

ANNO TERTIO

VICTORIÆ REGINÆ.

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Company; but the same 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 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, That all the Powers, Authorities, Provisions, Directions, Regulations, Privileges, Penalties, Forfeitures, Rates, Charges, Restrictions, Payments, Remedies, Clauses, Matters, and Things whatsoever contained in the said recited Acts of the Third and Sixth Years of the Reign of His said late Majesty King *William* the Fourth (so far as the same are not expressly altered, repealed, or otherwise provided for by this Act) shall extend and be construed to extend to this Act, and shall be available, and shall operate and be in force, and shall or may be put in execution, for all and every 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; and the said recited Acts and this Act shall, as to all Matters and Things whatsoever (except as aforesaid), be construed as One Act.

Powers of former Acts extended to this Act, except as hereby altered.

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby authorized and empowered to make, construct, and complete, and at all Times thereafter to maintain, a Reservoir or Basin in a certain Field situate in the Parish of *Saint Sidwell* in the said City and County of the City of *Exeter*, and numbered 3. in the Plan deposited with the Clerk of the Peace for the said City and County of the City of *Exeter*, herein-after referred to, and to conduct the Water from the existing Reservoir, or any of the Mains, Pipes, Aqueducts, or other Works of the said Company, situate in the County of *Devon* or the said City and County of the City of *Exeter*, to the Reservoir or Basin so proposed to be constructed as aforesaid, and for that Purpose to erect, fix, and maintain all necessary, proper, or convenient Aqueducts, Conduits, Pipes, Mains, Cuts, and other Works, with the same Powers and Authorities as in the said recited Acts or either of them are contained in respect of the Water thereby authorized to be taken and conveyed, and the Aqueducts, Conduits, Pipes, Mains, Cuts, Reservoirs, and other Works thereby authorized to be made, erected, fixed, or maintained.

Description of new Works.

III. And whereas a Map or Plan describing the Line or Situation of such intended Reservoir, Aqueducts, Conduits, Cuts, Pipes, Mains, and other Works, and the Lands through which the same is or are intended to be carried, has been deposited at the Office of the Clerk of the Peace for the City and County of the City of *Exeter*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and all Persons shall, at any reasonable Times, have Liberty to inspect and peruse the same, and have a Copy thereof, or such Part thereof as such Person or Persons shall require, such Copy to be made by the said Clerk of the Peace

Company not to deviate above One hundred Yards from Plan.

Peace or his Deputy or Deputies, being paid the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies; and that the said Company shall not, in laying and making such Reservoir, Aqueducts, Conduits, Cuts, Pipes, Mains, and Works, deviate more than One hundred Yards from each Side of the said Line or Course so described in the said Map or Plan, nor take any other Ground or Lands for the Purposes aforesaid than those described in the Schedule to this Act annexed, without the Consent in Writing of the Owner and Occupier of the Lands or Grounds into which they shall so deviate.

Errors in Plan or Schedule not to prevent the Execution of the Act.

IV. Provided always, and be it further enacted, That no Advantage shall be taken of or against the said Company, or any Interruption be given to the making of the said Reservoirs, Aqueducts, Conduits, Cuts, Pipes, Mains, and other Works hereby authorized to be made, on account of any Error or Omission in the said Map or Plan, and Schedule to this Act annexed, or either of them, in case it shall appear to Two or more Justices of the Peace acting for the said City and County of the City of *Exeter*, and be certified in Writing under their Hands, that such Error or Omisssion proceeded from Mistake only.

Limiting the Time for purchasing Land.

V. And be it further enacted, That if the said Company shall not within the Space of Three Years, to be computed from the passing of this Act, agree for, or cause to be valued and paid for, as hereinafter mentioned, the several Lands, Tenements, and Hereditaments mentioned in the said Schedule, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities hereby granted to them for such Purposes only shall cease, determine, and be utterly void, save and except with the Consent in Writing of the Owners and Occupiers thereof respectively.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Company in certain Cases.

VI. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of the said recited Acts or this Act, or any Interest therein or Charge thereon, or from any other Cause, (except the wilful Refusal of such Person or Corporation to convey the said Lands, Tenements, or Hereditaments, or to accept the Purchase or Compensation Money for the same,) the Purchase Money for any Lands, Tenements, or Hereditaments, or the Interest therein or Charge thereon, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Reinvestment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders,

Orders, and of all other Proceedings for such Purposes, (except such as may be occasioned by Litigation between Claimants,) and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid to be paid by the said Company; and the said Company shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct, out of the Monies to be raised by virtue of the said recited Acts or this Act.

Expences of Jury and Witnesses how to be paid.

VII. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Company for the Purchase of any Lands to be used or taken by them for the Purposes of the said recited Acts or this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of the said recited Acts or this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking the Inquisition, and for the Attendance of Witnesses, and the Attendance and reasonable Fees of Counsel, and recording the Verdict or Judgment thereon and otherwise incident to the Inquisition, and the Expences of the Bond to be given, as in the said first-recited Act mentioned, by the Party requiring the Jury to be summoned, shall be borne by the said Company, and such Costs, Charges, and Expences shall be settled and determined by such Persons as by the said first-recited Act are required to summon and return a Jury; and in case such Costs, Charges, and Expences, when so settled and determined, shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Company, (unless the Treasurer of the said Company shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of the said Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on behalf of the said Company, one Moiety of the Costs, Charges, and Expences of the said Company, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Company shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Company; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid, as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of

such Money so awarded shall be deemed and taken, to all Intents and Purposes, to be a good Payment or Tender and Satisfaction of the whole thereof.

Costs and Expences of Titles to be paid by the Company.

VIII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall hereafter be purchased or taken by the said Company for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Company may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or, in case there shall be any Dispute about the same, shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands shall be purchased or taken: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands so purchased, by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company: Provided also, that in case the said Company shall not require the making out or furnishing of such Abstract or Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Lands purchased or taken, such Seller shall be bound, at the Expence of the said Company, to produce or cause the Production of the Title Deeds relating to the said Lands, when required by the said Company so to do, without furnishing any Abstract of his Title.

How such Costs shall be ascertained.

IX. And be it further enacted, That if the said Company and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the Court of Exchequer, and it shall be lawful for the said Court, on Petition to be presented by the said Company, to order and direct that such Costs, Charges, and Expences shall be referred to one of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences to be taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much thereof as shall be payable by the said Company to the Party from whom such Lands shall have been purchased or taken, to be paid

to the Party aforesaid: Provided always, that the said Company shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Company shall have deposited the Sums claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *exparte* "The *Exeter* Water Company," pursuant to the Method prescribed by an Act passed in the First Year of the Reign
1 G. 4. c. 35. of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *an account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes;* which Sums shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expences of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Company, unless One Sixth Part of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the Lands were purchased or taken, and the Amount thereof may then be paid to the said Company out of the said Sum so deposited by them as aforesaid.

Power to raise 20,000*l.* by Shares.

X. And be it further enacted, That it shall be lawful for the said Company, for the Purposes of this Act and the said recited Acts, to raise and contribute amongst themselves, or by the Admission of new Subscribers, in addition to the Sums of Twenty thousand Pounds and Ten thousand Pounds already raised by Shares under and by virtue of the said recited Acts, the further Capital Sum of Twenty thousand Pounds, such Sum to be apportioned and divided into Eight hundred Shares of Twenty-five Pounds each; such new or additional Shares to be issued and appropriated to the Proprietors of Shares in the said Undertaking respectively who shall be the Holder or Proprietors of Shares in the said Undertaking when the same shall be so issued, in such Manner and at such Time or Times as the Committee of Management shall in their Discretion think fit, regard being had, as far as is practicable, to the proportionate respective Interests of the then existing Proprietors in the Capital of the said Company; such new Shares, from Time to Time as they shall be issued and apportioned, to be offered to the then Proprietors of Shares in the Capital of the said Company, such Offer to be made by Letter under the Hand of the Clerk of the said Company given to or sent by Post to such Proprietor, or left at his usual or last Place of Abode; and in case any such Proprietor shall refuse or neglect, for One Calendar Month next after Offer of the same, to accept, by Letter delivered to the Clerk of the said Company, the Share or Shares so to be appropriated to him, then and in every such Case it shall be lawful for the said Company and they are hereby empowered to sell and dispose of such Share or Shares as shall not be accepted as aforesaid, in such Manner as they shall think fit, unto any Person or Persons, Body Politic, Corporate, or Collegiate, as may be willing to become

become the Purchaser or Purchasers thereof, for such Sum or Sums of Money as the said Committee of Management may be able to obtain for the same.

Holders of new Shares to be entitled to the same Privileges as the old Shareholders.

XI. And be it further enacted, That the Shares to be created in pursuance of the Power of this Act shall be deemed Personal Estate, and shall be transmissible and transferrable as such, and not of the Nature of Real Property; and all Persons, Bodies Politic, Corporate, or Collegiate, and Parties whomsoever, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally hold, take, or purchase One or more of the said Share or Shares shall, after Payment of such Sum or Sums of Money as shall be called for or demanded under and by virtue of this Act, be entitled to and receive the proportionate Part or Parts of the Profits or Advantages that shall or may arise or accrue from the same Undertaking, and have a Vote or Votes in respect of the same Shares at all Meetings of the said Company of Proprietors to be held in pursuance of the said Acts, 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 contained in and by the said Acts with regard to the present or old or original Subscribers to and Proprietors of the said Undertaking; and such Share or Shares shall be consolidated with and be one and the same Joint Stock Capital as the original Shares raised by the said recited Acts, and may be issued from Time to Time, and in such Numbers and Proportions, and raised by One or more Call or Calls, as the Committee of Management shall direct; and such Shares shall and may be transferred and assigned from Time to Time, and shall or may be forfeited for Nonpayment of the Call or Calls made thereon, in such and the same Manner as is provided in and by the said first-recited Act with regard to the Shares therein mentioned or referred to, and be under and subject to the same Provisions, Regulations, Directions, and Management in all respects, to all Intents and Purposes, as if the same had been Part of the said original Capital Stock of the said Company.

Repealing the Clause limiting the Number of Shares to be held by One Individual.

XII. And whereas it is in and by the said recited Act of the Sixth Year of His late Majesty King *William* the Fourth enacted, that it shall not be lawful for any Person or Persons, Body Politic, Corporate, or Collegiate, to hold, in his, her, or their 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: And whereas it is expedient that the same shall be repealed; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

XIII. And

Limiting the Number of Shares to be held by One Individual.

XIII. 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 Fifty 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 Fifty 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.

Ecclesiastical Persons may hold Shares.

XIV. And be it further enacted and hereby declared, so as to operate retrospectively as well as prospectively, That any Clerk, Clergyman, or Ecclesiastical Person whatever is and has been and shall be legally competent to and can or may purchase, hold, or enjoy, and dispose of, any Share or Shares in the Capital Stock of the said Company, in the like Manner and subject to the same Conditions as any other Body or Person is by this or by the said recited Acts of the Third and Sixth Years of His late Majesty King *William* the Fourth authorized, and without being liable to any Penalty or Forfeiture or other Consequence by reason thereof; and the said Company shall not in any way be injured or prejudiced by reason of any Clerk, Clergyman, or Ecclesiastical Person having or holding any Share or Shares in the said Undertaking, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Company may raise 10,000*l.* by Mortgage.

XV. And be it further enacted, That it shall be lawful for the said Company to borrow and take up at Interest any Sum or Sums of Money not exceeding Ten thousand Pounds on the Credit of the Rates or Rents to be received by virtue of the said first-recited Act, in addition to the Sum of Six thousand Pounds authorized to be raised by Mortgage by virtue of the said first-recited Act, and to assign the said Rates and Rents, or any of them, or a competent Part thereof, in the Form and Manner mentioned in the said first-recited Act, as Security or Securities for Repayment of any such Sum or Sums of Money so to be borrowed, together with lawful Interest for the same; and all and every the Directions and Provisions contained in the said first-recited Act touching the Money thereby authorized to be raised by Mortgage, and the raising, assigning, and transferring the same, and all other Matters and Things thereby provided in relation thereto, shall be equally in force and applicable in respect to all Monies that may be raised by Mortgage under and by virtue of this Act.

Company, upon paying off Mortgage Debt, may raise the Money again.

XVI. And be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prevent the said Company, when and as soon as the Whole or any Part of the Money already raised by Mortgage under and by virtue of the said recited Act of the Third Year of His late Majesty King *William* the Fourth, or which shall or may be raised by virtue of this Act, shall have been paid off, from again taking up and borrowing from

Time to Time, when and as they shall think it expedient so to do, on Security of the said Rates or Rents, in lieu of the Principal Money so paid off, any further Sum or Sums of Money under the Authority and in pursuance of the Provisions contained in the said last-mentioned Act or of this Act: Provided nevertheless, that the said Company shall not in any Event borrow upon Mortgage so that more than the Sum of Sixteen thousand Pounds in the whole shall be due and owing at one Time on Mortgage of or as a Charge upon the said Undertaking.

Repealing Clause for Payment of Rates quarterly in advance.

XVII. And whereas by the said recited Act of the Third Year of His late Majesty King *William* the Fourth it was enacted, that the Rent or Rates payable to the said Company under and by virtue of the said Act should be payable quarterly on the Four usual Quarter Days of Payment of Rent, and be payable and become due in advance immediately upon the Commencement of the Period upon which the Persons using the Water might contract or agree with the said Company or their Committee of Management, and in case of Default in the due Payment of such Rents or Rates so payable in advance it should be lawful for the said Company or their Committee of Management, where the Sum should be less than Twenty Pounds, to recover the same by Distress and Sale of the Goods and Chattels of the Person or Persons liable thereto, whenever such Goods and Chattels might be found, in the same Manner in other respects as Rents in arrear upon common Demise may be recovered and raised, or where the Sum due should be Twenty Pounds or upwards, the same might be recovered, with Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, wherein no Essoign, Protection, or Wager of Law, and where no more than One Imparlance, should be allowed: And whereas it is expedient that the same should be repealed; be it therefore enacted, That the said Clause shall be and the same is hereby repealed.

Rates to be paid half-yearly.

XVIII. And be it further enacted, That the Rates or Rents payable to the said Company under and by virtue of this Act or the said recited Acts shall be payable half-yearly, and be payable and become due in advance immediately upon the Commencement of the Period for which the Persons using the Water may contract or agree with the said Company or their Committee of Management, and in case of default of Payment of such Rates or Rents so payable in advance it shall be lawful for the said Company or their Committee of Management, when the Sum due shall be less than Twenty Pounds, to recover the same by Distress and Sale of the Goods and Chattels of the Person or Persons liable thereto, wherever such Goods and Chattels may be found, in the same Manner in other respects as Rents in arrear upon common Demise may by Law be recovered and raised, or where the Sum due shall be Twenty Pounds or upwards, the same may be recovered, with Costs of Suit, in any of Her Majesty's Courts of Record, by Action of Debt or on the Case.

Expences of Act how to be paid.

XIX. And be it further enacted, That all Costs, Charges, and Expences incurred preparatory to and attending the applying for, obtaining, and passing of this Act shall be paid and discharged by the said Company out of the Monies already received or to be

received by virtue of the said recited Acts of the Third and Sixth Years of the Reign of His late Majesty King *William* the Fourth or this Act.

Penalty on Persons using the Water of the Company, not being entitled thereto.

XX. And be it further enacted, That if any Person or Persons whomsoever, not paying for or not having agreed to pay for a Supply of Water from the said Company, shall receive, take, or use any of the Water supplied by means of the Reservoirs, Pipes, and Aqueducts of the said Company (except in the Case of Water to be used for the Purpose of extinguishing Fire), then and in every such Case the Person or Persons so offending shall forfeit and pay to the said Company for every such Offence any Sum not exceeding Five Pounds, according to the Discretion of the Justice of the Peace before whom the same shall be recovered, over and above the full Amount of Damage sustained by the said Company by the Acts or Means in respect of which such Penalties shall be incurred.

Repealing Power to make Bye Laws.

XXI. And whereas it is by the said first-recited Act enacted, that the said Company should have full Power and Authority, from Time to Time, at any General or Special General Meeting of the said Company, to make such Rules, Orders, and Bye Laws as to them should seem right and proper, for the good Government of the said Undertaking, and for regulating the Proceedings of their Committee of Management, and for the Regulation of all Officers, Workmen, and Servants to be employed in or about the Affairs of the said Company, and for the Superintendence and Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Bye Laws, Orders, and Regulations, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon Persons offending against the same, as to the major Part of the said Company present at such Meetings should seem meet, not exceeding the Sum of Five Pounds for every Offence; and that the said Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the said Company, and printed and published, should be hung up and affixed in some conspicuous Part of the Office of the Clerk and Treasurer to the said Company, and should from Time to Time be renewed as often as the same or any Part thereof should be obliterated, defaced, or destroyed; and that such Rules, Bye Laws, and Orders should be binding upon and observed by all Parties, and should be sufficient in any Court of Law or Equity to justify all Persons who should act under the same, provided that they be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any Directions in the said Act contained; and that all such Rules, Bye Laws, and Orders should be subject to Appeal in manner herein-after mentioned: And whereas it is expedient that the said recited Provisions should be repealed; be it therefore enacted, That the same, and all Rules, Orders, and Bye Laws made by virtue or in pursuance thereof, shall be and the same are hereby absolutely repealed and declared null and void.

Repealing Clause levying a Penalty on hindering

XXII. And be it further enacted, That so much of the said first-recited Act as enacts, that if any Person shall wilfully or maliciously hinder or interrupt, or cause or procure to be hindered or interupted,

the said Company, or their Managers, Agents, Servants, or Workmen, or any of them, in doing or performing any of the Works or in the Execution of any of the Powers and Authorities in and by the said Act given and contained, every Person so offending should forfeit and pay any Sum not exceeding Ten Pounds for every such Offence, shall be and the same is hereby repealed. the Workmen of the Company.

XXIII. And whereas by the said recited Act of the Third Year of His late Majesty King *William* the Fourth it is enacted, that no Action or Suit shall be brought against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Matters herein contained, after Three Calendar Months from the Fact committed; and every such Action or Suit shall be brought and tried in the County or City where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his, her, or their Election, plead specially or the General Issue, and give the said Act and the special Matter in Evidence, at any Trial, and that the same was done in pursuance and under the Authority of the said Act; and if the same shall appear to have been so done, or if such Action or Suit shall have been brought before the Expiration of Twenty Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County or City than as aforesaid, then and in every such Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon any Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and every such Case the Defendant or Defendants shall recover his, her, or their Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in any other Cases by Law: And whereas it is expedient that such Enactment should be repealed; be it therefore enacted, That the same shall be and is hereby repealed: Provided always, that nothing in this Act contained shall prejudice or affect any Action, Suit, Information, or other Proceeding now existing or depending between the said Company and any other Company or Person or Persons whomsoever, or shall revive any Right which, under the Provision lastly hereby repealed, may have been barred prior to the passing of this Act. Repealing Limitation of Actions Clause.

XXIV. Provided always, and be it further enacted, That notwithstanding any thing in this Act contained it shall not be lawful for the said Company to enter upon or to use, for the Purposes of this Act or otherwise, any Lands, Tenements, Estates, or Property belonging to Her Majesty, without the Consent of the principal Officers of Her Majesty's Ordnance for the Time being, in Writing under their Hands, for that Purpose first obtained. Lands of Her Majesty not to be entered upon without the Consent of the Board of Ordnance.

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

The

The SCHEDULE to which the foregoing Act refers.

Owners or reputed Owners.	Occupiers.	Description of Lands.	Parishes.
The Exeter Water Company -	The same - -	Reservoir and Field -	Saint David.
The Exeter Improvement Commissioners.	The Public - -	Lane called Howell Lane.	Saint David.
Her Majesty - -	- - -	Court, Part of the Barracks.	Saint David.
Episcopal Charity Trustees -	John Cockram -	Meadow - -	Saint David.
The Exeter Improvement Commissioners.	The same - -	Hill's Court Road -	Saint David.
Episcopal Charity Trustees -	John Berry - -	Meadow - -	Saint David.
The Exeter Improvement Commissioners.	- - -	Hill's Court Road -	Saint David.
Samuel Fox - - -	Sarah Sparkes -	Occupation Road, Meadow.	Saint Sidwell.
John Tyrrell - - -			
Robert Dymond - -			
Sarah Sparkes - - -			
Feoffees of St. Sidwell -	Sarah Sparkes -	Meadow - -	Saint Sidwell.
Samuel Kingdon, and the General List of Charity Trustees.	George Norman -	Meadow - -	Saint Sidwell.
The Exeter Improvement Commissioners.	- - -	Union Road - -	Saint Sidwell.
Robert Partridge - -	Robert Partridge -	Meadow - -	Saint Sidwell.

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