ANNO DECIMO QUINTO & DECIMO SEXTO

VICTORIÆ REGINÆ.

****

Cap. clvi.

An Act for extending the *Chelsea* Waterworks, and for better supplying the City of *Westminster* and Parts adjacent with Water. [30th June 1852.]

WHEREAS an Act was passed in the Session of Parliament holden in the Eighth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for better supplying the City and Liberties of* Westminster *and Parts adjacent with Water*, whereby, after reciting that by reason of the great Increase of Buildings and Inhabitants in and about the City of *Westminster* and the Liberty thereof, and divers other Places in the County of *Middlesex*, there were greater Occasions for Water for the Safety and necessary Uses of the said Inhabitants than were supplied by the Waterworks then in being, and for Want thereof many great and dangerous Inconveniences did happen, which would be remedied, and great Advantages would accrue, if new Waterworks were erected in convenient Places for providing and supplying the said Inhabitants with good and wholesome Water from the River *Thames*, by One or more Cut or Cuts, to be made at any convenient Place or Places between the Grounds then belonging to the Royal Hospital at 8 G. 1. c. 26.

Chelsea and certain Houses or Grounds then commonly called the *Neat Houses* in the County of *Middlesex*, into Canals and Ponds proper for receiving the same, and from thence to convey and raise such Water into convenient Reservatories to be erected or made at any Place or Places between a certain Place then called *Oliver's Mount* and *Hyde Park*, for the Purposes of such Act, certain Persons therein named were thereby constituted and appointed Commissioners, Undertakers, and Trustees, for designing, carrying on, and effecting the Purposes aforesaid, and for directing, ordering, appointing, and making such Waterworks, and for maintaining, preserving, and supporting the same, and the Property thereof was thereby vested in the said Commissioners, Undertakers, and Trustees, and their Successors, and divers Rights, Powers, and Privileges were thereby conferred upon and vested in the said Commissioners, Undertakers, and Trustees, and their Successors; and it was by the said Act (amongst other things) enacted, that it should and might be lawful to and for His said Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of *Great Britain*, to incorporate all and every the Commissioners, Undertakers, and Trustees, or such of them as should be living at the Time of granting such Letters Patent, and such others as His said Majesty, His Heirs and Successors, should think fit, to be One Body Politic and Corporate, in Deed and in Name, by the Name and Title of "The Governor and Company of *Chelsea* Waterworks," with such Powers, Immunities, and Privileges as in the same Act are mentioned or referred to, and to be under such Rules, Qualifications, and Appointments as His said Majesty, His Heirs or Successors, should think necessary or reasonable to be inserted in any such Letters Patent: And whereas by Letters Patent under the Great Seal of *Great Britain*, dated at *Westminster* the Eighth Day of *March* in the Ninth Year of the Reign of His said Majesty King *George* the First, His said Majesty did give, grant, constitute, declare, and appoint that the Persons therein named, and such others as should be admitted into the Company thereby incorporated, according to the Directions and Regulations therein-after mentioned, from thenceforth should be One Body Corporate and Politic, in Deed and in Name, by the Name and Title of "The Governor and Company of *Chelsea* Waterworks," and them by the Name of the Governor and Company of *Chelsea* Waterworks His said Majesty did really and fully, for Himself, His Heirs and Successors, make, create, erect, ordain, constitute, and establish by such Letters Patent to be One Body Corporate and Politic in Deed and in Name for ever, and that by the same Name of "The Governor and Company of *Chelsea* Waterworks" they should have perpetual Succession; and by the same Letters Patent divers Powers, Rights, Immunities, and Privileges were granted to the said Governor and Company

Letters Patent, dated 8th March, 9 G. 1.

The Chelsea Waterworks Act, 1852.

Company of *Chelsea* Waterworks: And whereas by certain other Letters Patent under the Great Seal of *Great Britain*, dated at *Westminster* the Eleventh Day of *October* in the Seventh Year of the Reign of His late Majesty King *George* the Second, other Powers were granted to the said Governor and Company of *Chelsea* Waterworks: And whereas by an Act passed in the Session of Parliament held in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending an Act for better supplying the City and Liberties of* Westminster *and Parts adjacent with Water, and for enlarging the Powers thereof*, divers other Powers, Rights, and Privileges were granted to the said Governor and Company of *Chelsea* Waterworks: And whereas the said Governor and Company of *Chelsea* Waterworks are now supplying divers Parts of the City and Liberties of *Westminster* and Parts adjacent with Water taken from the River *Thames* at *Chelsea Reach*: And whereas it would be of public Advantage if additional Works were constructed in extension of the said *Chelsea* Waterworks, and so as to improve the Supply of Water afforded by the said Governor and Company of *Chelsea* Waterworks: And whereas the Objects aforesaid might be more conveniently effected if the said recited Acts and Letters Patent were repealed, and further Provisions made instead thereof; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows:

Letters Patent, dated 11th Oct., 7 G. 2.

49 G. 3. c. 157.

I. That the said several recited Acts and Letters Patent shall, but subject to the Powers and Provisions of this Act, be and the same are hereby repealed.

Recited Acts and Letters Patent repealed.

II. That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression, "The *Chelsea* Waterworks Act, 1852."

Short Title.

III. That all Offences which shall have been committed and all Penalties and Forfeitures which shall have been incurred previously to the Commencement of this Act shall and may be punishable and recoverable respectively under the said recited Acts and Letters Patent, or any of them, as if the same had not been repealed; and that all Acts, Matters, and Things made, done, or executed under or by virtue of and in accordance with the Provisions of the said recited Acts and Letters Patent, or any of them, previously to the Commencement of this Act, shall be good, valid, and effectual to all Intents and Purposes.

Penalties, &c. under former Acts to be recoverable, &c.

IV. That,

Chelsea Waterworks Company to continue incorporated.

IV. That, notwithstanding the Repeal of the said recited Acts of Parliament and Letters Patent, the Governor and Company of *Chelsea* Waterworks shall for the Purposes of this Act remain as from the Date of the said Letters Patent of the Ninth Year of the Reign of King *George* the First, and continue, incorporated by the Name of "The Governor and Company of *Chelsea* Waterworks," and by that Name shall be and continue One Body Corporate, with perpetual Succession and a Common Seal, and with Power to construct and maintain Waterworks, and to supply Water, and to purchase and hold Lands and other Property for the Purposes and within the Restrictions and according to the Provisions of this Act and the several Acts incorporated therewith.

Existing Works and Property vested in the Company.

V. That, notwithstanding such Repeal as aforesaid, the Company shall remain and be seised of all Streams of Water, Reservoirs, Aqueducts, Conduits, Pipes, Engines, Gauges, Tunnels, Arches, and other Works, and all Lands, Tenements, Hereditaments, Buildings, Easements, prescriptive and other Rights, of or to which the Company, or any Person in trust for them, were or was, or are or is seised, possessed, or entitled at Law or in Equity, immediately before the passing of this Act, and all Rates and Monies due or accruing to the Company, and all Securities, Books, Accounts, Documents, Choses in Action, and other Personal Estate and Effects of or to which the Company was possessed or entitled, at Law or in Equity, immediately before the passing of this Act, shall remain and be vested in and belong to the Company, and the Company shall be entitled to have, hold, occupy, use, enjoy, and take the Benefit of the same accordingly, subject nevertheless to any Charges, Interest, or Liabilities affecting the same; and all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the Company, or to any Person on behalf of the Company, shall pay the same, together with all Interest (if any) due or to accrue due for the same, to the Company, and all the Rights and Remedies for enforcing Payment thereof which before the passing of this Act belonged to the Company shall remain vested in the Company; and all Monies which immediately before the passing of this Act were due and owing by or recoverable from the Company, or for the Payment of which they would have been liable, shall be paid, with all Interest (if any) due and to accrue due thereon, by or be recoverable from the Company; and all Conveyances, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the passing of this Act, to, with, in favour of, or by or for the Company, or any Person duly authorized on their Behalf, shall be and remain as good, valid, and effectual, in favour of and against the Company, and may be proceeded on and enforced, in the same Manner,

Manner, to all Intents and Purposes, as if this Act had not been passed.

Actions, &c. not to abate.

VI. That no Action, Suit, Prosecution, Information, or other Proceeding commenced or pending by, with, or against the Company shall become invalidated, made void, discharged, abated, discontinued, prejudiced, or affected by the Repeal of the said recited Acts and Letters Patent, but the same and each of them shall continue and remain in full Force and Effect, and may be continued by, with, or against the Company; and the Company shall be and continue liable to all their existing Debts and Engagements as if this Act had not been passed.

Rates or Rents now payable to continue in force.

VII. That all Rates, Rents, and Charges made or imposed under or by virtue of the said recited Acts and Letters Patent, and which at the Time of the passing of this Act shall be due and payable, or if this Act had not passed would up to and on the Tenth Day of *October* One thousand eight hundred and fifty-two have accrued due and payable, to the Company, shall, notwithstanding anything herein contained, continue in force and be due and payable to the Company, and may be collected and recovered by such Means, and under such Restrictions and Regulations, as any Rates, Rents, or Charges may be collected or recovered under or in pursuance of this Act.

Transfers to remain in force.

VIII. That all Sales, Transfers, and Dispositions before the passing of this Act made or executed of or in respect of any Share or Shares in the Joint Stock of the Company, under or in pursuance of the said recited Acts and Letters Patent, or any of them, shall remain in full force and virtue, and shall be and continue available in all respects whatsoever.

Officers under former Acts to account.

IX. That all Officers and Persons who at the Time of the passing of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, Securities, Goods, Chattels, or other Effects belonging to the Company, shall account for and deliver up such Money, Books, Documents, Papers, Writings, Securities, Goods, Chattels, and other Effects to the Company, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had become possessed of such Money, Books, Documents, Papers, Writings, Securities, Goods, Chattels, or other Effects under the Provisions of this Act.

Officers Sureties to remain liable.

X. That, notwithstanding such Repeal of the said recited Acts and Letters Patent, every Security taken from any Officer or Person appointed by the Company shall remain in force and effect, and be liable to the same Conditions, Penalties, Obligations, Restrictions, and Regulations as the same was immediately before the passing of this Act.

Books to remain Evidence.

XI. That, notwithstanding such Repeal of the said recited Acts and Letters Patent, all Books and other Documents by those Acts and Letters Patent, any or either of them, directed or authorized to be kept, and which if those Acts and Letters Patent had not been repealed would have been receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity, and elsewhere, accordingly.

Present Directors to *remain in* Office.

XII. That, notwithstanding such Repeal of the said recited Acts and Letters Patent, but subject to the Powers and Provisions of this Act and of the Acts incorporated therewith, the several Persons who on the Commencement of this Act shall be the Governor, Deputy Governor, and Directors of the Company shall be the Directors of the Company, and shall remain in Office until they respectively cease, according to the Provisions of this Act or the Acts incorporated therewith, to be Directors.

8 & 9 Vict. c. 16, and 10 & 11 Vict. c. 17. incorporated with this Act.

XIII. That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," and "The Waterworks Clauses Act, 1847," except the Provisions with respect to the Communication Pipes to be laid by the Undertakers, and except the Sections numbered Thirty-five and Thirty-six in the said last-mentioned Act, shall be incorporated with this Act, and shall be held to apply to the Company and to the Undertaking and Works hereby authorized to be made and executed, and shall also (except the Provisions in "The Waterworks Clauses Act, 1847," with respect to Mines,) be held, notwithstanding any Words of Restriction in such Acts or either of them contained, to apply to the Waterworks, Lands, Hereditaments, Rights, Easements, Credits, and Effects hereby vested in the Company, or in, over, or upon which such Company have by this Act any Power or Right; and that the Expression "the Undertaking," used in "The Companies Clauses Consolidation Act, 1845," shall mean, not only the Undertaking and Works by this Act authorized to be executed, but also the existing Undertaking and Works of the Company; and the Expression "the Lands and Streams," used in "The Waterworks Clauses Act, 1847," shall mean, not only the Lands and Streams of Water by this Act authorized to be taken or used for the Purposes thereof, but also the Lands and

Streams

Streams by this Act vested in the Company, or over or in which the Company have by this Act any Power or Right; and the Expression "the Undertaking," used in "The Waterworks Clauses Act, 1847," shall mean, not only the Waterworks and the Works connected therewith by this Act authorized to be constructed, but also the Waterworks and other Works by this Act vested in the Company.

8 & 9 Vict. c. 18. incorporated with this Act.

XIV. That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act, and shall apply to the new Works by this Act authorized, and to Land required for the Purposes of such new Works.

Limits of this Act for Supply of Water.

XV. That the Limits of this Act for the Supply of Water by the Company shall comprise the City of *Westminster* and all or any Part or Parts of the several Parishes and other Places following; (that is to say,) *Chelsea*, *Fulham*, *Brompton*, *Kensington Palace* and the Precincts thereof, *Saint Mary Abbott's Kensington*, *Hammersmith*, *Saint Mary Paddington*, *Saint Marylebone*, *Saint George Hanover Square*, *Saint Ann Soho*, *Saint Giles in the Fields*, *Saint George Bloomsbury*, *Saint George and Saint Giles Bloomsbury*, *Saint Clement's Danes*, *Saint Mary le Strand*, *Saint John the Baptist Savoy Strand*, *Savoy Precinct*, *Saint Paul Covent Garden*, *Saint Martin in the Fields*, *Saint James Westminster*, *Scotland Yard Westminster*, *Whitehall*, *Saint Margaret Westminster*, *Saint John the Evangelist Westminster*, the Liberty of the Duchy of *Lancaster*, *Saint Margaret and Saint John Westminster*, the Close of the Collegiate Church of *Saint Peter Westminster*, *Buckingham Palace* and the Precincts thereof, *Saint James's Palace* and the Precincts thereof, and *Westminster Palace* and the Precincts thereof, all in the County of *Middlesex*.

Capital.

XVI. And whereas the Capital expended by the Company under and in pursuance of the said recited Acts and Letters Patent, and in carrying out and completing the Works, Matters, and Things thereby respectively authorized, and now in existence, amounts to the Sum of Three hundred thousand Pounds and upwards: Be it enacted, That, subject to the Provisions herein contained, the existing Capital of the Company shall be deemed to be Three hundred thousand Pounds.

Capital to be divided into Shares.

XVII. That such Capital shall be distributed in Shares among the several Persons who at the Time of the passing of this Act may be Shareholders in the Company rateably in proportion to the Amount of their respective Interests therein.

XVIII. That

Issue of such Shares.

XVIII. That it shall be lawful for the Directors of the Company, so soon as may be practicable after the passing of this Act, to issue such Number of Shares, and of such Amounts respectively, not exceeding the nominal Value of Twenty-five Pounds for each Share, as will admit of the Distribution of the said existing Capital in manner aforesaid, and that the Amounts for which such Shares shall be created shall be deemed to have been fully paid up.

For consolidating such Shares.

XIX. That it shall be lawful for the Company from Time to Time to convert such Number of the Shares herein-before authorized to be created as may be respectively of less nominal Value than Twenty-five Pounds, but as shall together, in the Hands of any One Proprietor, be of the nominal Value of Twenty-five Pounds or upwards, into One or more Share or Shares of the nominal Value of Twenty-five Pounds each, and to create and give to the Proprietors of such Twenty-five Pounds Shares respectively Certificates for such Twenty-five Pounds Shares, in lieu of the Certificates for the Shares of less Value which may have been so converted as aforesaid; and it shall be lawful for the Company to refuse to issue separate Certificates in respect of any Shares belonging to any One Proprietor of less nominal Value respectively than Twenty-five Pounds, but which shall together be of the nominal Value of Twenty-five Pounds or upwards.

Such Shares to be held on the subsisting Trusts.

XX. That every Person in whom any One or more of such Shares in the Capital of the Company may become vested under the Provisions herein-before contained shall stand and be possessed of every such Share upon the same Trusts, and for the same Purposes, and under and subject to the same Powers, Provisions, Declarations, Agreements, Liens, Charges, and Incumbrances respectively, as the original Share or Shares in lieu of which the Shares in the Company may become vested in him as aforesaid were held upon, for, and subject to, and so as to give effect to and not revoke any Will or testamentary Disposition affecting such original Share or Shares.

Power to raise Money by Creation of new Shares.

XXI. That it shall be lawful for the Company to raise, by creating additional Shares in the Company, in addition to the existing Capital herein-before mentioned, any further Sum not exceeding the Sum of Two hundred and seventy thousand Pounds.

Additional Shares to form Part of the general Capital.

XXII. That the additional Shares to be created by virtue of the Provisions of this Act shall be of the nominal Value of Twenty-five Pounds each, and shall be issued and distributed in such Manner, and with or without such Priority, Preference, or Guarantee, as to all

all or any Part of them, and upon such other Terms and Conditions as shall be determined by Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General or Extraordinary Meeting of the Company, whereof due Notice for that Purpose shall have been given; but all such additional Shares shall be subject to the same Provisions in all other respects as are contained in "The Companies Clauses Consolidation Act, 1845," with reference to Shares, and shall be considered as Part of the general Capital of the Company.

As to numbering the Shares.

XXIII. That such of the Shares hereby authorized to be issued as shall be of the nominal Value of Twenty-five Pounds each shall be numbered in regular Order in arithmetical Progression commencing with Number One, and that such of the Shares hereby authorized to be issued as shall be of a less nominal Value than Twenty-five Pounds each shall be similarly numbered, commencing with the Number Twenty thousand and one; and that when and as often as any of such last-mentioned Shares shall be converted into Twenty-five Pounds Shares, under the Powers herein-before contained for that Purpose, such last-mentioned Twenty-five Pounds Shares shall be respectively numbered so as to succeed in regular Order the highest Number which any Share of the Company then existing of the nominal Value of Twenty-five Pounds shall bear.

As to Dividends on Shares.

XXIV. That the Proprietor of any Share in the Company shall not be entitled to any further or greater Dividends than in respect of the Sums which are under this Act to be deemed to have been or which may for the Time being have been paid up on such Share.

Calls.

XXV. That Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and that Three Months at the least shall intervene between successive Calls.

Existing Bonds to be charged on the Company.

XXVI. And whereas the Company have borrowed on Bonds which are now subsisting the Sum of Eighty thousand Pounds: Be it enacted, That the said Sum of Eighty thousand Pounds so secured by Bond shall be charged and chargeable against the Company, as fully and effectually as if such Bonds had been Bonds duly issued by the Company under the Authority of this Act, and according to the Form prescribed by "The Companies Clauses Consolidation Act, 1845;" and in case the whole or any Part of the said Sum of Eighty thousand Pounds shall be paid off by the Company, it shall be lawful for them again to borrow the same

on Mortgage or Bond, and such reborrowing shall be subject to the Provisions of "The Companies Clauses Consolidation Act, 1845," in the same Manner as if the said Sum of Eighty thousand Pounds had been originally borrowed under the Provisions of this Act.

Existing Bonds may be called in, and new Bonds issued in lieu thereof.

XXVII. That it shall be lawful for the Directors of the Company, so soon as may be practicable after the passing of this Act, to call in all Bonds issued by the Company which are now subsisting, and to grant in exchange for the same new Bonds, according to the Form prescribed by "The Companies Clauses Consolidation Act, 1845," and such new Bonds shall be as valid and effectual as if the Amounts intended to be secured thereby had been duly borrowed under the Provisions of this Act.

Power to borrow Money on Mortgage or Bond.

XXVIII. That it shall be lawful for the Company from Time to Time to borrow on Mortgage or Bond, in addition to the said Sum of Eighty thousand Pounds already borrowed as aforesaid, any Sums of Money not exceeding Ninety thousand Pounds, but no Part of such Sum of Ninety thousand Pounds shall be so borrowed until the whole of the said additional Capital or Sum of Two hundred and seventy thousand Pounds hereby authorized to be raised shall have been subscribed for.

First and other General Meetings.

XXIX. That the First Ordinary Meeting of the Company shall be held within Four Months next after the passing of this Act, and the next Ordinary Meeting of the Company shall be held in the Month of *June* One thousand eight hundred and fifty-three, and the subsequent Ordinary Meetings shall be held yearly in the Month of *June*; and all Ordinary and Extraordinary Meetings of the Company shall be held at some Place within the Limits of this Act.

Quorum of General Meetings.

XXX. That the Quorum for any General Meeting of the Company shall be Ten Shareholders holding in the aggregate Shares of not less than Ten thousand Pounds of nominal Value in the Capital of the Company.

Number of Directors.

XXXI. That (subject to the Provisions herein contained for increasing or reducing the Number of Directors) the Number of Directors shall be Fifteen.

Qualification of Directors.

XXXII. That until the Expiration of One Calendar Month from the Day whereon the additional Shares hereby authorized to be created shall have been issued, the Qualification of a Director shall be the Possession of Shares in the Undertaking of the nominal Value of

of not less than Five hundred Pounds, and that from and immediately after the Expiration of One Calendar Month from the Day whereon the additional Shares hereby authorized to be created shall have been issued the Qualification of a Director shall be the Possession of Shares in the Undertaking of the nominal Value of not less than One thousand Pounds, and on which the whole of such nominal Value shall have been paid up.

Power to vary Number of Directors.

XXXIII. That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors, but the Number of Directors shall never exceed Eighteen or be less than Nine.

Rotation of Directors.

XXXIV. That the Directors hereby continued shall (subject to the Provision herein-before contained for increasing or reducing the Number of Directors) go out of Office in the following Rotation; (that is to say,)

At the General Meeting to be held in the Month of *June* One thousand eight hundred and fifty-three One Third of such Directors, to be determined by Ballot among themselves, unless they shall otherwise agree, shall go out of Office:

At the General Meeting to be held in the Month of *June* in the Year One thousand eight hundred and fifty-four One Half of the remaining Number of such Directors, to be determined in like Manner, shall go out of Office:

At the General Meeting to be held in the Month of *June* in the Year One thousand eight hundred and fifty-five the Remainder of such Directors shall go out of Office.

Election of Governor and Deputy Governor.

XXXV. That One of the Directors of the Company shall from Time to Time be elected by his Co-Directors as "Governor" of the Company, and another of the said Directors shall from Time to Time be elected as aforesaid as "Deputy Governor" thereof; and wherever the Expression "Chairman" or "Deputy Chairman" is used in the said "Companies Clauses Consolidation Act, 1845," the same shall mean the Governor or Deputy Governor, unless there be something in the Subject or Context repugnant to such Construction.

Committees of Directors.

XXXVI. That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three or more than Nine, and the Quorum of each such Committee shall be the Majority.

Number of Auditors.

XXXVII. That the Number of Auditors shall be Three, and the Company are hereby empowered to reduce the Number to Two; but whenever the Auditors shall be Three in Number, any Two of such Auditors shall be a Quorum for the Transaction of Business.

XXXVIII. That

Directors to appoint certain Officers.

XXXVIII. That the Choice, Removal, and Remuneration of the Treasurer and Secretary of the Company shall be exercised and fixed by the Directors.

Annual Account not to be required until new Works completed.

XXXIX. That the Clause of "The Waterworks Clauses Act, 1847," with respect to the yearly Receipt and Expenditure of the Undertakers, shall not come into operation or take effect with regard to the Company until the Tenth Day of *October* One thousand eight hundred and fifty-seven.

Power to make new Works according to deposited Plans.

XL. And whereas Plans and Sections showing the Line, Situation, and Levels of the intended Works, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands in or through which the same are intended to be made or to pass, have been deposited with the Clerks of the Peace for the Counties of *Surrey* and *Middlesex*: Be it enacted, That it shall be lawful for the Company, subject to the Provisions and Restrictions in this and the said incorporated Acts contained, to make and maintain the said Works in the Lines or Situation and on the Levels and upon and through the Lands delineated on the said Plans and Sections and described in the said Book of Reference, and to enter upon, take, and use such of the same Lands as the Company shall deem necessary for the Purposes of this and the said incorporated Acts: Provided always, that nothing herein contained shall enable the Company to construct a Drain shown on the said Plans, commencing in the Parish of *Sunbury* in the County of *Middlesex*, and terminating in the Parish or Hamlet of *Hampton Wick* in the same County.

As to Construction of Sewers at EastMolesey.

XLI. That the Company shall not commence the Construction of the Sewers at *East Molesey* until after Two Years from the Date of this Act, and that they shall give Three Calendar Months Notice of their Intention so to commence the said Works to the Mayor, Aldermen, and Burgesses of the Borough of *Kingston*.

Whole of Property at Kingston to be purchased.

XLII. That the Company shall purchase the whole, if any, of the Property in the Parish of *Kingston-upon-Thames* numbered 10 on the said deposited Plans.

Power to take Water from the River Thames.

XLIII. That it shall be lawful for the Company, within the Limits described on the said Plans in that Behalf, to obtain, draw, and impound Water from that Part of the River *Thames* in the Parish of *Kingston-upon-Thames* in the County of *Surrey* which is at or near to a certain Wharf or Wharves now or late in the Occupation of *Charles Lambourne* at *Seething Wells* in the said Parish of *Kingston-upon-Thames*, for the Purpose of supplying Water within the Limits

and

and for the Purposes of this Act, and also to take, obtain, and draw Water from that Part of the same River in the Parish of *East Moulsey* in the said County of *Surrey* which is situate about Four hundred Yards Westward of the Head of a certain Lock called *Moulsey Lock*, in the same Parish, for the Purpose of flushing or cleansing any Drain to be constructed by the Company as Part of the Works hereby authorized: Provided always, that the Works in the River *Thames* or immediately connected therewith shall be constructed according to a Plan to be approved of by the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, and to be deposited at the Office of the Town Clerk of the same City, and that such Works shall be done and performed to the Satisfaction of the Engineer for the Time being employed in the *Thames* Navigation.

Power to divert a Stream in the County of Surrey.

XLIV. That it shall be lawful for the Company to divert and alter the Course of all or any Part of the Stream now passing into a certain Pond in the Parish of *East Moulsey* in the County of *Surrey*, called or known as *Causeway Pond*, shown on the said Plans so deposited with the said Clerks of the Peace, so and in such Manner as to transmit the same into and through all or some Part of the Drain and Branch Drain in the said County of *Surrey* by this Act authorized.

Not to set up any Foundry, &c. near Highways.

XLV. That the Company shall not erect or set up, at any Time after the passing of this Act, any Smithy or Foundry within Two hundred Feet of any Road or public Highway, and shall not carry on any Trade or Business which shall occasion any noxious or offensive Effluvia to the Neighbourhood or Inhabitants, without using the best practicable Means for endeavouring to prevent or counteract such Annoyance; and that the Company shall (subject to the Construction and Maintenance of the Works hereby authorized) keep the Banks adjoining the River *Thames* belonging to the Company, and used by them, in good Order, so as to correspond as nearly as may be with the adjoining Banks.

Power to deviate from deposited Plans in certain Cases.

XLVI. That it shall be lawful for the Company, in making the Works by this Act authorized, where Limits of Deviation are marked on the said Plans so deposited with the said Clerks of the Peace, to deviate from the Lines delineated on the same Plans, provided that no such Deviation shall extend to a greater Distance than the Limits of Deviation delineated upon the same Plans, nor to a greater Extent, in passing through a Town, Village, or Lands continuously built upon, than Ten Yards, or elsewhere to a greater Extent than One hundred Yards from the said Lines, and where the Level of the Works by this Act authorized is defined on the said Sections so deposited with the said Clerks of the Peace, to deviate

deviate from such Level to such Extent, not exceeding Ten Feet, as they may deem expedient.

Power to purchase Lands for additional Accommodation.

XLVII. That it shall be lawful for the Company, in addition to the Lands hereby authorized to be compulsorily taken by them, to contract with any Party willing to sell the same for the Purchase of any Lands not exceeding Thirty Acres, to be taken and used in such Places as shall be deemed eligible for extraordinary Purposes; (that is to say,) for the Purpose of making, setting up, and providing additional Tanks, Aqueducts, and other Buildings, Works, and Conveniences, or for making convenient Roads or Ways to the Works hereby authorized, or for any other Purposes connected with the said Works which the Company may think beneficial to the Undertaking.

Period within which Works are to be completed.

XLVIII. That the Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the said incorporated Acts granted to the Company for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Works as shall then be completed: Provided always, that nothing in this Act contained shall extend or be construed to extend so as to restrain the Company from extending their Mains, Pipes, and Works from Time to Time, whenever it shall be deemed necessary for the Purpose of supplying the Inhabitants within the Limits of this Act with Water.

Aqueduct, &c. not to be used as a public Bridge.

XLIX. That the Company shall not permit the Aqueduct to be erected under the Powers of this Act across the River *Thames* to be used as a public Bridge.

Provisions for the Protection of the London and South-western Railway.

L. And whereas the Works by this Act authorized comprise a Cut or Drain which is to be formed and maintained under the *Hampton Court* Branch of the *London and South-western* Railway in the Parish of *Thames Ditton* in the County of *Surrey*, and an Aqueduct which is to be formed and maintained over the *Richmond and Windsor* Branch of the same Railway in the Parish of *Putney* in the same County, and it is indispensably necessary that the said Works shall be constructed and maintained so as not to interfere with the Safety or Convenience of the Traffic upon the same Railway, and so as to cause no Prejudice thereto: Therefore, notwithstanding anything contained in this Act or in any Act incorporated therewith, it shall not be lawful for the Company to enter upon or interfere with the said Railway and Branch Railways or any Part thereof respectively, or the Lands and Works thereof or belonging

belonging thereto respectively, or to execute any Work whatsoever under or over the same, until after the Company shall have delivered to the *London and South-western* Railway Company Plans and Drawings of the Works proposed to be so executed, with Specifications in Writing describing the proposed Manner of executing the same, and shall have obtained from the principal Engineer of the said Railway Company a Certificate under his Hand approving of such Plans, Specifications, and proposed Manner of executing the said Works, and the same shall be executed accordingly under the Superintendence and to the reasonable Satisfaction of the principal Engineer for the Time being of the said Railway Company, and in no other Manner, without the Consent in Writing of the said Railway Company under their Common Seal: Provided always, that in case the principal Engineer of the said Railway Company shall not so approve and certify his Approval of the Plans, Drawings, and Specifications furnished by the Company within One Calendar Month after the same shall have been so delivered, and the said Railway Company shall not consent that the Company shall proceed with their proposed Works without such Certificate as aforesaid, then the Company may submit Plans, Drawings, and Specifications of their said proposed Works to the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, for their Approval; and in case the Lords of that Committee shall certify in Writing their Approval thereof, the Company may, notwithstanding anything herein contained, proceed with the Execution of such Works according to such last-mentioned Plans, Drawings, and Specifications, but, nevertheless, under the Superintendence and to the reasonable Satisfaction of the principal Engineer for the Time being of the said Railway Company, and subject to the Provisions of this Act.

Not to take the Lands of the said Railway Company without Consent.

LI. Provided always, That nothing contained in this Act or in any Act incorporated therewith shall authorize the Company to take or enter upon any of the Lands or Grounds belonging to the said Railway Company, or to alter, vary, or interfere with the said Railway or Branch Railways, or any of the Works thereof respectively, further or otherwise than is hereby expressly authorized, without the Consent in Writing under the Common Seal of the said Railway Company in every Instance for that Purpose.

Powers of Waterworks Company limited as regards Interference with Land of South-western

LII. Provided always, That, notwithstanding anything contained in this Act or in any Act incorporated therewith, it shall not be lawful for the Company, without such Consent of the said Railway Company as last aforesaid, to acquire any Right or Property in any of the Lands of the said Railway Company, other than the Right, subject to the Provisions of this Act, of executing the several Works necessary and proper

Railway Company, &c.

proper for constructing and maintaining the Works by this Act authorized upon, over, through, or under the Lands of the said Railway Company, and for repairing the same Works; and all such Repairs shall from Time to Time be done under the Superintendence and to the reasonable Satisfaction of the principal Engineer of the said Railway Company for the Time being, and if he shall, in Writing, require the same, according to the Plans, Drawings, and Specifications to be approved in manner herein directed with reference to the original Construction of the same Works; and that the Company shall, on Demand, pay to the said Railway Company all Expenses reasonably and fairly occasioned to or incurred by them for or by reason of the Construction and Maintenance or Repair of all or any of the Works upon, over, under, or across the said Railway and Branch Railways, and the Lands and Works thereof respectively, authorized by this Act or any Act incorporated therewith, or for or by reason of the Superintendence by the said Railway Company of the Construction, Maintenance, and Repair of the same Works.

Penalty in case of Interruption to Traffic of the Railway.

LIII. That if, by reason of the Construction of any of the Works hereby authorized to be made upon, over, or under the said Railway or Branch Railways, Interruption shall at any Time be occasioned to the Traffic passing thereon respectively, or if any such Interruption shall be occasioned during any Repairs of the Works of the Company by this Act authorized, or for or by reason of any Want of Repair or due or proper Maintenance thereof, the Company shall forfeit and pay to the said Railway Company the Sum of One hundred Pounds for every Day during which such Interruption shall continue; and the same Sum may be recovered, with full Costs of Suit, by the Railway Company, from the Company, in an Action of Debt in any of Her Majesty's Superior Courts at *Westminster*.

Constant Supply to be given from the Reservoirs after the Period of Five Years.

LIV. That the Water to be supplied by the Company need not be constantly laid on under Pressure until the Expiration of Five Years from the passing of this Act; and after the Expiration of the said Five Years the Level of the Water to be supplied by the Company in their Mains, for the Purposes of affording a constant Supply of Water, need not be higher than the Pressure of the Water in the Reservoir from whence the Supply is or shall be obtained will give; provided that the Level of the Water in the Reservoir of the Company shall not be less than One hundred and forty-eight Feet above *Trinity* High-water Mark of the River *Thames*.

Cisterns to be supplied with proper Ballcocks, &c. and Com-

LV. That whenever Water shall be constantly laid on under Pressure in any District Main, every Person supplied with Water under Pressure by the Company through such Main shall, when required by the Company, provide a proper Cistern or other Receptacle

tacle for the Water with which he shall be so supplied, with an efficient Ballcock or other like Apparatus; and if any Cistern or other Receptacle supplied with Water under Pressure shall be provided with or have any Overflow Spout, Waste Pipe, or other Means or Contrivance immediately connected or capable of being used therewith to carry off the Water from such Cistern or Receptacle, such Person shall be bound to give Notice to the Company of every such Overflow Spout, Waste Pipe, or other Means or Contrivance, and of the Situation thereof; and, whether such Notice shall have been given or not, the Surveyor, or any other Person acting under the Authority of the Company, may, between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, enter into any House, in order to examine if there be any Waste, Misuse, or undue Consumption of Water by means of any Overflow Spout, Waste Pipe, or other Means or Contrivance; and in case any such Waste, Misuse, or undue Consumption of Water shall be found to exist, or shall be deemed likely to occur, from the Use of any such Overflow Spout, Waste Pipe, or other Means or Contrivance, it shall be lawful for such Surveyor or other Person to give Notice to the Person so supplied with Water, either to repair and amend or to remove such Overflow Spout, Waste Pipe, or other Means or Contrivance; and if the same shall not be forthwith repaired and amended or removed, in accordance with such Notice, it shall be lawful for the Company immediately thereafter to turn off the Water from the House, and to cease to supply the same with Water.

Company empowered to enter Houses in certain Cases.

LVI. That it shall be lawful for the Company from Time to Time to enter any Dwelling House or Premises for the Purpose of ascertaining whether the Provisions of this Act or of the Acts incorporated herewith have been duly complied with; provided that such Power of Entry shall not be exercised at any Hour not authorized by the said "Waterworks Clauses Act," except with the Consent of a Justice.

Power to Company to enter Dwelling Houses, &c.

LVII. That every Cistern or other Receptacle for Water, and every Closet, Soil Pan, and private Bath, which shall be supplied with Water by the Company, shall be so constructed and used as effectually to prevent the Waste, Misuse, or undue Consumption of Water, and the Flow or Return of foul Air or other noisome or impure Matter into the Mains or Pipes of the Company, or into any Pipes connected or communicating therewith; and, notwithstanding anything in "The Waterworks Clauses Act, 1847," or in this Act contained, the Company shall not be bound to supply Water into any Cistern or other Receptacle for Water, Closet, Soil Pan, or private Bath which shall not be so constructed and used.

As to Construction of Cisterns, Water-closets, &c.

Notice to be given to Company before the laying down of Communication Pipes.

LVIII. That no Person shall make or lay down, or permit to be made or laid down, any Pipe or other Means or Contrivance for taking, using, or obtaining Water, to communicate with any Pipe or Apparatus connected with any Mains or Pipes of the Company, without giving such Notice and except under such Superintendence and according to such Direction as is provided by "the Waterworks Clauses Act, 1847," with respect to the Communication Pipes to be laid by the Inhabitants.

Power to Company to turn off Water, &c. in certain Cases.

LIX. That if any Person supplied with Water by the Company shall wilfully do or cause to be done any Act, Matter, or Thing in contravention of the Provisions of this Act, or of any Act incorporated therewith, or shall wilfully omit or neglect to do any Matter or Thing which under such Provisions ought to be done for the Prevention of the Waste, Misuse, or undue Consumption or the Contamination of the Water of the Company, it shall be lawful for the Company to turn off the Water supplied by them to such Person, and to cease to supply such Person with Water, and also to recover from such Person, by Action or Suit in any Court of competent Jurisdiction, the Amount of any Loss, Damage, or Injury which the Company may sustain by means or in consequence of any such Act, Matter, or Thing as aforesaid, or of any such wilful Omission or Neglect as aforesaid.

Rates at which Water is to be supplied for domestic Purposes.

LX. That the Company shall, at the Request of the Owner or Occupier of any House in any Street within the Limits of this Act in which any Pipe of the Company shall be laid, or of any Person who, under the Provisions of this Act or any Act incorporated therewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Purposes, at the Rates herein-after specified; (that is to say,)

Where the annual Value of the Dwelling House or other Place supplied shall not exceed Two hundred Pounds, at a Rate *per Centum per Annum* on such Value not exceeding Four Pounds:

And where such annual Value shall exceed Two hundred Pounds, at a Rate *per Centum per Annum* on such Value not exceeding Three Pounds:

If there be a Watercloset.

If there be a Watercloset or Waterclosets, or fixed Bath or Baths, or any High Service, in such Dwelling House or Place, then, in addition to the Rates above specified, the following Rates shall be payable; (that is to say,)

Where the annual Value of such House shall exceed Thirty Pounds but shall not exceed Fifty Pounds, a Rate not exceeding Four Shillings *per Annum* for each single Watercloset, fixed Bath, or High

High Service, and a further Sum of Two Shillings for each additional Watercloset, fixed Bath, or High Service:

Where such annual Value shall exceed Fifty Pounds but shall not exceed One hundred Pounds, a Rate not exceeding Six Shillings *per Annum* for each single Watercloset, fixed Bath, or High Service, and a further Sum of Three Shillings for each additional Watercloset, fixed Bath, or High Service:

Where such annual Value shall exceed One hundred Pounds but shall not exceed Two hundred Pounds, a Rate not exceeding Eight Shillings for each single Watercloset, fixed Bath, or High Service, and a further Sum of Four Shillings for each additional Watercloset, fixed Bath, or High Service:

Where such annual Value shall exceed Two hundred Pounds, but shall not exceed Three hundred Pounds, a Rate not exceeding Ten Shillings for each single Watercloset, fixed Bath, or High Service, and a further Sum of Five Shillings for each additional Watercloset, fixed Bath, or High Service:

And where such annual Value shall exceed Three hundred Pounds, a Rate not exceeding Twelve Shillings for each single Watercloset, fixed Bath, or High Service, and a further Sum of Six Shillings for each additional Watercloset, fixed Bath, or High Service.

Interpretation of High Service.

LXI. That the Expression "High Service" in this Act shall mean and be considered as being a Delivery of Water at an Elevation more than Ten Feet above the Pavement in front of the Dwelling House or other Place supplied.

What shall not be included in domestic Purposes.

LXII. That with respect to the several Rates above specified a Supply of Water for domestic Purposes shall not include a Supply of Water for Steam Engines or Railway Purposes, or for warming or ventilating Purposes, or for working any Machine or Apparatus, or for public Baths, Horses, Cattle, or for washing Carriages, or for Gardens, Fountains, or ornamental Purposes, or for flushing Sewers or Drains, or for any Trade or Manufacture or Business requiring an extra Supply of Water.

Water for other than domestic Purposes to be supplied by Agreement.

LXIII. That it shall be lawful for the Company to supply any Person or Body within the Limits of this Act with Water, to be used within the Limits aforesaid for other than domestic Purposes, at such Rate and upon such Terms and Conditions as shall be agreed upon between the Company and the Person or Body desirous of having such Supply of Water.

Company to extend Supply within the

LXIV. That the Company shall cause Main Pipes to be laid down, and pure and wholesome Water to be brought to every Part of the

Limits, when required.

the District within the Limits of this Act, whereunto they shall be required by so many Owners or Occupiers of Houses in that Part of the District as that the aggregate Amount of Water Rate payable by them annually at the Rates specified in this Act shall be not less than One Tenth Part of the Expense of providing and laying down such Pipes: Provided always, that no such Requisition shall be binding on the Company unless such Owners or Occupiers shall severally execute an Agreement binding themselves to take such Supply of Water for Three successive Years at least; provided also, that the Company shall not be bound to provide or lay down any Communication Pipes for any such Supply of Water, except at the Expense of the Persons requiring the Supply; provided also, that the Company shall not be bound to furnish any such Supply of Water or lay down any Pipe for such Purpose in any Part of the District which Part is for the Time being supplied with Water by any other Company.

Penalty on Company neglecting or refusing so to do.

LXV. That if for Twenty-eight Days after Demand in Writing made to the Company, and Tender made of an Agreement signed by such Number of Owners or Occupiers as aforesaid to take and pay for a Supply of Water for Three Years or more, the Company shall refuse or neglect to lay down Pipes in the Manner herein-before directed, and to provide such Supply of Water as aforesaid, they shall forfeit to each of such Owners and Occupiers the Amount of Rate which he would be liable to pay under such Agreement, and also the further Sum of Forty Shillings for every Day during which they shall refuse or neglect to lay down such Pipes or to provide such Supply of Water: Provided always, that the Company shall not be liable to any Penalty for not supplying Water if the Want of such Supply shall arise from Frost, unusual Drought, or other unavoidable Cause or Accident.

Company to alter Levels of their Pipes in the River, &c. if required for improving the Navigation.

LXVI. That if at any Time after the passing of this Act, any Alteration of the Level of the Main Receiving Pipe to be laid by the Company in the River *Thames* shall be necessary, in order to admit of the Improvement of the Navigation of the River *Thames*, the Company shall, at their own Expense, and without any Claims for Compensation, alter such Pipe to the requisite Level.

Company may continue to draw Water from the River Thames.

LXVII. That the Company may continue to draw Water from the said River at *Chelsea Reach*, and convey the same into any Reservoir or Receptacle of the Company, for the Purposes of the Company, until the Completion of the Works by this Act authorized.

LXVIII. That,

Power to sell or lease certain Property belonging to the Company.

LXVIII. That, notwithstanding anything in this Act or in any of the Acts incorporated herewith or any other Act contained, it shall be lawful for the Company to continue to hold, and from Time to Time, as and when they shall think proper, to sell, and also in the meantime and until Sale from Time to Time to demise and let, either in possession or reversion, for such Prices or other Equivalents, at such Rents, for such Terms, and subject to such Stipulations and Conditions in all respects as they may think proper, all or any Part or Parts of the Lands and Hereditaments specified in the Schedule to this Act, with their Rights, Members, and Appurtenances, for all or any Part of the Company's Interest therein, and to take all necessary Steps for those Purposes or any of them, and also from Time to Time to cancel, waive, or accept the Surrender of any Demise or Lease that may be so granted, or any Counterpart thereof, or any Clause, Matter, or Thing therein contained.

Power to mortgage Property specified in First Schedule.

LXIX. That it shall be lawful for the Company from Time to Time, as and when they shall think fit, to raise any Sum or Sums of Money, in addition to and independently of the Sums herein-before authorized to be borrowed on Mortgage or Bond, by mortgaging the whole or any Part of the said Lands, Property, and Hereditaments specified in the said Schedule, either in Fee or for any Term or Terms of Years consistent with the Tenure thereof and the Estate of the Company therein, with their Rights, Members, and Appurtenances; and such Mortgages may be made with or without Power of Sale, and with, under, and subject to such Powers and Provisions in all respects for securing the Monies so to be raised as the Company shall think fit.

Monies received from Sales, &c. to be applied to the general Purposes of the Company.

LXX. That all Monies to be received by the Company for any Sales, Demises, Leases, or Mortgages of the said Lands and Hereditaments specified in the said Schedule or any of them shall be applied to the general Purposes of the Company, and the Receipt of the Secretary, or of such other Person as the Directors shall appoint to receive any such Monies, shall in all Cases be a good and sufficient Discharge for the same.

For Recovery of undisputed Rates, &c.

LXXI. That all Water Rates and Rents, and all Damages, Costs, and Expenses, by this Act or any Act incorporated herewith directed to be paid, may be levied by Distress, although the Amount thereof shall not be disputed, and any Justice of the Peace, on Application, shall issue his Warrant accordingly.

Costs to be included in Distress Warrant.

LXXII. That any Justice who shall issue any Warrant of Distress for the Recovery of any Rate or other Monies payable under this Act, or any Acts or Parts of Acts incorporated herewith, may order that the

the Costs of the Proceedings for the Recovery of such Rates or other Monies shall be paid by the Person liable to pay such Rates or other Monies; and such Costs shall be ascertained by such Justice, and levied by Distress, and the Amount thereof shall be included in the Warrant of Distress for the Recovery of such Rates or other Monies.

Sums not exceeding 20*l.* may be recovered in County Courts.

LXXIII. That, in addition to the other Remedies by this Act and the incorporated Acts given for the Recovery of Monies due or payable to the Company, the Company may, if they think fit, recover any Monies due or payable to them, not exceeding Twenty Pounds, by Action or Proceeding under the Acts for the more easy Recovery of Small Debts and Demands in *England*.

Mains to be carried over the Thames according to Plans to be approved by the Corporation of London.

LXXIV. That the Aqueduct to be erected for the Purpose of carrying the Pipes or Mains of the Company across the River *Thames* shall be constructed according to such Plan, and upon such Site, within the Limits of Deviation hereby authorized, as shall be approved by the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, before the Works connected therewith shall be commenced, such Plan to be deposited in the Office of the Town Clerk of the City of *London*; and that the Works in the River *Thames* and adjoining thereto shall be done and performed to the Satisfaction of the Engineer of the *Thames* Navigation for the Time being; and that the clear Height of the under Side of the said Aqueduct shall not be less than Twenty-two Feet above High Water, *Trinity* Standard; and the Foundations of the Piers and Abutments of the said Aqueduct shall be sufficient to allow of any future deepening of the said River to the Extent of at least Five Feet; and that the Traffic on the said River *Thames* shall not be interrupted more than may be absolutely necessary in the Erection of the said Aqueduct and Performance of the said Works; and that the Plan of the Coffer Dams for the said Aqueduct shall be approved by the said Mayor, Aldermen, and Commons, in Common Council assembled, before the same shall be carried into execution.

Before Aqueduct shall be commenced, 2,000*l.* to be placed under Control of City of London;

LXXV. That before the said Aqueduct shall be begun to be erected, the Company shall and they are hereby required to invest in the Three Pounds *per Centum* Consolidated Bank Annuities, in the Names of *Wilford George Brett* Esquire, *Charles William Hallett* Esquire, *Charles Farebrother* Esquire, Alderman, and *Anthony Brown* Esquire, Chamberlain of the City of *London*, or the Survivors of them, the Sum of Two thousand Pounds, which Sum, when so invested, together with all Interest and Dividends to accrue therefrom, and which are hereby directed to be invested, from Time to Time as they shall become payable, in the said Funds, in accumulation with the said Sum of Two thousand Pounds, shall continue and be in trust for

for the Purposes herein-after directed concerning the same; and when and as soon as it shall appear to the Satisfaction of the said Trustees for the Time being, or the Majority of them, that the said Aqueduct and the Works connected therewith shall be so far erected, built, and made that the said Sum of Money so invested in the Three Pounds *per Centum* Consolidated Bank Annuities as herein-before directed, together with the Accumulations as aforesaid, will be sufficient to finish and complete the said Aqueduct and Works, then the said Trustees for the Time being shall and they are hereby authorized and required to transfer the same to the Company, or as they shall direct, to be applied for that Purpose; and in case the Company shall not within Five Years from and after the passing of this Act complete the said Aqueduct and Works, then the said Sum of Two thousand Pounds, together with the Accumulations herein-before mentioned, shall be applied in removing such Parts of the said Aqueduct and Works as shall or may be then erected and left unfinished, in such Manner as they the said Trustees for the Time being, or the Majority of them, shall order and direct; or in case the Company shall at any Time after the passing of this Act neglect or omit for the Space of Six Months in succession to proceed with or make reasonable Progress in erecting, building, and making the said Aqueduct and Works, it shall and may be lawful for the said Trustees for the Time being, or the Majority of them, if they shall in their Discretion think proper, forthwith to apply the said Trust Funds and Accumulations in removing such Part or Parts of the said Aqueduct and Works as shall have been erected, built, and made, and which shall have been so left unfinished, in the same Manner as if the aforesaid Term of Five Years had actually expired.

such Sum to be repaid, together with accumulated Interest.

LXXVI. That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or shall prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of the passing of this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being as Conservator of the River *Thames* or otherwise, did or might lawfully claim, use, or exercise, or shall authorize or empower the Company to embank, encroach upon, or interfere with any Part of the Soil or Bed of the said River *Thames*, or the Bank or Shore thereof, except so far as is herein-before mentioned or referred to, without the Consent in Writing of the said Mayor, Aldermen, and Commons, in Common Council assembled.

Saving the Rights of the City of London as Conservators of the River Thames.

LXXVII. And

Pipes not to be laid under the Metropolis Roads without Consent.

LXXVII. And whereas the Line of the intended Works by this Act authorized pass for a considerable Distance along the public Roads under the Charge of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, which public Roads are herein-after called the Metropolis Roads: Notwithstanding the Powers and Provisions in this Act contained, it shall not be lawful for the Company, by themselves, or for their Deputies, Officers, Agents, Servants, and Workmen, or for any of them, to lay down or construct any Works in any Part of the Metropolis Roads, or of the Footpaths adjoining thereto, other than in such Part, Line, and Direction as shall be pointed out by the said Commissioners, or by their General Surveyor for the Time being; and that wherever the Surface of the said Metropolis Roads shall be interfered with, no greater Inclination than One Foot in Sixty Feet shall be made, except as to the Surface of the Metropolis Road at, on, and near to *Stamford Bridge*, which Road, whenever interfered with by the Company, may be raised and made upon an Inclination not greater than the present Surface of such Road, unless the Consent of such General Surveyor to a greater Inclination shall be first previously obtained.

Regulating the Payment to be made for Damage done to the Roads.

LXXVIII. And whereas Injury may be caused to the said Metropolis Roads in consequence of such Works, notwithstanding that the said Roads may be remade immediately after the laying down or Construction of such Works, inasmuch as a Continuance of Labour and Material will be necessary for a considerable Space of Time to restore the said Roads to their previous State and Condition: The Company shall and they are hereby required to pay, on Demand, to the said Commissioners, such a Sum of Money, not exceeding One Shilling for every Superficial Yard of the said Roads removed or disturbed by reason or in consequence of the said Works of the Company, (and over and above all Costs of remaking or relaying the said Roads, and of Repairs and Alterations which may be incurred by the said Commissioners,) as the said Commissioners shall deem proper to be paid for the continued Labour and Supply of Material necessary to restore effectually the said Roads; and in default of Payment for Twenty-one Days after such Demand, the same may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Precautions required to be taken during the Performance of the Works on the Roads.

LXXIX. That the Company shall and they are hereby required, at their own Expense, to do and perform all such Acts and Things, in the way of watching, lighting, and fencing, and all such other precautionary Measures, during the Progress of laying down or constructing the Works hereby authorized along or under the said Metropolis

Metropolis Roads, or of performing any other Works connected with the said Metropolis Roads, under the Powers of this Act, as shall be necessary and requisite to the public Safety, Convenience, and Protection of the said Metropolis Roads and of the Travellers thereon; and the Company shall be answerable and amenable for all Accidents and Damage which may happen by reason or in consequence of any of the Works of the Company.

Traffic not to be stopped during the Performance of the Works on the Roads.

LXXX. That the Company shall not, at any Time during the Progress of laying down or constructing the Works hereby authorized along or under the said Metropolis Roads, or of performing any other Works connected with the said Metropolis Roads, shut up or in any way impede the public Traffic along more than One Half in Width of any of the said Metropolis Roads at any One and the same Time; and if it should happen that the Half of the Road so left open should not be wide enough to allow Two Carriages to pass each other, then and in such Case not more than One hundred Yards in Length of the other Half of the Road shall be occupied by the Company's Works at the same Time, unless by special Permission of the said General Surveyor.

All Works connected with the Metropolis Roads to be under the Superintendence of the General Surveyor.

LXXXI. That no Works connected with the Metropolis Roads shall in any Manner be commenced under the Powers in this Act contained until the Expiration of Three Days after Notice in Writing of the Intention to commence such Works shall have been left at the Office of the said Commissioners, or shall have been delivered to the said General Surveyor, and that the opening of the said Roads or any of them for the Purpose of laying down or constructing such Works, or for laying any Main or Pipe, and the remaking of such Roads, and all other Works of every Description connected with the said Roads, at any Time hereafter to be performed by the Company, or by any Person authorized by them, shall be carried on and executed under the Direction and Superintendence and to the Satisfaction of the said General Surveyor; and in case, in the laying down or Construction of the Works or any of them, the Company shall do or cause any Injury or Damage to the said Metropolis Roads or any of them, or to any Brick or other Drain, Sewer, Cesspool, Water Channel, or other Convenience connected with the said Roads or any of them, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the said General Surveyor, or if by reason of the laying down or Construction of any of the Works hereby authorized or required to be constructed or performed by the Company any Alteration of the said Metropolis Roads or of any of them, or of the Drains, Sewers, Cesspools, or Water Channels connected therewith, shall in the Judgment of the said General Surveyor be rendered necessary, then and in any of such Cases it shall be lawful for the said

General Surveyor to cause all such Repairs and Alterations to be made as he in his Discretion shall think fit; and all Costs and Expenses of such Repairs and Alterations shall be paid, on Demand, by the Company, or, in default of Payment for Twenty-one Days after such Demand, may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

General Saving of Rights.

LXXXII. That nothing in this Act contained shall extend or be construed to extend to interfere with, alter, lessen, or in any Manner affect the Rights, Powers, and Authorities heretofore given or granted to or vested in any Commissioners, Trustees, or other Persons having the Superintendence, Control, or Management of any Sewers, or of any Street, Road, Highway, Bridge, or public Place, or of any Pavement, Ground, or Soil of or in any Street, Road, Highway, Bridge, or public Place: Provided always, that it shall be lawful for the Company to break up any Street, Road, Highway, Bridge, or public Place within the Powers and Limits of this Act, for the Purpose of repairing any Mains or Pipes in case of any Accident or Damage suddenly happening to any such Mains or Pipes, the Company giving Notice in Writing to the Surveyor or Clerk of the Trust or Commission in which any such Street, Road, Highway, Bridge, or public Place shall be situated, so soon as is practicable after any such Street, Road, Highway, Bridge, or public Place shall have been so broken or taken up as aforesaid, such Notice to be left for him at his Dwelling House or Office; and provided also, that nothing contained in this Act, or in the "Waterworks Clauses Act, 1847," or in the Act next herein-after referred to, shall prevent or be construed to prevent the Company from breaking or taking up, at any Time or Times, any Street, Road, Highway, Bridge, or public Place within the Powers and Limits of this Act, for the Purpose of laying down or altering any Mains or Pipes, the Company giving Two Days previous Notice to such Surveyor or Clerk in manner aforesaid.

Nothing in Act to lessen Powers of 57 G. 3. c. 29.

LXXXIII. That, except as herein provided, nothing contained in this Act shall abrogate, lessen, or abridge, or be held to abrogate, lessen, or abridge, an Act of the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, or any of the Powers, Fines, Forfeitures, Penalties, Restrictions, and Enactments therein contained, but the same respectively shall remain and be in full Force as if this Act had not been passed.

Works on the Thames not to be

LXXXIV. That, notwithstanding the Clauses and Provisions herein-before contained, it shall not be lawful for the Company to construct

construct any Aqueduct or other Works in or upon the Bed of the River *Thames* or the Banks thereof until the Plan of such Aqueduct or other Works has been approved in Writing by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, and until the Consent in Writing of the same Commissioners, or One of them, has been given to the Construction of such Aqueduct or other Works; provided also, that nothing in this Act contained shall authorize or empower the Company to encroach upon or interfere with any Part of the Soil or Bed of the River *Thames* or the Banks thereof (except so far as is herein-before mentioned or referred to) without the Consent in Writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

executed without the Consent of the Commissioners of Woods, &c.

LXXXV. That nothing whatsoever contained in this Act, or in any of the Acts herein referred to, shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues having the Management and Direction of the same Premises first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be, or but for the Provisions of the same Act or Acts might have been, vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving the Rights of the Crown.

LXXXVI. That nothing herein contained shall be construed to exempt the Company from the Provisions of any General Act relating to the Supply of Water to the Metropolis or the Suburbs thereof, now in force or which may pass during the present Session of Parliament.

Company not to be exempt from Provisions of any General Water Act.

LXXXVII. That all Costs, Charges, and Expenses of and attending the passing of this Act or incidental thereto shall be paid by the Company.

Expenses of this Act.

The SCHEDULE referred to in the foregoing Act.

A certain Piece of Ground, heretofore Garden Ground, containing Five Acres or thereabouts, whereon formerly stood Two Messuages or Tenements, Sheds, and other Buildings, fronting or near to the River Thames, and which have long since been pulled down, together with the Site of the same several Messuages, Sheds, and other Buildings, also the Site of a certain Cottage, Stable, and Shed, heretofore adjoining, at the North End of the same Piece of Ground, and then called "Knight's Cottage," situate on the West Side of a certain Lane now called or known as "Turpentine Lane," with Sixty Feet or thereabouts in Breadth of the Wharf facing the said River Thames, and also the Use of the Dock adjoining the said River in common with the rest of the Tenants of Property formerly held under the Right Honourable Welbore Ellis and Ann his Wife, Christopher D'Oyly, Esquire, and Sarah his Wife, and Hans Sloane, Esquire, with Liberty at all Times to unload Boats and Barges at the said Dock, all which said Premises were formerly in the Occupation of William Terwin and John Terwin, or their Under-tenants, and are more particularly described upon a Plan drawn upon the Deed by which the said Property was conveyed by the said Welbore Ellis and Ann his Wife, Christopher D'Oyly and Sarah his Wife, and Hans Sloane, to the said Governor and Company of Chelsea Waterworks, their Successors and Assigns, for ever, and which Deed bears Date on or about the Fifth Day of April One thousand seven hundred and ninety-three; also the several Erections, Works, and Buildings now standing and being thereon or on some Part thereof.

A certain Piece of Land or Ground in the said Parish of Saint George Hanover Square, whereon or on some Part whereof a Dung Wharf heretofore stood, and near which certain Premises called the "Neat Houses" then stood, which Piece of Land contains in Length on the South Side fronting the said River Thames Seventy-four Feet Eight Inches or thereabouts, on the West Side Forty Feet or thereabouts, on the North-west Side Thirty-eight Feet Three Inches or thereabouts, and on the North-east Side Seventy-nine Feet Eight Inches or thereabouts, and is bounded on the South by the said River Thames, on the West and North-west by Premises belonging to the said Governor and Company of Chelsea Waterworks, on the East by a Creek, Dock, or Inlet of the River Thames heretofore belonging to Messrs. Stanley, and on the North-east by a certain Road or Lane now called or known as Turpentine Lane, leading down to the said Dock, which

said Piece of Ground contains in the whole about Eleven Perches, and was formerly in the Occupation of Thomas Grace and Joseph Freeman, and is more particularly described on the Plan drawn upon a certain Indenture of Appointment, Grant, and Release bearing Date on or about the Thirty-first Day of December One thousand eight hundred and thirty-five, and made or expressed to be made between William Sloane Stanley, Esquire, of the First Part, William Hans Sloane Stanley, Esquire, of the Second Part, William Dickinson, Esquire, of the Third Part, and the said Governor and Company of Chelsea Waterworks of the Fourth Part; also the several Erections, Works, and Buildings now standing and being thereon or on some Part thereof.

A certain Piece of Ground situate in the Parish of Saint George Hanover Square in the County of Middlesex, near to the Grosvenor Canal, and adjoining Premises in the Occupation of the said Governor and Company of Chelsea Waterworks, and abutting towards the North-east in part on a Road called Saint George's Row, and in other Part on a Piece of Ground belonging to Thomas Cubitt, forming Part of the said Road called Saint George's Row, towards the South-east and South on Ground and Premises belonging to the said Governor and Company of Chelsea Waterworks, and on Land demised to the said Thomas Cubitt, and towards the West on a Road leading from Saint George's Row aforesaid towards the River Thames, and which said Piece of Ground was demised by the Most Noble Robert Marquis of Westminster to the said Thomas Cubitt for a Term of Ninety-nine Years from Lady Day One thousand eight hundred and thirty-five, by an Indenture bearing Date on or about the Eighth Day of August One thousand eight hundred and thirty-nine; also the several Erections, Works, and Buildings now standing and being thereon or on some Part thereof.

A certain Piece of Ground situate in the said Parish of Saint George Hanover Square on the West Side of Ground and Premises in the Occupation of the said Governor and Company of Chelsea Waterworks from which the same is or was divided by a Ditch, which said Piece or Parcel of Ground contains at the North End thereof abutting upon Ground demised to the said Thomas Cubitt One hundred and sixty-five Feet of Assize or thereabouts, on the West Side thereof, in part running from North to South in a straight Line, and abutting upon Ground demised to the said Thomas Cubitt, Eight hundred and eighty-eight Feet of Assize or thereabouts, then running towards the East and abutting as last aforesaid One hundred and ninety-eight Feet of Assize or thereabouts, then again running towards the South, abutting as last aforesaid, One hundred and sixty-four Feet of Assize or thereabouts, and at the South End thereof in part running from North-west to South-west, abutting upon the River Thames, Eighty-seven Feet of Assize or thereabouts, and then

running towards the East, also abutting upon the said River, Thirty Feet of Assize or thereabouts, and on the East Side thereof, abutting upon Premises of the said Governor and Company of Chelsea Waterworks, running in an irregular Line, One thousand one hundred and forty Feet or thereabouts, and which was demised by the said Marquis of Westminster to the said Thomas Cubitt for a Term of Ninety-nine Years from Lady Day One thousand eight hundred and thirty-five, by Indenture dated on or about the Second Day of October One thousand eight hundred and thirty-five; also the several Erections, Works, and Buildings now standing and being thereon or on some Part thereof.

A certain Piece of Ground also situate in the said Parish of Saint George Hanover Square, near to the Grosvenor Canal, abutting towards the East on the Two last described Pieces of Ground, towards the West in part on the Towing Path of the said Grosvenor Canal, and on other part on the Tonnage Houses occupied by the Lock-keeper of the said Canal, at the South End on the said River Thames, and at the North-east End on the said Road called Saint George's Row, and containing about Six Acres and One Rood, and which was demised by the said Marquis of Westminster to the said Thomas Cubitt by an Indenture dated on or about the Twentieth Day of June One thousand eight hundred and forty-three, for a Term of Ninety-one Years from Lady Day One thousand eight hundred and forty-three; also the several Erections, Works, and Buildings now standing and being thereon or on some Part thereof.

A certain Piece or Parcel of Ground heretofore Marsh or Meadow Ground, and then called Hooker's Meadow, containing about Three Acres and One Half or thereabouts, situate in or near Chelsea, and then being in the Parish of Saint Margaret Westminster, in the County of Middlesex, and then in the Occupation of Richard Ferryman, his Under-tenants or Assigns, and which was conveyed by Charles Shales, Citizen and Goldsmith of London, to the Governor and Company of Chelsea Waterworks, their Successors and Assigns, for ever, by an Indenture of Bargain and Sale bearing Date on or about the Eighth Day of May One thousand seven hundred and twenty-nine, and which is now in the Parish of Saint George Hanover Square in the said County; also the several Erections and Buildings now standing and being thereon or on some Part thereof.

Two Pieces or Parcels of Meadow Land formerly called Saint James's Acres, situate in Chelsea in the said County of Middlesex, being heretofore Part and Parcel of a Freehold Estate of the then late Earl of Ranelagh, containing Three Acres One Rood and Twenty Perches or thereabouts, and which is more particularly described on a Plan annexed to the Deed by which the same Property was conveyed by the Honourable James Bertie, William Lowndes, Mark Frecker, and Thomas Besley, (being Trustees appointed by an Act

of

of Parliament made and passed in the Third Year of the Reign of King George the Second, intituled "An Act for vesting the Estate "of Richard then late Earl of Ranelagh in the County of Middlesex "and Berks in Trustees, to be sold, for the Uses therein mentioned,") to the said Governor and Company of Chelsea Waterworks, their Successors and Assigns, for ever, and which Deed bears Date on or about the Twelfth Day of June One thousand seven hundred and thirty-five.

All such Land, Land covered with Water, and reclaimed Ground, in the County of Middlesex, and all such Rights, Powers, and Privileges connected or enjoyed therewith, or with any of the Lands and Hereditaments comprised in this Schedule, as has or have been or may be at any Time or Times hereafter granted, conveyed, demised, or assigned to or otherwise vested in or conferred upon the said Governor and Company of Chelsea Waterworks, their Successors or Assigns, either in Fee or for any Term or Number of Years or otherwise, either by an Act of Parliament passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled "An Act to enable the Commissioners of Her "Majesty's Woods to construct an Embankment or Roadway on the "North Shore of the River Thames from Battersea Bridge to "Vauxhall Bridge, and to build a Suspension Bridge over the said "River at or near Chelsea Hospital, with suitable Approaches "thereto, including a Street from Lower Sloane Street to the Northern "Extremity of the Bridge," or by any other Act or Acts relating to such intended Embankment and Roadway, or by any Corporation, Person or Persons whomsoever.

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