


ANNO QUINTO & SEXTO

# GULIELMI IV. REGIS.

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the Waterworks therein mentioned, and expended a very large Sum of Money in the Purchase thereof; and the said Company find that the said Capital Sum of Twenty thousand Pounds will not be sufficient to finish and complete the said Waterworks, and it is expedient that the said Company should be empowered to raise a further or additional Capital Sum of Money for such Purposes: And whereas it is expedient that some of the Powers and Provisions in the said recited Act should be altered, amended, and enlarged; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Penalties, Forfeitures, Restrictions, Payments, Remedies, Clauses, Matters, and Things whatsoever in the said recited Act contained, so far as the same are not hereby altered, varied, or repealed, shall or may be put in execution for the Purposes of this Act as fully and effectually, to all Intents and Purposes, as if the same and every Part thereof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.

Powers of former Act extended to this Act.

Company empowered to raise 10,000*l.* by additional Shares of 25*l.* each.

II. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, or by the Admission of new Subscribers, in addition to the Sum of Twenty thousand Pounds which they have so already raised by Shares as aforesaid under and by virtue of the said recited Act, the further Capital Sum of Ten thousand Pounds, such Sum to be apportioned and divided into Four hundred Shares of Twenty-five Pounds each, and such new or additional Shares to be created by virtue of this Act shall be consolidated with and be one and the same Joint Stock Property as the original Shares granted by the said recited Act, and shall or may be forthwith raised by One or more Call or Calls, and shall and may be transferred or assigned from Time to Time, and shall or may be forfeited for Nonpayment of the Calls made thereon, in such and the same Manner as is provided in and by the said recited Act with regard to the Shares therein mentioned or referred to; and all Persons, Bodies Politic, Corporate, and Collegiate, and Parties whomsoever, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally hold, take, or subscribe for One or more of the said new or additional Share or Shares, and shall pay such Sum or Sums of Money as shall be called for or demanded under and by virtue of the said recited Act and this Act, or either of them, shall respectively be entitled to and receive such proportional Part or Parts of the Profits or Advantages that shall or may arise or accrue from the same Undertaking, from and after the Subscription or Payment of such addditional Share or Shares, and have a Vote or Votes in respect of the same at all Meetings of the said Company of Proprietors to be held in pursuance of the said recited Act, with Power and Authority to appoint a Proxy or Proxies in his, her, or their Room or Stead, in such Way and Manner, and subject to such and the same Limitations, to all Intents and Purposes, as is and are enacted, provided, and continued in and by the said recited Act with regard to the present or old or original Subscribers to and Proprietors of the said Undertaking.

III. And

Repealing so much of recited Act as limits the Number of Shares to be held by One Person to Twenty.

III. And whereas it is in and by the said recited Act enacted, that it shall not be lawful for any Person or Persons, Body Politic, Corporate, or Collegiate, to hold in his, her, or their own Name or Names, or in the Name or Names of any other Person for his, her, or their Use, any larger or greater Number of Shares than Twenty Shares in the said Company, and if and in case any greater Number of Shares shall at any Time belong or become vested in any Person, or Body Politic, Corporate, or Collegiate, the Interest, Dividends, and Profits to arise and grow due upon as many Shares as shall be an Excess on the aforesaid Number of Twenty Shares shall cease to be paid to the Proprietor or Proprietors thereof for so long and such Time as he, she, or they shall hold or possess the same: And whereas it is expedient that the same should be repealed; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

No Person to hold more than Thirty Shares.

IV. And be it further enacted, That it shall not be lawful for any Person or Persons, Body Politic, Corporate, or Collegiate, to hold in his, her, or their own Name or Names, or in the Name or Names of any other Person for his, her, or their Use, any larger or greater Number of Shares than Thirty Shares in the said Company; and if and in case any greater Number of Shares shall at any Time belong or become vested in any Person, or Body Politic, Corporate, or Collegiate, the Interest, Dividends, and Profits to arise and grow due upon as many Shares as shall be an Excess on the aforesaid Number of Thirty Shares shall cease to be paid to the Proprietor or Proprietors thereof for so long and such Time as he, she, or they shall hold or possess the same.

So much of recited Act as limits the Sinking Fund to 3,000*l.*, repealed.

V. And whereas it is in and by the said recited Act enacted, that it shall and may be lawful to and for the said Company, at a General Yearly Meeting of the Proprietors, or at any Adjournment thereof, if they shall think fit, having first, by and out of the Rents, Rates, or Sums of Money which by virtue of the said Act shall be received, paid and discharged all the Debts, Expences, and other Liabilities of the said Company, and apportioned a Dividend among the said Company from and after the Rate of Five Pounds *per Centum* upon every Share held in the same Company, to order and direct the Whole or any Part of the Surplus of the Monies to be received or collected as aforesaid to be laid out and invested in the Public Funds or Stocks of *Great Britain*, and to lay out and invest the Interest and Dividends and Proceeds thereof from Time to Time in the like Stocks or Funds, to accumulate and be added to the Principal Money so ordered to be invested, for the Purpose of raising a Capital Stock or Fund, and maintaining, transferring, altering, and renewing the same for the Benefit of the said Company, to be under the Control and Management of the said Company or their Committee of Management, and subject to their Order or Disposal from Time to Time, for the Purpose of defraying any Sum or Sums of Money which may become due or payable from the said Company under or by virtue of any Provision contained in the said Act, or in or about the maintaining, continuing, extending, or improving the said Waterworks, Cuts, Aqueducts, Reservoirs, Pipes, Engines, Machinery, and Conveniences by the said Act authorized to be made, erected, and perfected, or in any other Manner, or for any other Purpose relating to the Affairs of the said Company; provided nevertheless, that such Capital Stock or Fund so

to be raised shall not at any Time exceed the Sum of Three thousand Pounds: And whereas it is expedient that the same should be repealed; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Sinking Fund not to exceed 10,000*l.*

VI. And be it further enacted, That it shall and may be lawful to and for the said Company, at a General Yearly Meeting of the Proprietors, or at any Adjournment thereof, if they shall think fit, having first, by and out of the Rents, Rates, or Sums of Money which by virtue of this Act or the said recited Act shall be received, paid and discharged all the Debts, Expences, and other Liabilities of the said Company, and apportioned a Dividend among the said Company upon every Share held in the said Company, to order and direct the Whole or any Part of the Surplus of the Monies to be received or collected as aforesaid to be laid out and invested in the Public Funds or Stocks of *Great Britain*, or in the Purchase of Exchequer Bills, and to lay out and invest the Interest and Dividends and Proceeds thereof from Time to Time in the like Stocks, Funds, or Exchequer Bills, to accumulate and be added to the Principal Money so ordered to be invested, for the Purpose of raising a Capital Stock or Fund, and maintaining, transferring, altering, and renewing the same for the Benefit of the said Company, to be under the Control and Management of the said Company or their Committee of Management, and subject to their Order or Disposal from Time to Time, for the Purpose of defraying any Sum or Sums of Money which may become due or payable from the said Company under or by virtue of any Provision contained in this Act or the said recited Act, or in or about the maintaining, continuing, extending, or improving the said Waterworks, Cuts, Aqueducts, Reservoirs, Pipes, Engines, Machinery, and Conveniences by the said recited Act authorized to be made, erected, and perfected, or for providing, constructing, and establishing new and additional Waterworks, Cuts, Aqueducts, Reservoirs, Pipes, Engines, Machinery, and Conveniences for the better supplying the said City and Parishes adjacent with Water, or in any other Manner, or for any other Purpose relating to the Affairs of the said Company: Provided nevertheless, that such Capital Stock or Fund so to be raised shall not at any Time exceed the Sum of Ten thousand Pounds.

Company may lay down Pipes, &c. in private Property, which Pipes shall be deemed the Property of the Company.

VII. Provided always, and be it further enacted, That it shall and may be lawful for the said Company, if they shall see fit, by and at their own Costs and Charges, but with the Consent of the Owner, Lessee, or Occupier of any private Houses, Buildings, Messuages, Lands, Tenements, or Hereditaments, to lay down any Leaden or other Pipes, Trunks, Boxes, Cisterns, or other Matter or Thing into, upon, or through such private Houses, Buildings, Messuages, Lands, Tenements, or Hereditaments, for the Purpose of supplying the Owners or Occupiers thereof with Water; and all such Leaden or other Pipe or Pipes, Trunks, Boxes, Cisterns, or other Matter or Thing now or hereafter used or laid down for such Purpose shall be and remain the Property of the said Company; and if any Person shall suffer any of the said Pipes, Trunks, Boxes, Cisterns, or other Matter or Thing so laid down, or the Cocks belonging thereto, to be out of Repair, so as to let the Water run to waste or be useless, or shall neglect to repair the same within Twenty-four Hours after being required so to do by the said Company, their Agent or Servants, or shall make default in

the Payment of the Water Rent or Rate due from such Person or Persons, or in case it shall be found necessary for the Alteration or Amendment of any of the Pipes or Works of the said Water Company, it shall be lawful for the said Company, their Agents and Workmen by their Authority, upon giving Twenty-four Hours Notice of their or his Intention so to do, at any Hour in the Daytime to enter upon any such private Houses, Buildings, Messuages, Lands, Tenements, or Hereditaments supplied with Water as aforesaid, and dig, take up, cut off, and carry away all such Pipes, Trunks, Boxes, Matters, or Things so now or hereafter laid down, furnished, and provided by and at the Costs and Charges of the said Company, doing thereby no wilful Hurt, Damage, or Destruction to the said Premises in or upon which the same Pipe or Pipes, Trunks, Boxes, Matters, or Things shall have been laid.

Repealing so much of recited Act, as relates to Agreements for Supply of the Poor.

VIII. And be it enacted, That so much of the said recited Act as enacts, that it shall be lawful for any Company, or Body Politic or Corporate, to contract and agree with the said Company for the Erection of Conduits or Pumps, or otherwise, for the Supply of Water to the poor Inhabitants of the said City and County, and to pay the Expences thereof out of any Funds under the Care and Management of such Company, Body Politic or Corporate, any thing in any Act or Acts to the contrary notwithstanding, shall be and the same is hereby repealed.

Corporation of Poor and the Exeter Improvement Commissioners may contract for supplying Water to poor Inhabitants.

IX. And whereas it would greatly tend to the Health of the poor Inhabitants of the City and County of *Exeter* if they could be well and sufficiently supplied with pure and wholesome Water for domestic and other Purposes; be it further enacted, That it shall be lawful for the Governor, Deputy Governor, Assistants, and Guardians of the Poor of the City and County of *Exeter*, and for the *Exeter* Improvement Commissioners, and they are hereby authorized and empowered, to contract and agree with the said Company for the Erection of Conduits or Pumps, or otherwise, for the Supply of Water to the poor Inhabitants of the said City and County, and to pay the Expences thereof out of any Rates or Funds levied or raised by Assessment, under their Care and Management, applicable to the Relief of the Poor, or to the Purpose of cleansing and improving the said City and County of *Exeter*.

Company not to erect certain Buildings at Pyne's Mills.

X. And whereas by the said recited Act certain Restrictions were imposed on the said Company in case they should purchase certain Mills called *Pyne*'s Grist and Snuff Mills, therein mentioned; now be it further enacted, That if such Purchase shall be made and completed it shall not be lawful for the said Company, their Successors or Assigns, to make or place any Erection or Building of any Sort or Kind, and whether permanent or temporary, on a certain Piece or Parcel of Land and Garden heretofore enjoyed with and considered Part of the said Premises called *Pyne*'s Grist and Snuff Mills, and situate adjoining or contiguous to the Engine House lately erected by the said Company, and bounded by the Leat on which the said Mills are situate, on the North by a Branch of the River *Exe*, on the South by the said Engine House, and the Stream leading thereto from the said Leat on the West, and by a Channel conveying the waste Water from the said Leat to the said Branch of the River *Exe* on the East, and containing in Length on the said River Side from East to West One hundred and twenty-one Feet, and on the Leat Side from East

to West One hundred Feet, and in Breadth from the said Leat to the said River on the East Side Sixty-three Feet, and from the said Leat to the said River on the West Side Fifty Feet or thereabouts, be the same respectively more or less, except with the previous Licence and Consent in Writing of Sir *Stafford Henry Northcote*, his Heirs or Assigns, thereto first had and obtained.

Company, if they purchase Pyne's Leather Mill, not to interfere with the Supply of Water to Pyne's House, &c.

XI. And be it further enacted, That in case the said Company shall hereafter purchase of the said Sir *Stafford Henry Northcote*, his Heirs or Assigns, the Leather Mill mentioned in the Schedule to the said recited Act, or any other Mills, Lands, or Hereditaments near to or adjoining the said Leather Mill, or the said Grist and Snuff Mills, it shall not be lawful for the said Company, their Successors or Assigns, without the Licence and Consent in Writing of the said Sir *Stafford Henry Northcote*, his Heirs or Assigns, thereto from Time to Time first had and obtained, and the Persons in whom the Premises may be vested in Trust for him or them, to abstract or take from the Leat on which such Mills are situate any Quantity of Water that will interfere with the full, usual, and accustomed Supply of Water to *Pyne's* House, or with the Use or Enjoyment of any other Leat or Streams now used or enjoyed by the Owners or Occupiers of Lands adjoining the said Leat on which the said Mills are situate, nor make or place any Erection or Building of any Sort or Kind, and whether permanent or temporary, on any Parts of the said Premises lying above or to the North or North-east of a Line to be drawn straight from the Northern or upper Corner of the said Leather Mill to a Gate leading from the said Mill and other Premises into the Lawn or Fields of the said Sir *Stafford Henry Northcote*, nor to erect on any other Parts of the said Premises any Buildings of greater Height than Forty Feet, nor to use or erect on the said Premises any Steam Engine, or any noxious or offensive Machinery, nor to carry on upon the said Premises any Manufactory or Trade to the Nuisance or Annoyance of the said Sir *Stafford Henry Northcote*, his Heirs or Assigns, nor to allow the said last-mentioned Premises to be occupied by a greater Number of Families than, with the Families who may dwell in any Buildings erected or to be erected on the Site of the said Grist and Snuff Mills, or other the Premises purchased therewith, will not exceed the entire Number of Five.

Expences of Act.

XII. And be it further enacted, That the Costs, Charges, and Expences of applying for, obtaining, and passing this Act shall be defrayed out of the Funds of the said Company.

Public Act.

XIII. And be it further enacted, That this Act shall be deemed and taken to a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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