Stead, shall continue in Office until the General Assembly to be holden on the First *Monday* in the Month of *March* next after the passing of this Act; and on such Day the present Auditor or the Person elected in his Room or Stead, who would have gone out of Office at the said General Assembly which would have been holden on the First *Tuesday* in the Month of *May* then next, under and by virtue of the Provisions of the said recited Act, shall go out of Office, and cease to be an Auditor of the Accounts of the said Company, as if the Time for which he was originally elected or was appointed by the said recited Act to continue in Office had actually expired; and thereupon the same Provisions hereinbefore made and enacted in respect of the Election of Directors, and their going out of Office on the First *Monday* in every succeeding Month of *March*, shall be applicable to the Election of Auditors of Accounts from and after the passing of this Act.

As to the future Election of Auditors.

XXXV. And be it further enacted, That so much of the said recited Act as provides that it shall be lawful for any Proprietor in the said Undertaking

Repeal of Clause as to Proprietors attending the

Meetings of Directors.

taking to be present and assist at any Meeting of the Directors of the said Company, shall be and the same is hereby repealed.

Directors disqualified by a Non-attendance for Three successive Calendar Months, except in certain Cases.

XXXVI. And be it further enacted, That if any Directors of the said Company shall neglect or refuse to attend the Meetings of the said Directors for Three successive Calendar Months, unless prevented by Illness, or being unavoidably absent from *London* (such Illness or unavoidable Absence from *London* to be proved to the Satisfaction of the other Directors of the said Company or any Five or more of them, and to be allowed by them at their next Meeting after the Expiration of the said Three Calendar Months), the Director so neglecting or refusing to attend shall cease to be a Director to all Intents and Purposes, and another Person may 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.

Repeal of Numbers constituting a General Assembly.

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

General Assemblies to consist of 200 Shares.

No Pipes, &c. to be laid through Ground belonging to the Ordnance or Navy.

XXXVIII. And be it further enacted, That no Reservoirs, Pipes, or other Works hereby authorized to be made, laid, or erected, and no Stones, Sand, Gravel, or other Materials, shall be searched for, got, gathered, or taken away in, upon, through, over, from, or out of any Land or Ground belonging to His Majesty appropriated to or under the Directions of the Departments of His Majesty's Ordnance or Navy at *Woolwich* aforesaid, or to either of them, without the Consent in Writing of any One or more of the principal Officers of His Majesty's Ordnance, or Commissioners of the Navy respectively for the Time being, signified under their respective Seals of Office.

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

XXIX. And be it further enacted, That it shall not be lawful for the said Company of Proprietors at any Time hereafter to sell or dispose of any of the Rights, Privileges, 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 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 adjusted and settled for the Water supplied under the Provisions of this Act.

Company to provide Fire Plugs, and to deliver Keys at Engine Houses.

XL. 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 or other 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 Pipe, One or more proper and sufficient Fire Plug or Fire Plugs in each and every Square, Street, Passage, or Place supplied with Water from such Main or other Pipe, for the Supply of Water for the extinguishing of Fires; and when and so soon as any such Fire Plug 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 and Place in the Parish in which such Fire Plug or Fire Plugs shall be, wherein any Engine shall be kept for the extinguishing of Fires.

XLI. 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 than Twelve Inches under the Bottom of the Pavement in any of the Streets or Places within the said several Parishes hereinbefore mentioned; and that all and every the Clauses, Provisions, Powers, Authorities, Regulations, Restrictions, Fines, Penalties, Matters, and Things whatsoever contained in the several Acts of Parliament for paving the Streets, Lanes, and Places within the several Parishes respectively, or for making or repairing any of the Roads or Highways therein respectively, or any 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 said Company of Proprietors, 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 Company of Proprietors 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, 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, or 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 Company of Proprietors 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 of the Forty-ninth Year of the Reign of His present Majesty contained to the contrary notwithstanding.

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

XLII. And be it further enacted, That in case any Pipe or Pipes, Plug or Plugs, shall be laid down in or near any such Street, Road, Highway, or Passage, contrary to the Directions in this recited Act mentioned; or in case any Part or Parts of any Road, Highway, or Passage, so opened, shall not be properly filled up and rammed in, and such Road, Highway, or Passage so broken up, put into as good a State and Condition as the same was in immediately before the same or any Part or Parts thereof was or were opened for the Purposes aforesaid; or in case the Water from any such Pipe or Pipes shall be suffered to overflow any Part

If Damages from Pipes not repaired in 12 Hours, Commissioners or Trustees of Roads to repair the same.

Part of any Street, Road, or Highway within any of the Precincts, Liberties, or Places in this Act mentioned; and thereupon or in any of such Cases the said Company of Proprietors or their Agents shall, after Twelve Hours Notice of any such Defect, neglect or refuse to alter or remove such Pipe or Pipes, Plug or Plugs, or to secure such Opening or Openings, or to repair any such Street, Road, or Highway, then and in every such Case it shall be lawful for the Commissioners of Pavements within their respective Districts, and for the Trustees, Surveyors or Surveyor of the Roads or Highways respectively within their respective Districts, to cause all and every such Pipes or Plugs, Pipe or Plug, to be removed, taken away, repaired, amended, and made good, and the Openings secured, and the Part or Parts so opened to be filled and rammed down, as the Case may require, and that without waiting for any Order in Writing from any of His Majesty's Justices of the Peace for that Purpose, any Thing in this Act contained to the contrary notwithstanding; and that the Charges and Expences thereof, and of the ascertaining the same, together with a Forfeiture or Penalty not exceeding Five Pounds, nor less than Forty Shillings, for every such Neglect or Refusal, shall be paid by the said Company of Proprietors, or their Treasurer to the said Commissioners of Pavements, Trustees of Roads, Surveyor or Surveyors of the Highways, Streets, or Passages so damaged, or to their respective Treasurer or Treasurers for the Time being, together with the reasonable Expences of the Information, Summons, Attendance, and Warrant for that Purpose; such Costs, Charges, and Expences, and Penalty, to be ascertained by any Two Justices of the Peace for the County in which any such Offence shall be committed, or wherein the Case shall arise, and to be paid and applied as hereinafter mentioned.

Penalties for  
damaging  
Pavements or  
Roads to be  
paid to the  
Commission-  
ers or Trus-  
tees.

XLIII. And be it further enacted, That all Fines, Penalties, and Forfeitures, Costs and Charges, to be incurred under or by virtue of this Act for neglecting to secure or to repair, amend or make good, in the Manner in this Act directed, any Road, Street, or Way opened or broken up for the laying, removing, or amending any Pipe or Pipes, Plug or Plugs, or to prevent Water running waste in, over, or upon the same, or for any other Matter, Cause, or Thing touching or concerning any Road, Street, or Way, shall, in case of Nonpayment thereof, on Conviction of the Offender or Offenders respectively, be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place wherein the Offence shall be committed, or the Offender shall be or reside; which Warrant such Justice is hereby empowered and required to issue upon the Confession of the Party or Parties, or upon the Evidence of any credible Witness or Witnesses upon Oath, which Oath such Justice is hereby empowered and required to administer; and all such Fines, Penalties, and Forfeitures, Costs and Charges, shall be paid, into the Hands of the Treasurer or Treasurers to the Trustees or Commissioners of such Roads, Street, or Way respectively, and be applied to the Repair and Amendment thereof; and in case where there shall be no such Treasurer or Treasurers, to the Party or Parties who shall inform, sue, or prosecute for such Fine, Penalty, or Forfeiture; and, in case there shall be any Surplus of Money raised by any Distress or Sale, after deducting the Fine, Penalty, or Forfeiture, and the Costs and Charges attending the same and such Distress and Sale, such Overplus shall be rendered to the Owner of the Goods and

and Chattels distrained, and for Want of sufficient Distress it shall be lawful for such Justices, or any other Justices of the Peace for the County, City, or Place where the Offence shall have been committed, by Warrant under their Hand and Seal, to commit such Offender and Offenders to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fine, Penalty, or Forfeiture, Charges and Expences, shall be sooner paid and satisfied.

XLIV. 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, or any other Person or Persons whomsoever, with any Right, Power, or Authority which may at all interfere with the Rights, Powers, Authorities, and Provisions granted by an Act passed in the Forty-second Year of the Reign of His present Majesty King George the Third, intituled *An Act for repealing an Act passed in the Twenty-fifth Year of the Reign of His present Majesty King George the Third, for more effectually repairing the Roads leading from the Stones End in Blackman Street in the Borough of Southwark, in the County of Surrey, to Highgate in the County of Sussex, and several other Roads therein mentioned, and for granting other Powers for those Purposes.*

Protecting  
Rights of  
Trustees of  
the Surrey  
and Sussex  
Roads.

XLV. 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 of the Kent Water Works with any Right, Power, or Authority that may interfere with, injure, or obstruct the present Works of the Company of Proprietors of the Grand Surrey Canal, or in any Manner whatsoever to affect the Rights, Powers, Privileges, or Authorities to them given and granted in and by an Act of Parliament passed in the Forty-first Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a Navigable Canal from the River Thames at or near a Place called Wilkinson'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 and Branches communicating from the same to certain Parishes or Places within the Counties of Surrey and Kent; and in and by another Act of Parliament passed in the Forty-seventh Year of the Reign of His present Majesty, intituled *An Act to enable the Company of Proprietors of the Grand Surrey Canal to complete the same; and also in and by an Act passed in the Forty-eighth Year of the Reign of His present Majesty, intituled *An Act to enable the Company of Proprietors of the Grand Surrey Canal to supply with Water the several Towns, Districts, and Places therein mentioned, and to amend the several Acts relating to the said Canal: Provided always, that nothing herein contained shall extend or be construed to extend to prevent or hinder the said Company of Proprietors of the Kent Water Works from supplying all or any of the Inhabitants of the several Parishes, Townships, and Places by the said Act of the Forty-ninth Year of the Reign of His present Majesty, or this Act, authorized to be supplied with Water.***

Saving the  
Rights of the  
Grand Surrey  
Canal Com-  
pany.

XLVI. 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

Requiring  
the Company  
to deliver  
Keys of Pipes,  
of

[Loc. & Per.]

35 Y

&c. to certain  
Fire Offices.

of Proprietors for a Key or Keys of the Mains, Plugs, or Services belonging to the said Water Works, in order that such Key or Keys may be kept by the said Company or Companies so applying, or the Firemen 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 *Kent* Water Works 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; in case the said Company of Proprietors 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 Twenty Pounds; which Penalty shall and may from Time to Time be recovered by Action, Plaint, or Suit in any Court in *Westminster Hall*.

Public Act.

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

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