ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 189.

An Act for ſupplying with Water the Inhabitants of *Deptford*, *Greenwich*, and ſeveral other Pariſhes and Places in the Counties of *Kent* and *Surrey*.

[20th *June* 1809.]

WHEREAS the Inhabitants of the ſeveral Pariſhes, Townſhips, or Places of *Saint Nicholas Deptford*, *Saint Alphage Greenwich*, *Saint Margaret Lee*, and *Saint Mary Lewiſham*, in the County of *Kent*, and likewiſe the Inhabitants of the Pariſh, Townſhip, or Place of *Saint Paul Deptford*, in the Counties of *Kent* and *Surrey*, *New Croſs* within the Manor of *Hatcham* and in that Part of the Pariſh of *Saint Paul Deptford* which is in the County of *Surrey*, and likewiſe the Inhabitants of the Pariſh or Townſhip of *Saint Mary Rotherhithe* otherwiſe *Redriffe*, in the County of *Surrey*, are deſirous to have a more general Supply of good and wholeſome Water for Domeſtic Purpoſes: And whereas the ſaid Pariſhes and Places are very populous, and the Number of Houſes and Buildings within the ſame are very numerous, and in caſes of Accidents by Fire, the Inhabitants thereof might be expoſed to the moſt calamitous Loſſes for Want of a ſufficient Supply of Water, which would alſo greatly contribute to the Health, Comfort, and Convenience of the ſaid Inhabitants: And whereas his late Majeſty King *William* the Third, by his Royal Letters Patent, bearing Date the Eleventh Day of *December*, in the Thirteenth Year of his Reign, gave and granted unto *William Yarnold*

Yarnold and *Robert Watſon*, their Executors, Adminiſtrators, and Aſſigns, full and free and excluſive Liberty, Licence, Privilege, Power, and Authority, during the Term of Five hundred Years thence next enſuing, to raiſe and take Water out of the River *Ravenſbourne*, and to dig and break up ſuch of the Open Streets, Lanes, Waſte Grounds, and Places within the ſaid Manors of *Eaſt Greenwich* and *Sayes Court* or either of them, as ſhould be needful for laying therein Pipes, Trunks, and Branches for conveying ſuch Water through the ſaid Places from the ſaid River *Ravenſbourne*, to the Houſes of all or any of the Inhabitants of the ſaid Manors of *Eaſt Greenwich* and *Sayes Court* or either of them, and the Pariſhes and Places thereto belonging; and his ſaid late Majeſty King *William* did alſo by his ſaid Letters Patent ſtrictly charge, require, and command all and every Perſon or Perſons whomſoever, that neither they or any of them ſhould preſume either directly or indirectly to dig or break up any of the Waſte or other Grounds, Streets, Lanes, or Places within the ſaid Manors, and lay therein Pipes, Trunks, or Branches for conveying Water from the ſaid River *Ravenſbourne* or elſewhere, to the Houſes of all or any of the Inhabitants of the ſaid Manors of *Eaſt Greenwich* and *Sayes Court* or any of them, or any of the Pariſhes thereto belonging, without the Licence or Conſent of the ſaid *William Yarnold* and *Robert Watſon*, their Executors, Adminiſtrators, and Aſſigns, it being the true Intent and Meaning of the ſaid Letters Patent, that the ſaid *William Yarnold* and *Robert Watſon*, their Executors, Adminiſtrators, and Aſſigns, ſhould have the ſole Power and Privilege, during the ſaid Term of Five hundred Years, to bring and convey freſh Water to the Houſes of the Inhabitants of the ſaid Manors, in Manner in the ſaid Letters Patent mentioned: And whereas by virtue of the ſaid Letters Patent, certain Waterworks and other Works called *The Ravenſbourne Waterworks* have been erected, built, made, and eſtabliſhed within the ſaid Pariſh of *Saint Paul Deptford* for the Supply of the ſaid Manors of *Eaſt Greenwich* and *Sayes Court*, and the Pariſhes and Places thereto belonging, with Water from the ſaid River *Ravenſbourne*: And whereas the ſeveral Perſons herein-after named are willing and deſirous, at their own Expence, to erect and make ſuch Waterworks, Aqueducts, and other Works, as may be requiſite and neceſſary for the Purpoſes aforeſaid, but cannot accompliſh the ſame without the 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 *Thomas Aldridge*, *John Bailey*, *Thomas Boys*, *Charles Byrne*, *John Bowdon*, *John Butler*, *James Blackett*, *John Brooks*, *Thomas Blackett*, *John Butler*, *John Burn*, *Iſaac Cumber*, *John Cooke*, *John Cotton*, *John Coleman*, *William Chalklin*, *Currall*, *Thomas Cowley*, *Robert Clitch*, *George Druger*, *James Dawes*, *Matthias Deane*, *Solomon Davies*, Deane, *Chriſtopher Dunkin*, *Ralph Dodd*, *Borradaile Robert Dodd*, *Francis Davis*, *George Dodd*, *William Elliott*, *Richard Fiſhwick*, *Humphrey Govier*, *Richard Green*, *James Goſling*, *Ambroſe Goſling*, *William Green*, *Henry William Hawkins*, *William Hardy*, *Harry Ambroſe Hardy*, *John Hatton*, *Samuel Roſe Hill*, *Luder Hoffham*, *Chriſtian Homyer*, *Humphrey Jones*, *Hugh Jones*, *Frederick William Johanning*, *Robert Kingston*, *John Luke*, *Stephen Neate*, *John Oakes*, *Iſaac Piggott*, *Archibald Paxton*, *John Parry*, *Jacob Prime*, *Arthur Partridge*, *George Powell*, *David Pollock*, *Samuel Porter*, *William Rayley*, Sir *William Rawlins*,

Proprietors Names.

Rawlins, *John Robins*, *Valentine Rutter*, *Robert Rope*, *Thomas Ruſſell*, *Charles Simpſon*, *Peter Silverſides*, *James Shaw*, *Edward Springall*, *Thomas Summers*, *C. F. Sounſon*, *George Smith*, *Thomas Smith*, *John Strutt*, *Enos Smith*, *John Silkback*, *John Summers*, *Thomas Taylor*, *Jonathan Taylor*, *Samuel Taylor*, *John Turpin*, *Peter Vernez*, *Thomas Ware*, *William Wilkinſon*, *John Worſley*, *John Wright*, *James Wright*, *Henry Wayte*, *James Wilde*, *Simon Watts*, *Abraham Walker*, *Francis Williams*, and *John Woodyer*, together with ſuch other Perſon or Perſons, Bodies Politic and Corporate, as they or the major Part of them preſent at any General or Special General Aſſembly to be holden for the Purpoſes of this Act, ſhall nominate and appoint, their ſeveral and reſpective Succeſſors, Executors, and Adminiſtrators and Aſſigns, being a Proprietor or Proprietors of any Share or Shares in the Undertaking to be executed by this Act, ſhall be and they are hereby accordingly united into a Company for the making, completing, and maintaining the ſaid Waterworks, Reſervoirs, Aqueducts, and other Works hereby authorized to be made, according to the Rules, Orders, and Directions herein-after expreſſed, and ſhall for that Purpoſe be one Body Politic and Corporate, by the Name of *The Company of Proprietors of the Kent Waterworks*, and by that Name ſhall have a perpetual Succeſſion and a Common Seal, and by that Name ſhall and may ſue and be ſued, and ſhall alſo have full Power to purchaſe Lands, Tenements, or Hereditaments to them, their Succeſſors and Aſſigns, for the Uſe of the ſaid Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain. Incorporated.

II. And be it further enacted, That it ſhall be lawful for the ſaid Company of Proprietors to raiſe and contribute among themſelves, in ſuch Proportions as they ſhall think proper, any Sum or Sums of Money not exceeding in the Whole the Sum of One hundred thouſand Pounds (except as herein-after mentioned) which ſaid Sum of Money ſhall be laid out and applied in the firſt Place in diſcharging the Expences of obtaining and paſſing this Act, and of the Surveys, Plans, and Eſtimates, and other incidental Expences relating thereto, and then for and towards the making, completing, and maintaining the ſaid Reſervoirs and Aqueducts, and other requiſite Works and Conveniences thereto, and for otherwiſe carrying the ſeveral Purpoſes of this Act into Execution; and the ſaid Sum of One hundred thouſand Pounds ſhall be divided into Shares of One hundred Pounds each; and that no Body Politic, Corporate or Collegiate, or Perſon contributing thereto, or becoming a Proprietor in the ſaid Undertaking, do become a Proprietor of leſs than One Share, and ſuch Shares ſhall be and are hereby veſted in the ſeveral Perſons and Bodies Politic, Corporate, or Collegiate, ſo ſubſcribing and contributing to the ſame, and their ſeveral and reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, and to their and every of their proper Uſe and Benefit, proportionably to the Sums they ſhall ſeverally raiſe and contribute; and all Bodies Politic, Corporate and Collegiate, and all Perſons whoſoever, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe for one or more Share or Shares, or ſuch Sum or Sums of Money as ſhall be called for and demanded by virtue of this Act for carrying on and completing the ſaid Undertaking, ſhall be entitled to and receive the entire and net Diſtribution of an equal proportional Part, according to the Money ſo by them reſpectively paid, of the Profits and Advantages that ſhall and may ariſe and accrue by the Rates and other Sums of Money to be: The Company may raiſe among themſelves a Sum of Money.

be raiſed, recovered, or received by the ſaid Company of Proprietors by the Authority of this Act; and every Body Politic, Corporate, and Collegiate, and Perſon, having ſuch Property in the ſaid Undertaking as aforeſaid, ſhall bear and pay a proportionable Sum towards carrying on the ſame in Manner herein directed.

Shares to be Perſonal Eſtate.

III. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and all other Perſon and Perſons, of and in the ſaid Undertaking, or the joint Stock and Fund of the ſaid Company of Proprietors, ſhall be deemed Perſonal Eſtate, and tranſmiſſible as ſuch, and not of the Nature of Real Property.

Subſcribers to have a Vote for every Share, &c.

IV. And be it further enacted, That every Body Politic, Corporate or Collegiate, and every Perſon who ſhall by virtue of this Act have ſubſcribed or undertaken for One Share in the ſaid Undertaking, his, her, or their reſpective Succeſſors, Executors, and Adminiſtrators, ſhall have a Vote for every ſuch Share, but not exceeding Five Votes in the whole, although poſſeſſed of more than Five Shares (except as herein-after excepted) in the General and Special General Aſſemblies to be holden as herein appointed for carrying on the Undertaking; which Vote or Votes may be given by them, him, or her, or by their, his, or her Proxies or Proxy, conſtituted under the Seal of ſuch Body Politic, Corporate or Collegiate, or the Hand of the Proprietor conſtituting the ſaid Proxy, every ſuch Proxy being a Proprietor in the ſaid Undertaking; and every ſuch Vote by Proxy ſhall be as good and ſufficient, to all Intents and Purpoſes, as if ſuch Principal had voted in Perſon; and every Queſtion, Matter and Thing which ſhall be propoſed, diſcuſſed, or conſidered in any General or Special General Aſſembly of the ſaid Company of Proprietors, ſhall be determined by the Majority of Votes and Proxies then preſent, computing One Vote to every Share, provided that the Members preſent be poſſeſſed of not leſs than One hundred and fifty Shares: Provided nevertheleſs, that no Perſon ſhall give or deliver in Proxies for more than Twenty Shares; and the Appointment of ſuch Proxies may be made according to the Form following; (that is to ſay),

Form of Proxy.

'I *A. B.* of One of the Pro-
'prietors of *The Kent Waterworks*, do nominate, conſtitute, and
'appoint *C. D.* of to be my Proxy in my
'Name, and in my Abſence to vote or give my Aſſent to or Diſſent from
'any Buſineſs, Matter, or Thing, relating to the ſaid Undertaking, in
'ſuch Manner as he the ſaid *C. D.* ſhall think proper, according to his
'Opinion and Judgement, for the Benefit of the ſaid Undertaking, or
'any Thing appertaining thereto. In Witneſs whereof I have here-
'unto ſet my Hand [*or*, Hand and Seal] the Day of

Power to raiſe among themſelves a further Sum if neceſſary.

V. And be it further enacted; That in caſe the Money herein-before authorized to be raiſed ſhall be found inſufficient for the making, completing, and maintaining of the ſaid Reſervoirs and Aqueducts, and other the Works hereby authorized to be made, and all neceſſary Charges and Expences relating thereto, then and in ſuch Caſe it ſhall and may be lawful for the ſaid Company to raiſe and contribute amongſt themſelves in Manner aforeſaid, and in ſuch Shares and Proportions as to them ſhall ſeem meet, or to raiſe, by the Admiſſion of new Subſcribers, any further or other Sum of Money for completing and perfecting the ſaid Undertaking, not exceeding the Sum of Fifty thouſand Pounds, and every Body

Body Politic, Corporate or Collegiate, or other Perſon, being a Subſcriber towards raiſing ſuch further or other Sum of Money, ſhall be a Proprietor in the ſaid Undertaking, and ſhall have a like Vote by themſelves, himſelf, or herſelf, or their, his, or her Proxies or Proxy, in reſpect of every One Hundred Pounds of the ſaid additional Sum to be raiſed, and ſhall alſo be liable to ſuch Forfeitures, and ſtand intereſted in all the Profits of the ſaid Undertaking, in Proportion to the Sum they, he, or ſhe ſhall or may ſubſcribe thereunto, as generally and extenſively, to all Intents and Purpoſes, as if ſuch further or other Sum hereby allowed to be ſubſcribed for and raiſed, had originally been Part of the Sum of One hundred thouſand Pounds; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Or to raiſe the ſame by way of Mortgage.

VI. Provided always, and be it enacted, That in caſe the ſaid Company of Proprietors ſhall be deſirous of raiſing the ſaid Sum of Fifty thouſand Pounds or any Part thereof, by Mortgage of the ſaid Undertaking, it ſhall be lawful for the ſaid Company of Proprietors to borrow and take up at Intereſt all or any Part of the ſaid Sum of Fifty thouſand Pounds on the Credit of the ſaid Undertaking, and to aſſign the Property of the ſaid Undertaking, and the Sums of Money ariſing or to ariſe to the ſaid Company of Proprietors by virtue of this Act, or any Part thereof (the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Sums of Money) as a Security for any Sum or Sums of Money ſo to be borrowed, with Intereſt, to ſuch Perſon or Perſons, or to his, her, or their Truſtee or Truſtees who ſhall advance the ſame; all which ſaid Aſſignments ſhall be made under the Common Seal of the ſaid Company of Proprietors, in the Form or to the Effect following; (that is to ſay),

Form of Mortgage.

'BY virtue of an Act, made in the Forty-ninth Year of the Reign of King *George* the Third, intituled, [*here inſert the Title of this Act*] We the Company of Proprietors of the ſaid Undertaking, incorporated by and under the ſaid Act, in Conſideration of the Sum of to us in Hand paid by of do hereby bargain, ſell, and aſſign unto the ſaid his Executors, Adminiſtrators, and Aſſigns, the ſaid Undertaking, and all the Works thereto belonging, and all and ſingular the Sums of Money ariſing and payable to us for Water by virtue of the ſaid Act, and all our Eſtate, Right, Title, and Intereſt, of, in, and to the ſame, To hold unto the ſaid his Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of with Intereſt for the ſame, after the Rate of *per Centum per Annum*, ſhall be fully paid and ſatisfied. Given under our Common Seal this Day of

And all Perſons to whom ſuch Aſſignments ſhall be made, ſhall be equally entitled, one with the other, to their Proportion of the ſaid Sums and Premiſes, according to the reſpective Sums in ſuch Aſſignments mentioned to be advanced, without any Preference by reaſon of the Priority of any ſuch Aſſignments, or any other Account; and a Memorial of every ſuch Aſſignment, containing the Date, Name or Names, Addition or Additions, of the Perſon or Perſons to whom made, the Sum of Money borrowed and Rate of Intereſt, ſhall, within Thirty Days from the Date of every ſuch Aſſignment, be entered in one or more Book

or Books, to be kept by the Clerk to the ſaid Company, and ſhall and may be peruſed at all reaſonable Times by any of the Proprietors or Creditors of the ſaid Undertaking, and any other Perſons intereſted therein, without Fee or Reward; and the Perſon or Perſons to whom any ſuch Aſſignment ſhall be made as aforeſaid, or who ſhall be entitled to the Money due thereon, ſhall and may from Time to Time transfer his, her, or their Right or Intereſt therein, to any Perſon or Perſons by Writing under his, her, or their Hand and Seal or Hands and Seals; which Transfer ſhall and may be in the Form or to the Effect following; (that is to ſay),

Which Mortgage may be transferred.

Form of Transfer.

'I of in Conſideration of
'the Sum of paid by of
'do hereby transfer a certain Mortgage, made by the Company of Pro-
'prietors of the *Kent* Waterworks, to
'bearing Date the Day of for ſecuring the Sum
'of and all Intereſt now due and to become due thereon,
'and all my Right and Property therein, to the ſaid
'his Executors, Adminiſtrators, and Aſſigns. Dated this
'Day of

And every ſuch Transfer ſhall, within Thirty Days after the Date thereof, be produced to the Clerk of the ſaid Company of Proprietors, who ſhall cauſe a Memorial to be made thereof, in like Manner as of the original Mortgages or Aſſignments, for which Memorial the ſaid Clerk ſhall be paid ſuch Sum as the ſaid Company of Proprietors ſhall appoint, not exceeding Two Shillings and Sixpence, and after every ſuch Entry made, ſuch Transfer ſhall from thenceforth entitle ſuch Aſſignee or Aſſignees, his, her, or their Executors, Adminiſtrators, or Aſſigns, to the full Benefit of the original Mortgage; and it ſhall not from thenceforth be in the Power of any Perſon or Perſons who ſhall have made any ſuch Aſſignment, to make void, releaſe, or diſcharge the original Mortgage or any Money thereby ſecured, or any Part thereof.

Intereſt to be paid Half-yearly.

Mortgagees not to be conſidered as Proprietors.

VII. And be it further enacted, That the Intereſt of the Money which ſhall be borrowed or raiſed by Mortgage as aforeſaid ſhall be provided for and paid Half-yearly to the ſeveral Perſons entitled thereto, before any Yearly or other Intereſt or Dividends due to the ſaid Company of Proprietors or any of them, ſhall be paid, made, or divided: Provided always, that no Perſon to whom any ſuch Mortgage or Aſſignment ſhall be made or transferred as aforeſaid, ſhall be deemed a Proprietor of any Share, or be capable of acting or voting by virtue of ſuch Mortgage or Aſſignment, at any Aſſembly or Meeting of the ſaid Company of Proprietors, for or on account of his or her having lent or advanced any Money on the Credit of any ſuch Aſſignment.

Notice to be given of paying off Money.

VIII. Provided always, and be it enacted, That no Sum or Sums of Money ſo lent and advanced on Mortgage, ſhall be paid off and diſcharged (ſave and except with the Conſent of the Perſon or Perſons ſo lending and advancing ſuch Sum or Sums of Money) unleſs Six Calendar Months previous Notice, under the Common Seal of the ſaid Company of Proprietors, ſhall have been given to the Perſon or Perſons lending and advancing ſuch Sum or Sums of Money, or left at his, her, or their laſt or uſual Place

or Places of Abode, of such their Intention to pay off and discharge the same.

First and other General Assemblies.

IX. And be it further enacted, That the First General Assembly of the said Company of Proprietors for putting this Act into Execution, shall be held at the *London Tavern*, *Bishopsgate-street*, in the City of *London*, upon the *Tuesday* Six Weeks after the passing of this Act, or as soon after as conveniently may be, at the Hour of Eleven in the Forenoon; and all future General Assemblies of the said Company (except such Special General Assemblies as herein-after mentioned) shall be held on the First *Tuesday* in the Months of *November* and *May* in every Year, at the Hour of Eleven in the Forenoon, at such Place or Places as the said Company of Proprietors at their preceding General Assemblies shall from Time to Time direct and appoint, of which future General Assemblies Ten Days previous Notice at least shall be given by public Advertisements, to be inserted in some Newspapers usually circulating in the Counties of *Kent* and *Surrey*, or in such other Manner as the said Company of Proprietors at their respective General Assemblies shall direct; and at such General Assemblies it shall be the Duty of the Committee of the said Company to report to the Proprietors at large the State of the said Undertaking, and their Proceedings in carrying this Act into Execution; which Report shall be fairly entered in the Books of the Corporation by the Clerk, and a Copy of the same left at their Head Office for the Perusal of the Proprietors, who shall have Access thereto during such Hours as the said Office is usually open.

Officers of the Company and Committee.

X. And be it further enacted, That the said Company of Proprietors shall at their First General Assembly, or at any Adjournment of the same, nominate and appoint by Ballot Fifteen Persons of and out of the said Company of Proprietors to be a Committee for conducting the Business of the said Undertaking, until the next General Assembly of the said Company to be holden on the First *Tuesday* in the Month of *May* then next ensuing; but no Person shall be capable of being chosen or of serving upon such Committee unless he shall hold and be possessed of Five Shares at the least in the said Undertaking: Provided always, that no Person holding any Place, Office, Employment, or Contract under the said Company, shall be capable of being chosen or of serving upon such Committee, during the Time of his Continuance in such Place, Office, Employment, or holding such Contract.

Chairman to be appointed, etc.

XI. And be it further enacted, That the said Company of Proprietors, at their General and Special General Assemblies, shall and may appoint a Chairman, and such Chairman shall not only vote as a Proprietor or Proxy, but in case of an Equality of Votes shall have the Decisive or Casting Vote; but no Person serving upon the Committee of the said Company shall be capable of sitting or presiding as Chairman of any General or Special General Assembly of the said Company of Proprietors, during the Time he shall be so serving upon such Committee.

Subsequent Appointment of Committee (by the Proprietors) in the Stead of

XII. Provided always, and be it enacted, That the said Committee so elected, or the Person or Persons elected in their Room or Stead by virtue of this Act, shall continue in Office until the First *Tuesday* in the Month of *May* next after such Election, and on such Day Five of the said

those going out of Office by Ballot and Rotation.

said Committee shall go out of Office, and cease to be upon the Committee of the said Company; and in order to determine who of the said Committee shall go out of Office and cease to be upon the Committee of the said Company, the Clerk of the said Company, at the General Assembly of the said Company, to be holden on that Day (or some Adjournment thereof) shall and he is hereby required to write upon Fifteen distinct Pieces of Paper of equal Size, the Name of one of each of the said Committee, and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel, and Five of such Papers shall then be drawn out of such Box or Wheel by such Clerk, one by one, and the Five of the Committee whose Names shall be upon such Papers respectively so drawn, shall go out of Office, and cease to be upon the Committee of the said Company; and the said Company shall then elect by Ballot as aforesaid, Five Members of the said Company, who shall severally be possessed of and entitled to Five Shares at the least in the said Undertaking, and such Five Persons so elected shall continue in Office for the Space of Three Years (except in case of Death or Refusal to act, or ceasing to be qualified in Manner by this Act directed, or being removed or displaced by the said Company of Proprietors at any General or Special General Assembly convened for that Purpose) and no longer; and on the First *Tuesday* in the next succeeding Month of *May* Five more of the Committee first elected by virtue of this Act, as Part of the Committee, or the Person or Persons elected in his or their Room or Stead, shall go out of Office, and cease to be upon the Committee of the said Company; and in order to determine who of such Ten of the Committee shall go out of Office and cease to be upon the Committee of the said Company, the Clerk of the said Company, at the General Assembly of the said Company to be holden on that Day, or some Adjournment thereof, shall and he is hereby required to write upon Ten distinct Pieces of Paper of an equal Size, the Name of one of such of the Committee on each of the said Papers, and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel by such Clerk, and Five of such Papers shall be then drawn out of such Box or Wheel by such Clerk, one by one, and those of the Committee whose Names shall be upon such Papers respectively so drawn, shall go out of Office and cease to be upon the Committee of the said Company; and the said Company shall then elect by Ballot as aforesaid Five Members of the said Company, qualified as aforesaid, to be upon the Committee of the said Company, in the Room or Stead of such Five of the Committee; and such Five Persons so elected shall continue in Office for the Space of Three Years (except in case of Death or Refusal to act, or ceasing to be qualified in Manner by this Act directed, or being removed or displaced as aforesaid) and no longer; and on the Frst *Tuesday* in the next succeeding Month of *May* the Five remaining Members of the Committee first elected by virtue of this Act, or the Person or Persons elected in his or their Room or Stead, shall go out of Office, and cease to be upon the Committee of the said Company; and the said Company shall, at their General Assembly to be holden on that Day, or some Adjournment thereof, elect by Ballot as aforesaid Five Members of the said Company qualified as aforesaid, to be upon the Committee of the said Company, in the Room or Stead of such Five of the Committee going out of Office as last aforesaid; and such Five Persons so elected shall continue in Office for the Space of Three Years (except in case of Death or Refusal to act, or ceasing to be qualified in Manner by this Act directed, or being removed

removed or diſplaced as aforeſaid) and no longer; and on the Firſt *Tueſday* in every ſucceeding Month of *May* in each and every Year Five Perſons out of the Members of the ſaid Company, qualified as aforeſaid, ſhall be elected by Ballot as aforeſaid, by the ſaid Company, to be Members of the Committee of the ſaid Company; and ſuch Five Perſons ſo elected ſhall continue in Office for the Space of Three Years (except in caſe of Death or Refuſal to act, or ceaſing to be qualified in Manner by this Act directed, or being removed or diſplaced as aforeſaid) and no longer: Provided always, that it ſhall and may be lawful to and for the ſaid Company of Proprietors, again to nominate and appoint any ſuch Perſon or Perſons ſo qualified as aforeſaid, and going out of Office, again to be a Member or Members of the ſaid Committee.

In caſe Committee are not appointed on the Day mentioned, another Meeting to be had for that Purpoſe.

XIII. Provided alſo, and be it enacted, That in caſe on any ſuch Firſt *Tueſday* in the Month of *May* in any Year, no ſuch Nomination and Appointment of ſuch Five Members of the Committee ſhall be made, then and in every ſuch Caſe another Meeting of the ſaid Company ſhall be holden on the *Tueſday* following for the Purpoſe of making ſuch Election; and in caſe no ſuch Nomination and Appointment of ſuch Five Members of the Committee ſhall be then made, then and in every ſuch Caſe another Meeting of the ſaid Company ſhall be holden on the *Tueſday* following, for the Purpoſe of making ſuch Election, and ſo *toties quoties* until ſuch Five Members of the Committee ſhall be choſen; but ſuch Five Members of the Committee ſhall not continue in Office or be upon the Committee of the ſaid Company for any longer Space of Time than if they had been elected on the ſaid Firſt *Tueſday* in the Month of *May* as aforeſaid.

Subſequent Appointment of Committee by the Proprietors, in room of thoſe who ſhall die, &c.

XIV. And be it further enacted, That in caſe any Perſon or Perſons nominated and appointed by the ſaid Company to be upon the Committee of the ſaid Company, ſhall die or refuſe to act in the Execution of this Act, or ſhall not be or ceaſe to be entitled to Five Shares (at the leaſt) in the ſaid Undertaking, or ſhall hold any Place, Office, Employment or Contract under the ſaid Company, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Company to nominate and appoint, at ſome Aſſembly of the ſaid Company, ſome Perſon or Perſons qualified as aforeſaid to be upon the Committee of the ſaid Company in the Room or Stead of ſuch Member or Members of the Committee ſo dying or refuſing to act or ceaſing to be ſo qualified, or holding any Place, Office, Employment, or Contract under the ſaid Company; and every Perſon ſo nominated and appointed ſhall have the like Powers and Authorities, and ſhall be ſubject to the like Rules, Regulations, and Reſtrictions, as the Perſon in whoſe Room or Stead he ſhall be ſo nominated and appointed, and ſhall continue in Office for ſuch Time and no longer, as the Perſon in whoſe Room or Stead he ſhall be ſo nominated and appointed would have continued in Office.

Power to elect Auditors.

XV. And be it further enacted, That the ſaid Company of Proprietors ſhall at their ſaid Firſt General Aſſembly or at any Adjournment thereof, nominate and appoint by Ballot Three Perſons of and out of the ſaid Company of Proprietors, and not being upon the Committee of the ſaid Company, to be Auditors of the Accounts of the ſaid Company; and ſuch Three Perſons ſhall continue in Office until the next General Aſſembly of

of the ſaid Company to be holden on the ſaid Firſt *Tueſday* in the Month of *May* then next enſuing; but no Perſon ſhall be capable of being choſen or of ſerving as ſuch Auditor, unleſs he ſhall hold and be poſſeſſed of Three Shares at the leaſt in the ſaid Undertaking: Provided always, that no Perſon holding any Place, Office, Employment, or Contract under the ſaid Company, ſhall be capable of being choſen or of ſerving as ſuch Auditor during the Time of his Continuance in ſuch Place, Office, Employment, or holding ſuch Contract.

Subſequent Appointment of Auditors (by the Proprietors) in the room of thoſe going out of Office by Ballot and Rotation.

XVI. Provided always, and be it enacted, That the ſaid Auditors ſo elected, or the Perſon or Perſons elected in their Room or Stead by virtue of this Act, ſhall continue in Office until the ſaid Firſt *Tueſday* in the Month of *May* aforeſaid; and on ſuch Day one of the ſaid Auditors ſhall go out of Office, and ceaſe to be an Auditor of the Accounts of the ſaid Company; and in order to determine who of the ſaid Auditors ſhall go out of Office, and ceaſe to be an Auditor of the Accounts of the ſaid Company, the ſame Proceedings ſhall be had as are herein-before directed in the Caſe of electing the Committee; and ſo on each ſucceeding Firſt *Tueſday* in the Month of *May*, until each of the ſaid Three Auditors ſo firſt elected ſhall have gone out of Office; and on the Firſt *Tueſday* in every ſucceeding Month of *May* in each and every Year, one of the Members of the ſaid Company, qualified as aforeſaid, ſhall be elected by Ballot as aforeſaid, by the ſaid Company, to be an Auditor of the Accounts of the ſaid Company; and ſuch Perſon ſo elected ſhall continue in Office for the Space of Three Years (except in caſe of Death or Refuſal to act, or ceaſing to be qualified in Manner by this Act directed, or being removed or diſplaced as herein mentioned) and no longer: Provided always, that it ſhall and may be lawful to and for the ſaid Company of Proprietors again to nominate and appoint any ſuch Perſon ſo qualified as aforeſaid, and going out of Office, again to be an Auditor of the Accounts of the ſaid Company.

Incaſe an Auditor is not elected on the Day mentioned.

XVII. Provided alſo, and be it further enacted, That in caſe, on any ſuch Firſt *Tueſday* in the Month of *May* in any Year, no ſuch Nomination and Appointment of ſuch Auditor ſhall be made, the ſame Proviſions which are herein-before enacted in reſpect of electing the Committee, ſhall take Effect in reſpect of the Auditor to be elected.

Subſequent Appointment of Auditors (by the Proprietors) in the room of thoſe who ſhall die, refuſe to act, or become diſqualified.

XVIII. And be it further enacted, That in caſe any Perſon or Perſons nominated and appointed by the ſaid Company to be an Auditor of the Accounts of the ſaid Company, ſhall die or refuſe to act in the Execution of this Act, or ſhall not or ceaſe to be entitled to Three Shares (at the leaſt) in the ſaid Undertaking, or ſhall hold any Place, Office, Employment or Contract under the ſaid Company, then and in every ſuch Caſe the ſame Proviſions herein-before enacted in reſpect of electing the Committee, ſhall take Effect in reſpect of the Auditors to be elected to fill ſuch Vacancies as aforeſaid.

General Aſſemblies for chooſing Committee and Auditors, to conſiſt of 150 Shares.

XIX. And be it further enacted, That if at any ſuch General Aſſembly there ſhall not be Perſons preſent either as Principals or Proxies, who ſhall be poſſeſſed of or entitled unto at leaſt One hundred and fifty Shares in the ſaid Undertaking, ſuch General Aſſembly of the ſaid Company ſhall be adjourned to that Day Week to be holden at the ſame Place, and ſo from Time to Time until there ſhall be ſuch Perſons preſent at ſuch General.

neral Assembly having such Number of Shares as aforesaid; and of every such adjourned Meeting Five Days Notice shall be given in Two or more of the *London* Newspapers, and in one or more Newspaper or Newspapers usually circulating in the County of *Kent*; and in case of Failure of the assembling of a sufficient Number of Proprietors, having such Shares as Principals or Proxies, at such General Assembly, every Proprietor who shall not attend such Second or Adjourned General Assembly, in Person or by Proxy, shall forfeit and pay to the said Company, for every Share which he or she shall possess in the said Undertaking, the Sum of Ten Shillings, to be deducted out of his or her next succeeding Payment of Interest or Dividends of the Profits of the said Undertaking (as the Case may happen); and in case no Interest or Dividends shall be payable to such Person or Persons making Default as aforesaid, within Twelve Calendar Months next after the making such Default, then and in every such Case such Penalty and Forfeiture of Ten Shillings shall and may be levied and recovered by such Ways and Means as any other Penalty or Forfeiture imposed by this Act may be levied and recovered.

No Member of the Committee, or Auditor, to be concerned in any Contract.

XX. And be it further enacted, That no Member of the Committee or Auditor shall hold any Contract, or enjoy any Place of Profit created by this Act, or be beneficially employed, or in any Manner interested or concerned directly or indirectly in supplying any Article or Materials for the Use of the said Company; and in case any Member of the Committee or Auditor shall hold any Contract, or enjoy any Place of Profit created by this Act, or shall be in any Manner beneficially employed or concerned directly or indirectly in supplying any Articles or Materials for the Use of the said Company, every such Member of the Committee or Auditor shall forfeit and pay the Sum of Five hundred Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and One-half of such Penalty when recovered shall be paid to the Person or Persons who shall sue for the same, and the other Half shall be paid to the said Company, to be applied to the Purposes of this Act, and the Person and Persons so convicted shall be absolutely disqualified from being a Member or Members of the said Committee or Auditors; and no Member of the Committee interested in any such Contract, Matter, or Thing, as aforesaid, shall vote in any Question touching or concerning the same.

Powers to General Assemblies.

XXI. And be it further enacted, That the said Company of Proprietors shall have Power and Authority at any such General Assembly to remove and displace any Member of the Committee or Auditor nominated and appointed by virtue of this Act, and from Time to Time to nominate and appoint another Person or Persons in his or their Room or Stead; and it shall and may be lawful to and for the said Company of Proprietors at any General or Special General Assembly, to order and dispose of the Custody of their Common Seal, and the Use and Application thereof, and to make such Rules, Bye Laws, and Orders for the good Government of the said Company and their Servants, Agents and Workmen, and for the Superintendance and Management of the said Undertaking, and from Time to Time to alter and repeal the said Bye Laws, Rules, Orders, and Regulations,

Regulations, or any of them, and to impoſe and inflict ſuch reaſonable Fines and Forfeitures upon all Perſons who ſhall offend againſt the ſame, as to ſuch General or Special General Aſſembly ſhall ſeem meet, not exceeding the Sum of Five Pounds for any one Offence; and all ſuch Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the ſaid Company, ſhall be printed, and ſhall thereupon bind and be obſerved by all Parties, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame, provided the ſame be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to the Proviſions and Directions in this Act contained, or to any of them; and the ſaid Company ſhall have Power to adjourn themſelves from Time to Time to ſuch Place or Places, as ſhall at any ſuch General or Special General Aſſemblies be thought proper and convenient.

Aſſemblies of the Proprietors may be ſpecially convened.

XXII. And be it further enacted, That if it ſhall at any Time appear that, for the more effectually putting this Act into Execution, a Special General Aſſembly of the ſaid Company of Proprietors is neceſſary to be held, it ſhall and may be lawful for any of the ſaid Proprietors, not being leſs than Ten in Number, poſſeſſing in the Whole Fifty Shares in the ſaid Undertaking, to cauſe Twenty-one Days Notice at leaſt to be given of ſuch Special General Aſſembly, in ſome Newſpaper uſually circulated in the ſaid Counties of *Kent* and *Surrey*, or in ſuch Manner as the ſaid Company of Proprietors ſhall at any General Aſſembly direct or appoint, ſpecifying in ſuch Notice the Reaſon and Intention of requeſting ſuch Special General Aſſembly, and the Time when and the Place where the ſame ſhall be holden, which Place ſhall be within Two Miles of the Head Office of the ſaid Waterworks, and the ſaid Proprietors are hereby authorized to meet purſuant to ſuch Notice; and ſuch of them as ſhall be preſent at ſuch Special General Aſſembly ſhall proceed to the Execution of the Powers by this Act given to the ſaid Company of Proprietors, with reſpect to ſuch Matters alone as ſhall be ſpecified in ſuch Notice; and all ſuch Acts, Orders, or Determinations of the Proprietors, or the major Part of them ſo met together at every ſuch Special General Aſſembly (provided that the ſaid Proprietors preſent, either as Principals or Proxies, ſhall be poſſeſſed of at leaſt One hundred and fifty Shares in the ſaid Undertaking) ſhall be as valid with reſpect to the Matters ſpecified in ſuch Notice, as if the ſame had been done at any ſtated General Aſſembly.

Officers to be appointed.

XXIII. And be it further enacted, That it ſhall be lawful for the ſaid Company of Proprietors, at any General Aſſembly, to nominate and appoint (by Ballot, if required by any Proprietor preſent) under the Common Seal of the ſaid Company, a Treaſurer or Treaſurers, Engineer or Engineers, Clerk or Clerks, for the Year enſuing, and ſuch other Officers as to them the ſaid Company of Proprietors ſhall ſeem proper, and from Time to Time to remove any ſuch Treaſurer or Treaſurers, Engineer or Engineers, Clerk or Clerks, or other Officers, or any of them, and to nominate and appoint another Perſon or Perſons in his or their Room or Stead, in Manner aforeſaid, taking ſuch Security from every ſuch Treaſurer or other Officer in a Situation of Truſt for the due Execution of their reſpective Offices, and to ſettle and grant them ſuch Salary or Compenſation as the ſaid Company of Proprietors ſhall think proper; and ſuch Clerk or Clerks ſhall, in a proper Book or Books to be provided

by the ſaid Company of Proprietors for that Purpoſe, enter and keep a true and perfect Account of the Names and Places of Abode of the ſeveral Proprietors of the ſaid Undertaking, and of the ſeveral Perſons who ſhall from Time to Time become Owners and Proprietors of or entitled to any Share or Shares therein, and of all other Acts, Proceedings, and Tranſactions of the ſaid Company of Proprietors and Committee reſpectively; and each of the ſaid Proprietors of the ſaid Undertaking ſhall and may at all Times have Recourſe to and peruſe and inſpect the ſame, and alſo the Book or Books to be kept by the Chief or other Clerks to the ſaid Company of Proprietors, gratis, and may demand and have Copies thereof or any Part thereof, paying the Sum of Sixpence for every One hundred Words ſo to be copied; and if any ſuch Clerk or Clerks to the ſaid Company of Proprietors ſhall refuſe to permit any Proprietor or Proprietors, ſo intereſted as aforeſaid, to inſpect or peruſe ſuch Book or Books of Proceedings, at all convenient Times and Seaſons, or refuſe to make any ſuch Copy or Copies at the Rate or Price aforeſaid, he ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

For appointing Officers in caſe of Vacancies.

XXIV. And be it further enacted, That it ſhall be lawful for the ſaid Committee to ſuſpend any Treaſurer, Engineer, Clerk, Officer, or Servant of the ſaid Company, giving Fourteen Days Notice of ſuch their Intention to ſuch Treaſurer, Engineer, Clerk, Officer, or Servant, for any Neglect, Miſconduct, or Inability, and appoint ſome other Perſon, *pro tempore*, in their reſpective Places, and alſo to fill up the Vacancies that may occur by Death, Reſignation, or otherwiſe; but in caſe any ſuch Suſpenſion or new Appointment ſhall be made by the ſaid Committee, the ſame ſhall continue only until the next General or Special General Aſſembly of the ſaid Proprietors, when the Suſpenſion or Appointment of ſuch Perſon or Perſons ſhall be annulled or confirmed; and ſuch other fit Perſon ſhall be appointed to ſucceed to ſuch Office as the ſaid Proprietors, at ſuch General or Special General Aſſembly, ſhall think proper.

Officers, &c. to account.

XXV. And be it further enacted, That every ſuch Treaſurer, Engineer, Clerk, and all other Officers and Perſons ſo to be appointed as aforeſaid, ſhall, under their Hands, at ſuch Time and Times and in ſuch Manner as the ſaid Company of Proprietors or their Committee ſhall direct, deliver to the ſaid Company of Proprietors or to the ſaid Committee or to ſuch Perſon or Perſons as they reſpectively ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and alſo of all the Monies which ſhall have been by ſuch Treaſurer, Engineer, Clerk, Officer or Officers, and Perſon or Perſons reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper and legal Receipts or Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands, to the ſaid Company of Proprietors or to the ſaid Committee, or to ſuch Perſon or Perſons as they reſpectively ſhall appoint; and if any ſuch Treaſurer, Engineer, Clerk, Officer, or Perſon ſhall refuſe to produce or deliver up ſuch Receipts or Vouchers, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Company of Proprietors or to the ſaid Committee, or to ſuch Perſon or Perſons as they reſpectively ſhall appoint, within Twenty-one Days after being there-

unto required by the ſaid Company of Proprietors or by the ſaid Committee, all Books, Papers and Writings in his or their Cuſtody or Power, relating to the Execution of this Act; or ſhall refuſe or neglect to pay ſuch Monies as upon the Balance of any Account or Accounts ſhall appear to be in their reſpective Hands, to the ſaid Company of Proprietors or to the ſaid Committee, or as they reſpectively ſhall direct and appoint, then and in either of the Caſes aforeſaid, the ſaid Company of Proprietors may and are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions againſt the Treaſurer, Engineer, Clerk, Officer or Officers, Perſon or Perſons ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Treaſurer, Engineer, Clerk, Officer or Officers, Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid Company of Proprietors or by the ſaid Committee, or by ſuch Perſon or Perſons as they reſpectively ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any one or more of the Juſtices of the Peace for the County, City, or Place wherein the ſaid Treaſurer, Engineer, Clerk, Officer or Officers, Perſon or Perſons ſo neglecting or refuſing, ſhall be and reſide, ſuch Juſtice or Juſtices may and is and are hereby authorized and required, by a Warrant or Warrants under his and their Hand and Seal or Hands and Seals, to cauſe the Treaſurer, Engineer, Clerk, Officer or Officers, Perſon or Perſons ſo neglecting or refuſing, to be brought before him; and upon his, her, or their appearing or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtice or Juſtices that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Treaſurer, Engineer, Clerk, Officer or Officers, Perſon or Perſons, ſuch Juſtice or Juſtices may and is and are hereby authorized and required, upon Non-payment thereof by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Treaſurer, Engineer, Clerk, Officer or Officers, Perſon or Perſons reſpectively; and if no Goods or Chattels of ſuch Treaſurer, Engineer, Clerk, Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of making and levying the ſame, or if ſuch Officer or Officers, Perſon or Perſons, ſhall ſtill perſiſt in refuſing or neglecting to deliver up ſuch Books, Papers, and Writings as aforeſaid, to the ſaid Company of Proprietors or to the ſaid Committee, or as they reſpectively ſhall appoint, then and in any or either of the Caſes aforeſaid, ſuch Juſtice or Juſtices ſhall commit every ſuch Offender to the Common Gaol for ſuch County, City, or Place, there to remain, without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Company of Proprietors or with the ſaid Committee, and ſhall have paid ſuch Compoſition in ſuch Manner as they reſpectively ſhall appoint, and until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Company of Proprietors or to the ſaid Committee; but no Treaſurer, Engineer, Clerk, Officer or Perſon ſo committed for want of ſufficient Diſtreſs, ſhall be confined or detained in Priſon by virtue of this Act for any longer Space than Three Calendar Months.

XXVI. And

Power of the Committee.

XXVI. And be it further enacted, That no Member of the Committee shall have more than One Vote at any Meeting of the said Committee, except the Chairman, and who, in case of an Equality of Votes upon any Question which may be agitated at any Meeting, shall have the decisive or casting Vote, although he may have given one Vote before; and all the Powers and Authorities hereby vested in or directed to be exercised by the said Committee, may be done and exercised by the major Part of them present at their respective Meetings, the whole Number present not being less than Five; and the said Committee shall from Time to Time make Reports of their Proceedings to the said General Assemblies, and, if required, to the said Special General Assemblies of the Proprietors, and shall obey their Orders and Directions; and the said Committee shall (subject nevertheless at all Times to such Orders and Directions as aforesaid) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Times and Places as they shall think fit; and in order to defray the Expences of their Meetings, the said Committee shall from Time to Time receive out of the said Capital Stock of the said Proprietors, such Sum or Sums of Money as shall be directed, adjusted, and settled at such General Assemblies, and the said Committee shall and may contract for and agree for the Purchase of the Lands, Tenements, and Hereditaments that may be taken for the Purposes of the said Undertaking, and the Works thereunto belonging, and shall and may settle, adjust, and determine all Matters, Questions, and Differences which shall or may arise between the said Company of Proprietors and the several Owners and Persons interested in any Lands, Tenements, or Hereditaments which shall or may be taken and damaged or affected by the Execution of any of the Powers hereby granted, and shall and may make Contracts, Agreements, and Bargains with the Workmen, Agents, Undertakers, and other Persons employed or concerned in making or completing and continuing the Works belonging to the said Undertaking, and all and every Part or Parts thereof; and the said Committee shall (subject nevertheless to the Orders and Directions of such General or Special General Assemblies as aforesaid) have full Power and Authority to direct and manage the Affairs of the said Company of Proprietors; and the said Committee shall, by themselves or the Clerk to the said Company of Proprietors, keep a full and true Account of all Monies disbursed and Payments made by the said Committee, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on Behalf or in respect of the said Undertaking, from any Collector or Collectors, or other Officer or Officers, or from any other Person or Persons whomsoever, employed in or having any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly, by themselves or their Clerk as aforesaid, write, insert, and enter in a Book or Books to be from Time to Time provided at the Expence of the said Company of Proprietors for that Purpose, Minutes or Copies, as the Case may require), of every such Contract, Bargain, Receipt, or Disbursement, and of all other their Orders and Proceedings, which Book or Books shall be deposited with and kept locked up under the Care and Direction of the said Committee: Provided always, that every Proprietor shall have free Access thereto, upon every reasonable Desire, for his or her Inspection; and the said Committee shall have Power from Time to Time to make

such

such Call or Calls for Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they the said Committee from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds upon each Share; and such Calls shall not be made but at the Distance of Thirty Days at least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid, by Advertisement in some Newspaper or Newspapers usually circulating in the City of *London* and in the said Counties of *Kent* and *Surrey*, or in such other Manner as the said Company of Proprietors shall at any General Assembly direct or appoint; provided, that it shall not be lawful to make any further Call upon any Proprietor or Proprietors who shall have paid to the said Company, in obedience to the said Calls or otherwise, the full Amount of the Sum which by his, her, or their Subscription he, she, or they had undertaken to pay for his, her, or their said Share or Shares; and every Owner or Owners, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid, to such Person or Persons and at such Time and Place as the said Committee shall from Time to Time order and direct; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part of the said Money so called for as aforesaid, at the Time and Place appointed by the said Committee, or within Twenty-one Days next ensuing, he, she, or they so neglecting or refusing shall forfeit and pay the Sum of Ten Shillings for every Share he, she, or they shall have in the said Undertaking; and if such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable Call or Calls as aforesaid, for the Space of Three Calendar Months next after the Time so appointed for Payment thereof, then he, she, or they so neglecting or refusing, shall forfeit his, her, or their respective Share and Shares in the said Undertaking, and all the Profits and Benefits thereof; all which Shares so forfeited shall be vested in the said Company of Proprietors in Trust for and for the Benefit of all the Rest of the said Proprietors, in Proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of any of the said General or Special General Assemblies, be publicly sold for the Use of the Rest of the said Proprietors whose Shares and Interests shall not have been forfeited as aforesaid: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares, until Notice shall have been given to or left at the usual or last Place or Places of Abode of the Owner or Owners of such Share or Shares respectively; provided such Place or Places of Abode shall be known to the Clerk of the said Company of Proprietors, and shall be within Ten Miles of *The Royal Exchange* of the City of *London*, nor until the same Share or Shares shall likewise have been declared to be forfeited at some General or Special General Assembly of the said Company of Proprietors: Provided always, that it shall and may be lawful for any Proprietor in the said Undertaking to be present and assist at any Meeting of the Committee of the said Company, but no Person shall vote on any Question agitated at any Meeting of the said Committee, except the Members composing such Committee.

Proprietors may attend the Meetings of Committee, but not to vote.

Duty of Auditors.

XXVII. And be it further enacted, That the Auditors of the Accounts of the ſaid Company ſhall and they are hereby required Twice in every Year, to meet at ſome convenient Place to audit and ſettle all Accounts of Money received, laid out and diſburſed on account of the ſaid Undertaking, by the Treaſurers, Receivers, or Collectors of any Money for the ſaid Company, and their Officers by them appointed, and by any other Perſon or Perſons whomſoever employed by or concerned for or under them in and about the ſaid Undertaking, and the Works thereunto belonging; and the Clerk of the ſaid Company of Proprietors ſhall and he is hereby required to attend ſuch Meetings of the Auditors, and at ſuch Meetings of the Auditors a fair and correct Statement of the Accounts of the ſaid Company ſhall be made out for the Inſpection of the next ſucceeding General Aſſembly for their Confirmation; and ſuch Auditors ſhall receive ſuch Salary or Compenſation for their Services as the ſaid Proprietors at any General or Special General Aſſembly ſhall appoint; and in order to defray the Expences of their Meetings, ſuch Auditors ſhall from Time to Time receive out of the Capital Stock of the ſaid Proprietors ſuch Sum or Sums of Money as ſhall be directed, adjuſted, and ſettled at any General Aſſembly of the ſaid Company.

Subſcribers to pay their Subſcriptions.

XXVIII. Provided always, and be it further enacted, That the reſpective Perſons who have ſubſcribed, or who ſhall hereafter ſubſcribe or advance any Money for and towards the ſaid Undertaking, or ſhall be Owner or Owners, Proprietor or Proprietors of any Share or Shares in the ſaid Undertaking, ſhall and are hereby required to pay the Sum or Sums by them reſpectively ſubſcribed (or ſuch Parts and Proportions thereof as ſhall from Time to Time be called for by the Committee of the ſaid Company of Proprietors, by virtue of the Powers and Directions of this Act) at ſuch Times and Places, and in ſuch Manner as ſhall be directed by the ſaid Committee; and in caſe any of ſuch Subſcribers ſhall neglect or refuſe to pay the ſame, at the Time and Place and in Manner ſo required for that Purpoſe, the ſaid Company of Proprietors are hereby empowered to ſue for and recover the ſame in any Court of Law or Equity.

Power to the Proprietors to recover Money paid on account of any Share or Shares previous to the paſſing of this Act.

XXIX. And it is hereby further enacted, That all and every Sum and Sums of Money, which ſhall previous to the paſſing of this Act have been paid by any Subſcriber or Subſcribers to the ſaid Undertaking, for or on account of any Share or Shares therein, to any Perſon or Perſons whomſoever, ſhall be accounted for by ſuch Perſon or Perſons to the ſaid Company of Proprietors or their Committee, or to ſuch Perſon or Perſons, and at ſuch Time or Times as they ſhall reſpectively appoint; and in caſe of Non-payment thereof, the ſame ſhall and may be recovered by the ſaid Company of Proprietors from the Perſon or Perſons to whom or to whoſe Account the ſame ſhall have been paid, in ſuch and in like Manner, and by ſuch Ways and Means as if ſuch Sum or Sums of Money had been advanced and paid by or received on account of the ſaid Company of Proprietors after the paſſing of this Act.

Directing the Mode of recovering Subſcriptions.

XXX. And be it further enacted, That in all Actions brought by the ſaid Company of Proprietors, againſt any Perſon or Perſons who have or hath ſubſcribed, or who ſhall hereafter ſubſcribe or advance any Money for and towards the ſaid Undertaking, or againſt any Owner or Owners,

Proprietor or Proprietors of any Share or Shares in the ſaid Undertaking, to recover any Sum or Sums of Money due and payable to the ſaid Company, for or by reaſon of any Call or Calls made by virtue of this Act, it ſhall be ſufficient for the ſaid Company to declare and allege that the Defendant or Defendants, being an Owner or Owners, Proprietor or Proprietors of ſuch or ſo many Share or Shares in the ſaid Undertaking, is or are indebted to the ſaid Company in ſuch Sum or Sums of Money as the Call or Calls in arrear ſhall amount to, for ſuch and ſo many Call or Calls of ſuch or ſo many Sum or Sums of Money, upon ſuch or ſo many Share or Shares belonging to the ſaid Defendant or Defendants (as the Caſe may happen to be), whereby an Action hath accrued to the ſaid Company by virtue of this Act, without ſetting forth the ſpecial Matter; and on the Trial of ſuch Action it ſhall be only neceſſary to prove that the Defendant or Defendants, at the Time of making ſuch Call or Calls, was or were an Owner or Owners, Proprietor or Proprietors, of ſome Share or Shares in the ſaid Waterworks, and that ſuch Call or Calls was or were in fact made, and that ſuch Notice was given thereof as is directed by this Act; and the ſaid Company ſhall thereupon be entitled to recover what ſhall appear due, unleſs it ſhall appear that any ſuch Call exceeded the Sum of Ten Pounds for every One hundred Pounds, or was made within the Diſtance of Thirty Days from the laſt preceding Call, or without Notice given as aforeſaid.

Committee may allow Intereſt to Proprietors on Payment in Advance.

XXXI. Provided always, and be it enacted, That if any Subſcriber to the ſaid Undertaking ſhall be minded and deſirous to pay or advance immediately, into the Hands of the ſaid Committee, or of the Perſon whom they ſhall appoint to receive the ſame, the full Amount of his Subſcription for ſuch Share or Shares for which he may have ſubſcribed, or any Part thereof, not being leſs than a Sum of Fifty Pounds, without waiting for the ſaid Call or Calls, then and in ſuch Caſe it ſhall be lawful for the ſaid Committee to pay to the ſaid Subſcriber or Subſcribers, out of the Funds of the ſaid Company, Intereſt upon the ſame at the Rate of Five Pounds *per Centum per Annum*, upon the Amount which ſuch Payment or Advance may be, over and above the ſaid Calls; and from the Period of the Call immediately preceding ſuch Payment or Advance, up to the Period of ſuch ſubſequent Call reſpectively, according to the Sum then in Advance over and above the Amount of the ſaid Call.

On the Death of Subſcribers, their Executors may complete the Payment of the Shares.

XXXII. And be it further enacted, That if any Owner or Owners, Proprietor or Proprietors of any Share or Shares in the ſaid Undertaking, ſhall happen to die before ſuch Call or Calls ſhall have been made for the full Sum or Sums to be advanced on any Share or Shares which he, ſhe, or they ſhall have been poſſeſſed of or entitled to, without having made Proviſion by Will or otherwiſe how and in what Manner ſuch Share or Shares ſhall be diſpoſed of, and how or by what Means the future Calls in reſpect thereof ſhall be paid to the ſaid Company of Proprietors, for the Purpoſe of the ſaid Undertaking; then and in ſuch Caſe the Executors or Adminiſtrators of any ſuch Owner or Owners ſo dying, or the Truſtee or Truſtees, Committee or Committees, of any Lunatick or Lunaticks, Guardian or Guardians of any Infants, or any other Perſon or Perſons entitled to the Eſtate and Effects of ſuch deceaſed Owner or Owners, Proprietor or Proprietors, ſhall be indemnified againſt all and every ſuch Infant or Infants, and againſt all and every other Perſon or

Perſons whomſoever, for or on account of his, her, or their having paid any Sum or Sums of Money, when called for as aforeſaid, to complete every ſuch Subſcription; and if ſuch deceaſed Owner or Owners, Proprietor or Proprietors, ſhall not have left Aſſets ſufficient, or in caſe the Executors or Adminiſtrators, Truſtee or Truſtees, Committee or Committees, Guardian or Guardians of any ſuch Owner or Owners, Proprietor or Proprietors, ſhall refuſe or neglect to anſwer ſuch Calls, the ſaid Company of Proprietors ſhall be, and they are hereby authorized and required, to admit any other Perſon or Perſons to be Owner or Owners, Proprietor or Proprietors, of the Share or Shares of ſuch deceaſed Owner or Owners, Proprietor or Proprietors, on Condition that he, ſhe, or they ſo admitted, do and ſhall, on or before ſuch Admiſſion, pay to the Executors or Adminiſtrators of ſuch deceaſed Owner or Owners, Proprietor or Proprietors, or to the Truſtee or Truſtees, Committee or Committees, Guardian or Guardians of any Infant or Infants, or to any other Perſon or Perſons who may be entitled to his or her Effects, the full Sum or Sums of Money which ſhall have been paid by ſuch Owner or Owners, Proprietor or Proprietors, in his, her, or their Life-time, by virtue of any Call or Calls or otherwiſe, upon ſuch Share or Shares, or ſuch other Sum or Sums of Money as the ſame can be ſold for; and in caſe no Perſon or Perſons ſhall be found who is or are willing to be admitted upon ſuch Condition as aforeſaid, then and in every ſuch Caſe ſuch Share or Shares ſhall be forfeited to and become veſted in the Reſt of the ſaid Company of Proprietors of the ſaid Undertaking, in Truſt for and for the equal Benefit of all the Reſt of the ſaid Proprietors, in Proportion to their reſpective Intereſts in the ſaid Undertaking, and ſhall be ſubject to be ſold and diſpoſed of in like Manner as other forfeited Shares may be ſold and diſpoſed of by virtue of this Act.

Shares may be ſold.

XXXIII. And be it further enacted, That it ſhall be lawful for the ſeveral Proprietors of the ſaid Undertaking, his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, to ſell and diſpoſe of any Share or Shares to which he, ſhe, or they may be entitled therein, ſubject to the Rules and Conditions herein mentioned; the Conveyance of which Shares ſhall be in the Form or to the Effect following:

Form of Conveyance of Shares.

« I in Conſideration of paid to me by of do hereby « bargain, ſell, aſſign, and transfer to the ſaid the « Sum of Capital Stock, of and in the *Kent* « Waterworks, being Part [*or*, the Whole, *as the Caſe may be*], of my « Share [*or*, Shares] in the ſaid Undertaking, to hold to the ſaid « his [*or*, her] Executors, Adminiſtrators, and Aſſigns, « ſubject to the ſame Rules, Orders, and Reſtrictions, and on the ſame « Conditions that I hold the ſame immediately before the Execution « hereof; and I the ſaid do hereby agree to take and « accept the ſaid Capital Stock or Share, ſubject to the ſame Rules, Orders, « Reſtrictions, and Conditions. As witneſs our Hands and Seals the « Day of

And on every ſuch Sale, the ſaid Deed of Conveyance being executed by the Seller or Sellers, and the Purchaſer or Purchaſers of ſuch Share or Shares, ſhall be kept by the ſaid Purchaſer or Purchaſers for his, her, or their Security, after the Clerk to the ſaid Company of Proprietors ſhall have

have entered in a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer and Sale for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share in the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote in respect thereof, as a Proprietor or Proprietors in the said Undertaking.

No Shares shall be sold after a Call, till the Money is paid.

XXXIV. And be it further enacted, That after any Call of such Money shall have been made by such Committee as aforesaid, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, on pain of forfeiting his, her, or their respective Share or Shares therein to the said Company of Proprietors, in Trust for the Benefit of all the said Proprietors, unless he, she, or they, at the Time of such Sale or Transfer, shall have paid and discharged to the Treasurer of the said Company of Proprietors, the whole and entire Sum which shall have been called for upon each Share so sold or transferred; such Forfeiture nevertheless to be notified and declared at a General or Special General Assembly.

For ascertaining the Proprietorship of Shares in certain Cases.

XXXV. And whereas in case when the original Subscriber of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the said Clerk as directed by this Act, it may not be in the Power of the said Company of Proprietors, or their Treasurer or Clerk, to know who is the Owner or Proprietor of such Share or Shares, in order to give him, her, or them Notice or Notices of Calls made on such Share or Shares as is hereby required, and to maintain any Action or Actions against him, her, or them for the Recovery of the same, or for the Purpose of safely paying to him, her, or them the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it further enacted, That in all the Cases aforesaid, when the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Proprietor thereof to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof as herein directed, an Affidavit shall be made and sworn to by Two credible Persons, before One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Affidavit shall be transmitted to the Clerk to the said Company of Proprietors, to the Intent that he may and he is hereby required to enter and register the Name or Names of every such new Proprietor or Proprietors in the Register Book or List of Proprietors in the said Undertaking, to be kept in the Office of the said Clerk; and that in all or any of the said Cases it shall be lawful for the said Company of Proprietors at any General Meeting, after Three Calendar Months Notice shall have been given by the said Treasurer or Clerk to the Owners, or Persons claiming by such Affidavit to be Owner or Owners thereof, and such Person or Persons shall not have paid his, her, or their Proportion of the Money becoming payable by virtue of any

Call

Call or Calls as aforesaid, and after Notice thereof shall have been given Three Times at the Intervals of Fourteen Days between such Advertisement in some Two *London* or other Newspapers circulated in the said Counties of *Kent* and *Surrey*, to declare at any General Meeting the same Share or Shares to be forfeited, and sold and disposed of as the said Company of Proprietors shall direct, or otherwise become consolidated in the General Fund of the said Company.

Names of Proprietors, and Numbers of their Shares; to be entered in a Book, and Tickets with the Numbers delivered to them.

XXXVI. And, for the better Security of the several Proprietors of the said Undertaking as to their respective Shares therein, be it further enacted, That the said Company of Proprietors shall, and they are hereby required, at their Second or some subsequent General Meeting, to cause the Names and proper Additions of the several Persons who shall be then entitled to the Shares in the said Undertaking, with the Number of Shares which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by the Clerk to the said Company of Proprietors; and after such Entry made to cause their Common Seal to be affixed thereto, and shall also cause a Certificate or Instrument with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber upon Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking; every such Proprietor paying to the Clerk Two Shillings and Sixpence and no more for every such Certificate or Instrument; and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his, her, or their Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the want of such Certificate or Instrument shall not hinder or prevent the Owner or Proprietor of any of the said Shares from selling or disposing thereof; and in case any such Certificate or Instrument shall become defaced, worn out, or damaged, or shall have been lost or destroyed, then another shall be made out and entered by the Clerk on the same Terms and Conditions as aforesaid.

Not to take any of the Lands belonging to Mr. Carleton without his Consent.

XXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall enable, or be deemed, construed, or taken to enable the said Company of Proprietors to take or use any Part of the Lands or Grounds of or belonging to *Metcalfe Carleton* Esquire, situate in the said Parish of *Saint Nicholas Deptford*, for any of the Purposes of this Act, except with the Consent of the said *Metcalfe Carleton*, his Heirs or Assigns, first had and obtained in Writing for that Purpose.

No Works to be erected in the Parish of Woolwich.

XXXVIII. Provided always, and be it enacted, That nothing in this Act contained shall authorize or empower the said Company of Proprietors to make, erect, or lay any Works, Reservoirs, Aqueducts, Mains, or Pipes, in the Parish of *Saint Mary Woolwich*, in the County of *Kent*.

Furnaces of Steam Engines to consume their own Smoke.

XXXIX. Provided always, That the Furnace of every Steam Engine to be erected by the said Company of Proprietors, shall be constructed upon the Principle of consuming its own Smoke.

Houſes, Gardens, &c. not to be injured.

XL. Provided always, That nothing in this Act contained ſhall authorize or empower the ſaid Company of Proprietors, or any Perſon or Perſons acting by or under their Authority, to take, uſe, injure or damage, in the making or completing of the ſaid Waterworks, Aqueducts, or other Works relating thereto, or any other of the Purpoſes aforeſaid, any Houſe, Bridge, or other Building which was erected or built on or before the paſſing of this Act; or any Land or Ground which on or before that Time was ſet apart and uſed as and for a Yard, Park, Paddock, Garden, planted Walk or Avenue to a Houſe, without the Conſent of the Owner or Owners thereof for the Time being.

Kent Waterworks Company of Proprietors may contract for the Purchaſe of the Ravenſbourne Waterworks.

XLI. And whereas the Waterworks eſtabliſhed under the Authority of the ſaid Royal Letters Patent, might be more conveniently and beneficially carried on than at preſent, if the ſame together with the ſaid Letters Patent and all Rights and Privileges thereunto belonging, were purchaſed by and veſted in the ſaid Company of Proprietors, and the ſaid Waterworks were conducted by them; and the ſaid Company are therefore deſirous of purchaſing ſuch Waterworks and Letters Patent aforeſaid, and all Rights and Privileges thereunto belonging; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Company of Proprietors to contract and agree for the Purchaſe of the ſaid Letters Patent, and all Rights and Privileges thereunto belonging, and to take a Conveyance, Surrender and Aſſignment, or Conveyances, Surrenders and Aſſignments, by ſuch Deeds and Acts in Law as ſhall be requiſite in that Behalf, of ſuch Letters Patent aforeſaid, and of all and ſingular the ſaid Waterworks eſtabliſhed under and by virtue of the ſaid Letters Patent, and all the Freehold, Leaſehold, and Copyhold Meſſuages, Buildings, Lands, Tenements, Hereditaments, and other the Eſtates, Goods, Chattels and Property of every Deſcription, and whereſoever ſituate, appertaining to the ſaid Waterworks, and of and belonging to the Proprietors or Perſons intereſted in the ſaid Waterworks, and other the Premiſes, as ſuch Proprietors, and every Part, Parcel and Member thereof, with their and every of their Appurtenances.

Veſting the Ravenſbourne Waterworks in the Kent Waterworks Company.

XLII. And be it further enacted, That the ſame Letters Patent, and all Rights and Privileges thereunto belonging, together with the laſt-mentioned Waterworks, Meſſuages, Buildings, Lands, Tenements and Hereditaments and other the Eſtates, Goods, Chattels and Property laſt-mentioned, and every Part, Parcel, and Member thereof, with their Appurtenances reſpectively, ſhall, when and as ſoon as the ſame ſhall be purchaſed by and conveyed, ſurrendered, or aſſigned to the ſaid Company of Proprietors, become and be veſted in them and their Succeſſors for the Purpoſes enumerated in the ſaid Letters Patent, and this Act; and from thenceforth all the Powers, Privileges, Authorities, Duties and Offices given and created by the ſaid Letters Patent may and ſhall be exerciſed, enjoyed, and performed reſpectively by the ſaid Company of Proprietors and their Succeſſors.

Protecting Rights of Ravenſbourne Waterworks Proprietors.

XLIII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to enable the ſaid Company of Proprietors to convey Water by Pipes or otherwiſe, for the Purpoſe of ſupplying all or any of the Inhabitants reſiding within the ſaid Royal Manors of *Eaſt Greenwich*

and *Sayes Court* in the Counties of *Kent* and *Surrey*, or either of them, with Water, or in any other Manner directly or indirectly to affect, invade, prejudice or injure the ſeveral Rights and Privileges, or any of them, by the ſaid Letters Patent veſted in the Proprietors of the ſame, without the Licence and Conſent of ſuch laſt-mentioned Proprietors in Writing under their reſpective Hands firſt for that Purpoſe granted, or until the Purchaſe by the ſaid Company of Ptoprietors of the Waterworks eſtabliſhed under the Authority of the ſaid Royal Letters Patent, and which Purchaſe the ſaid Company of Proprietors are by this Act authorized to make, ſhall have been completed.

Power to make Waterworks.

XLIV. And be it further enacted, That it ſhall be lawful for the ſaid Company of Proprietors and their Succeſſors, by themſelves, their Deputies, Officers, Agents, Servants, Workmen and Aſſiſtants, to make, complete, maintain, and keep Waterworks, Conduits, Pants, Aqueducts, Water Wheels, Fire Engines and other Engines, Pipes and other Conveniencies, in the ſeveral Pariſhes, Townſhips or Places of *Saint Nicholas Deptford*, *Saint Alphage Greenwich*, *Saint Margaret Lee*, and *Saint Mary Lewiſham*, in the County of *Kent*, and likewiſe in the Pariſh, Townſhip, or Place of *Saint Paul Deptford*, in the Counties of *Kent* and *Surrey*, *New Croſs* within the Manor of *Hatcham*, and in that Part of the Pariſh of *Saint Paul Deptford* which is in the County of *Surrey*, and likewiſe in the Pariſh or Townſhip of *Saint Mary Rotherhithe*, otherwiſe *Redriffe*, in the County of *Surrey*, and not elſewhere, ſubject nevertheleſs to the Proviſo herein-after contained in reſpect of the ſaid Manors of *Eaſt Greenwich* and *Sayes Court*, for ſupplying the ſame reſpectively with Water from the ſaid River *Ravenſborne* by the ſaid Waterworks; and the ſaid Company of Proprietors are hereby fully empowered, by themſelves, their Deputies, Officers, Agents, Workmen or Servants, to ſupply the ſaid intended Waterworks, Aqueducts, or other Receptacles, whilſt the ſame ſhall be making, and at all Times for ever after the ſame ſhall be made, with Water from the ſaid River *Ravenſborne*, and to make ſuch and ſo many Feeders, Tunnels and Shafts, and to make, erect and ſet up ſuch and ſo many Stop Gates, Locks, Sluices, Weirs, Engines, Steam Engines, and other Machines for ſupplying the ſaid Waterworks, Aqueducts and Receptacles with Water, and for any other Purpoſes; and for the making and maintaining and uſing ſuch Waterworks, Aqueducts and Receptacles, as they the ſaid Company of Proprietors or their Succeſſors ſhall from Time to Time think proper and expedient; and alſo to make ſuch Watch-houſes and other Works, and all ſuch Ciſterns, Ponds, Baſons, Main-pipes, Rider-pipes, Hand-pipes, Stand-pipes, Service-pipes, Branches of Lead and other Metal, Cocks, Chamber-cocks, Cocks in common, Stop-cocks, Valves, Fire-plugs, Air-plugs, Fire-cocks, Bores, Mains, Ferries, Feeders, Fanipers, Drains, Pumps, Sluices, and all ſuch other Works and Devices, as and whenever the ſaid Company of Proprietors ſhall think requiſite for the ſeveral Purpoſes of this Act; and alſo from Time to Time to divert, alter, repair, widen, enlarge, amend and diſcontinue the ſame, and to make and maintain any other Works and Conveniences of or belonging to the ſaid Waterworks and Aqueducts reſpectively, as ſhall be deemed neceſſary or proper for the making, erecting, finiſhing, altering, repairing, amending, maintaining, and uſing the ſaid Waterworks and Aqueducts reſpectively, and the Works thereof, and for carrying and conveying Articles and Things to and from the ſaid Waterworks; and alſo to conſtruct, erect,

do

do and perform all Matters and Things which ſhall be deemed neceſſary and expedient for the making, compleiing, uſing, preſerving and improving of the ſaid Waterworks, Aqueducts and Feeders, and the Works connected therewith, in purſuance and within the true Intent and Meaning of this Act; they the ſaid Company of Proprietors, their Agents, Deputies, Officers, Workmen, and Servants, doing as little Damage as may be in the Execution of the Powers to them hereby granted; and this Act ſhall be ſufficient to indemnify the ſaid Company of Proprietors, their Deputies, Servants, Workmen, and all other Perſons for what they or any of them ſhall do by virtue of the Powers hereby granted.

No Lands, etc. to be taken without Conſent.

XLV. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend to enable the ſaid Company of Proprietors to take or uſe any Lands, Tenements, or Hereditaments whatſoever, for any of the Purpoſes of this Act, without the Conſent in Writing of the Owner or Owners, and Occupier or Occupiers of ſuch Lands, Tenements and Hereditaments, firſt had and obtained for that Purpoſe.

Plan of the Works, &c.

XLVI. And whereas a Map or Plan deſcribing the Line of the Aqueducts and Mains intended to be made and conſtructed, hath been depoſited with the Clerks of the Peace for the ſaid Counties of *Kent* and *Surrey*; be it therefore enacted, That ſuch Map or Plan ſhall remain in the Cuſtody of the ſaid Clerks of the Peace for the Time being, or their Deputies reſpectively, and that all Perſons intereſted therein ſhall at all reaſonable Times have Liberty to inſpect and peruſe the ſame, and take a Copy thereof, paying a reaſonable Compenſation to the Clerk of the Peace, from whom the ſame ſhall be obtained, or his Deputy, for every ſuch Inſpection.

Bodies Politic, &c. may ſell Lands to Company.

XLVII. And be it further enacted, That it ſhall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and to and for all and every other Perſon or Perſons whomſoever, who is, are, or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Grounds, or Hereditaments, to contract for, leaſe, ſell and convey the ſame and every Part thereof to the ſaid Company of Proprietors; and all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances, ſhall be made at the Expence of the ſaid Company of Proprietors, according to the following Form:

Form of Conveyance to the Company.

'I of in Conſideration of the
' Sum of to me paid [*or*, in Conſideration
' of the Annual Rent of to me to be hereafter
' yielded and paid by Yearly or Half-yearly Payments, as may be
' agreed on] by the Company of Proprietors of The *Kent* Waterworks,
' do hereby grant and releaſe to the ſaid Company, all [*deſcribing the Pre-*
' *miſes to be conveyed*] and all my Right, Title and Intereſt to and in the
' ſame and every Part thereof, to hold to the ſaid Company and their Suc-
' ceſſors for ever, by virtue and according to the true Intent and Meaning
' of the Act, paſſed in the Forty-ninth Year of the Reign of His preſent
' Majeſty King *George* the Third, intituled, [*here inſert the Title of this Act.*]
' In Witneſs whereof I have hereunto ſet my Hand and Seal, this
' Day of in the Year of our Lord '.

Which

Which ſaid Conveyance ſhall be kept by the Clerk of the ſaid Company of Proprietors, who ſhall from Time to Time, when requeſted, deliver atteſted Copies thereof to any Perſon or Perſons requiring the ſame; and ſhall have and receive Sixpence for every One hundred Words of each ſuch atteſted Copy, and ſo in Proportion for any leſs Number of Words.

Purchaſe Monies or Compenſations due to Corporate Bodies, Minors, &c. to be laid out to the ſame Uſes, when the ſame ſhall exceed 200*l.*

XLVIII. And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, for the Purchaſe of any Lands, Tenements or Hereditaments, by virtue of the Powers herein contained, ſhall be paid and applied in manner following; (that is to ſay), in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, it ſhall with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account *ex parte* the Company of Proprietors of *The Kent Waterworks*, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Redemption or Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Charge or Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents or Purpoſes; or when ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe and Settlement were made.

Application when the Compenſation Money does not exceed 200*l.* and is not leſs than 20*l.*

XLIX. Provided always, and be it further enacted, That in caſe the Money ſo payable to any Corporation, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of ſuch Corporation,

Corporation, to be ſignified in Writing under their Common Seal or ſuch other cuſtomary Form, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Party making ſuch Option, and approved of by Five or more of the Committee of the ſaid Company (ſuch Nomination and Approbation to be ſignified in Writing under the Common Seal or ſuch other cuſtomary Form as aforeſaid, or the Hands of the nominating and approving Parties) in order that ſuch Principal Money and the Dividends ariſing thereon, may be applied in the Manner herein-before directed, ſo far as the Caſe may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when leſs than 20l.

L. And be it further enacted, That in caſe the Money payable to ſuch Corporation, ſhall be leſs than the Sum of Twenty Pounds, then and in all ſuch Caſes, the ſame ſhall be applied to the immediate Uſe of ſuch Corporation, by Payment of the ſame to the Clerk, Treaſurer or ſuch other like Officer of ſuch Corporation; and the Receipt or Receipts of the Perſon or Perſons to whom the ſaid Committee ſhall pay the ſame, ſhall be a ſufficient Diſcharge for the ſame.

The Court may order reaſonable Expences to be paid by the Company.

LI. Provided alſo, and be it further enacted, That where by reaſon of the Diſability or Incapacity of the Perſon or Perſons, or of the Corporation, entitled to any Lands, Tenements, or Hereditaments, which may be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Company of Proprietors, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Reſpecting the Supply of Water.

LII. And be it further enacted, That ſuch of the Inhabitants of the ſeveral Pariſhes, Townſhips, Hamlets, and Places aforeſaid, ſubject to the Proviſo herein-before contained in reſpect of the ſaid Manors of *Eaſt Greenwich* and *Sayes Court*, as ſhall be deſirous of having Water from the ſaid Waterworks laid into their Houſes, Buildings or other Premiſes, may and are hereby authorized and empowered, at their own Expence (having firſt obtained the Conſent in Writing under the Hand of ſuch Perſon as ſhall be authorized by the ſaid Company of Proprietors or their Committee to give ſuch Conſent, and with the Conſent of the Owners of the Premiſes through which the Pipes ſhall be conveyed) to open the Ground between the Company's Aqueducts or Main-pipes, and the reſpective Houſes, Buildings, or other Premiſes of ſuch Inhabitants, and to lay any leaden Pipe or Pipes (the Bore thereof to be aſcertained by the ſaid Company) from ſuch reſpective Houſes, Buildings or other Premiſes, to communicate with the ſaid Aqueducts or Main-pipes, ſuch reſpective Inhabitants paying to

ſuch

such Company of Proprietors Yearly, Quarterly or Monthly, such Rate or Rates, or Sum or Sums of Money for such Water as shall be mutually agreed upon between them; and in case of Default in Payment of any such Rate or Rates, Sum or Sums of Money so to be paid as aforesaid, it shall be lawful for the said Company of Proprietors to cause the Pipe or Pipes belonging to the Person or Persons making such Default, and communicating with the Aqueducts and Main-pipes belonging to the said Company of Proprietors, to be separated from the same Aqueducts or Main-pipes, and to cause the Water to be stopped from issuing or running into the House, Building, or other Premises of every Person making such Default, and that the Rate or Rates, Sum or Sums of Money which shall be due and in Arrear from such Person or Persons to the said Company of Proprietors, shall and may be recovered by the said Company of Proprietors, by Distress and Sale of the Goods and Chattels of the Persons liable to pay the same, in the same Manner as Rents reserved on common Demises may by Law be recovered; and if any Person shall lay or cause to be laid any leaden or other Pipe to communicate with any such Aqueduct or Main-pipe belonging to the said Company of Proprietors, without such Consent being obtained as aforesaid, every such Person shall forfeit and pay to the said Company of Proprietors and their Successors any Sum not exceeding Five Pounds for every Day such Pipe shall so remain: Provided always, that all and every Person and Persons who shall have laid any leaden Pipe or Pipes as aforesaid, shall be at Liberty to remove and take away such Pipe and Pipes, and the Cock or Cocks to such Pipe or Pipes belonging.

Ground broken up to be filled in again as soon as possible, and to be fenced while open.

LIII. Provided always, and be it enacted, That when and as often as any Ground shall or may be opened or broken up, either by the said Company of Proprietors or by any other Person or Persons, for laying, taking up or repairing any Aqueduct or Main-pipe, or Communication Pipe, by virtue of this Act, then and in every such Case the said Company of Proprietors or other Person respectively shall fill or cause to be filled in such Ground, and the Rubbish occasioned by the opening or breaking up the same, to be carried away as soon as conveniently may be, and in the mean Time to cause such Ground to be fenced or guarded, so that the same, may not be dangerous to Passengers or Cattle: Provided always, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or in any of the Agents or Servants of the said Company of Proprietors, or in any such other Person or Persons, in taking up or repairing any of the said Aqueducts or Main-pipes, or any of the said Communication Pipes, or in filling in such Ground, or removing the Rubbish thereby occasioned, then and in every such Case the said Company of Proprietors or such other Persons so offending respectively, shall forfeit and pay any Sum not exceeding Forty Shillings.

For preserving the Water clean and wholesome.

LIV. And, in order to preserve the Water clean and wholesome, be it further enacted, That if any Person shall bathe in any Aqueduct, Waterway, Feeder or Pond made, maintained or supported by virtue of this Act, or wash any Dog or other Animal therein, or throw or cast any Dog or Cat, or any Filth, Dirt or other noisome or offensive Thing, or wash or cleanse any Cloth or any Wool or Leather, or the Skins of Sheep, Lambs, or other Animals, or any noisome or offensive Thing, in any such Reservoir,

ſervoir, Aqueduct, Waterway, Feeder or Pond; or cauſe or ſuffer the Water of any Sink, Sewer or Drain, to run or be conveyed into ny ſuch Aqueduct, Waterway, Feeder or Pond, or cauſe any other Annoyance to be done to the Water contained in any ſuch Aqueduct, Waterway, Feeder, or Pond, whereby or by means whereof the ſaid Water or any Part thereof ſhall or may be ſoiled, fouled, or corrupted, then and in each and every ſuch Caſe every ſuch Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Twenty Pounds.

Perſons ſupplied ſhall not ſupply others; and for puniſhing Perſons wilfully letting off Water.

LV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall take or uſe, or cauſe, permit, or ſuffer to be taken or uſed any Water from or out of any Aqueduct or Pipe which ſhall be made or laid by virtue of this Act, without the previous Conſent of the ſaid Company of Proprietors; or if any Perſon or Perſons ſupplied with Water by virtue of this Act, ſhall ſupply any other Perſon with any Part of ſuch Water; or if any Perſon or Perſons ſhall wilfully let off or cauſe to run to waſte any Water from any ſuch Aqueduct or Pipe, then and in every ſuch Caſe every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay to the ſaid Company of Proprietors any Sum not exceeding Forty Shillings, and it ſhall and may be lawful to and for the ſaid Company of Proprietors, if they ſhall ſo think fit, to take or cut off the Water ſo ſupplied by the ſaid Company from the Houſe, Building or other Premiſes of the Perſon or Perſons ſo offending.

Except in certain Caſes.

LVI. Provided nevertheleſs, and be it enacted, That nothing herein contained ſhall extend or be conſtrued to extend to ſubject any Perſon or Perſons whomſoever ſupplied with Water by virtue of this Act, to any Penalty or Forfeiture for ſupplying any Perſon or Perſons whomſoever with any Quantity of ſuch Water in caſe of Fire, or during any Time that the Pipe or Pipes, Cock or Cocks, belonging to any Perſon or Perſons ſupplied with Water by the ſaid Company of Proprietors ſhall or may happen to be out of Repair, ſuch Pipe or Pipes, Cock or Cocks, nevertheleſs being repaired as ſoon as may be after any Damage ſhall happen thereto.

Company may enter Premiſes and ſee that there is no Waſte of Water.

LVII. And be it further enacted, That it ſhall and may be lawful to and for any Engineer, or any other Perſon or Perſons acting by or under the Authority of the ſaid Company of Proprietors or their Committee, at any Time or Times between the Hours of Ten in the Forenoon and Two in the Afternoon, to enter into any Houſe, Building or other Premiſes ſupplied with Water by the ſaid Company of Proprietors, in order to inſpect and examine if there be any Waſte, undue Diverſion or improper Appropriation of the Water ſo ſupplied by the ſaid Company of Proprietors; and if ſuch Engineer or other Perſon acting by or under the Authority of the ſaid Company of Proprietors or their Committee, ſhall at any Time or Times between the Hours of Ten in the Forenoon and Two in the Afternoon, be refuſed Admittance or Entrance into any ſuch Dwelling-houſe, Building or other Premiſes, for the Purpoſe of making ſuch Inſpection and Examination as aforeſaid, or on being admitted ſhall be obſtructed in or prevented from making ſuch Inſpection and Examination as aforeſaid, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Company of Proprietors to cut and

turn off, or cauſe to be cut and turned off, the Water ſupplied by the ſaid Company of Proprietors, from ſuch Houſe, Building, or other Premiſes.

Ciſterns to be provided.

LVIII. And, to prevent as much as poſſible the wilful and negligent Waſte of Water, be it therefore enacted, That each and every Perſon ſupplied with Water by the ſaid Company of Proprietors ſhall, and he, ſhe, and they is and are hereby required to provide a proper Ciſtern or Ciſterns of Lead, Brick or Wood or other Materials, to receive and hold ſuch Quantity of Water as ſhall be by him or them deemed ſufficient for his, her, or their Conſumption, and he, ſhe and they is and are hereby required to provide a Ball and Stop-cock, and to affix or cauſe to be affixed the ſame to the Pipe conducting the Water from the Main-pipe belonging to the ſaid Company of Proprietors to ſuch Ciſtern or Ciſterns, for the Purpoſe of preventing the Water running into ſuch Ciſtern or Ciſterns from running to waſte when the ſame ſhall be full: And in caſe any Perſon or Perſons ſupplied with Water by the ſaid Company of Proprietors ſhall neglect to provide ſuch Ciſtern or Ciſterns, and alſo a Ball and Stop-cock, and to affix or cauſe to be affixed the ſame in Manner aforeſaid, for the Purpoſe of preventing the Water from running to waſte when ſuch Ciſtern or Ciſterns ſhall be filled as aforeſaid, it ſhall and may be lawful to and for the ſaid Company of Proprietors or their Committee, or any Perſon or Perſons acting by virtue of or under Authority of the ſaid Company of Proprietors, to cut and turn off the Water by ſuch Ways and Means as to him or them ſhall ſeem right or proper, from the Houſe, Building or other Premiſes of every ſuch Perſon, until ſuch Ciſtern or Ciſterns, and Ball or Stop-cock, ſhall be provided, and ſuch Ball or Stop-cock added in Manner aforeſaid.

Penalty for opening Locks or doing any Damage to the Works.

LIX. And be it further enacted, That if any Perſon ſhall throw any Ballaſt, Gravel, Stone or Rubbiſh into any Part of the ſaid Waterworks, Aqueducts, Trenches, Watercourſes or Feeders to be made by virtue of this Act, or ſhall wantonly or unneceſſarily open or cauſe to be opened any Lock, Gate, Paddle, Valve or Clough belonging to the ſaid Waterworks; or ſhall ſnare, angle, or take any Fiſh out of the ſame; or waſh or bathe therein; or if any Perſon or Perſons ſhall wilfully fluſh or draw off or cauſe to be fluſhed or drawn off the Water from any Part of the ſaid Waterworks, or ſhall leave any of the ſaid Valves or Cloughs open and running belonging to the ſame; or ſhall draw or cauſe to be drawn any Paddle, Valve or Clough in any of the Locks, Stop, or Clewgates in the ſaid Waterworks, ſo as to miſpend or waſte the Water thereof, its Courſes or Feeders; or ſhall wilfully obſtruct, hinder, or prevent any Perſon in the Execution of this Act, every Perſon offending in any of the Caſes aforeſaid ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Twenty Pounds.

Puniſhment for deſtroying Works.

LX. And be it further enacted, That if any Perſon or Perſons ſhall knowingly, wilfully, or maliciouſly break, throw down, or deſtroy any Banks or other Works erected, made, or maintained by virtue of this Act, then and in every ſuch Caſe every ſuch Perſon ſhall be judged guilty of Felony, and the Court by and before whom ſuch Perſon or Perſons ſhall be tried and convicted, ſhall have Power and Authority to cauſe ſuch Perſon or Perſons to be tranſported beyond the Seas for the Term of Seven

Years, or in Mitigation of such Punishment such Court may award such Sentence as the Law directs in Cases of Petty Larceny.

For restraining the Company from making use of any Lands belonging to their Majesties.

LXI. Provided always, and be it further enacted, That nothing in this Act contained shall authorise or empower the said Company of Proprietors, their Agents, Servants, or Workmen, to take or use for any of the Purposes of this Act, any Ground or Land belonging to His Majesty, His Heirs or Successors, or any Land, or Ground, or Waste Ground belonging to His Majesty, His Heirs or Successors, as Lord of the Manor of *Sayes Court* or *East Greenwich*, or to His Lessees, Tenants, or Undertenants respectively; or to erect or construct any Engine or other Work in or upon any such Land or Ground, or any Part thereof, without the special Licence and Consent of His Majesty, His Heirs or Successors, such Licence and Consent to be signified by an Order or Warrant from the Lords Commissioners of His Majesty's Treasury for the Time being: Provided always, that nothing herein contained shall extend or be construed to extend, to prevent or restrain the said Company from laying any Main or Mains, Pipe or Pipes, in, over, through, or upon any Lands or Grounds belonging to His said Majesty, His Heirs or Successors, His said Lessees, Tenants, or Undertenants respectively.

Public Sewers not to be interfered with except for laying Iron Mains or Pipes over or under the same.

LXII. Provided always, and be it enacted, That no Sewer or Drain which now is or shall hereafter be under the Jurisdiction of the several Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey*, to *Ravensbourne*, in the County of *Kent*, and from the Head of the *Ravensbourne* aforesaid, to *Lombards Wall*, in the said County of *Kent*, shall be altered, changed, or interfered with, or be in anywise affected by any of the Provisions of this Act, save and except so far as may be necessary to enable the Company of Proprietors to lay Iron Mains or Pipes over or under, but not within or through the same.

Notice to Commissioners of Sewers, of laying Pipes, &c.

LXIII. Provided also, and be it enacted, That the said Company of Proprietors shall cause Notice in Writing to be left at the Office of the Clerk to the said Commissioners of Sewers respectively, specifying the Place in which any and every Iron Main or Pipe shall be designed to be laid over or under any such Sewer or Drain as before mentioned, and the Manner of laying the same, and upon every such Notice the said Clerk shall and he is hereby required to convene a Meeting of the said Commissioners or any Twelve or more of them, to be held within Fourteen Days after such Notice shall be so left as aforesaid, which said Commissioners shall and they are hereby required within Twenty Days after such Meeting, to order and direct the Manner in which such Iron Main or Pipe shall be passed under or over the said Sewer or Drain, unless the passing and conveying the said Main or Pipe shall prevent or interfere with the cleansing or altering any such Sewer or Drain, or the completing of any Work by the said Commissioners of Sewers in or about the same; and in all Cases where the said Commissioners shall be prevented from making an Order within Twenty Days after they shall have been so convened, by any of the Causes aforesaid, the said Commissioners shall and they are hereby required to make such Order within Ten Days after the said Sewer or Drain shall have been so cleansed or altered, or the said Works completed.

Damage occaſioned to Sewers, &c. by laying Pipes to be repaid by Company of Proprietors.

LXIV. Provided alſo, and be it further enacted, That all Damages to be occaſioned by or in conſequence of the laying, placing, or paſſing any and every Iron Main or Pipe over or under any Sewer or Drain, ſhall from Time to Time be made good by the ſaid Company of Proprietors to the Satisfaction and good Liking of the ſaid Commiſſioners of Sewers, within Twenty-one Days after any and every ſuch Main or Pipe ſhall be ſo laid down, placed, or paſſed; and in caſe the ſaid Company ſhall neglect ſo to make good ſuch Damage within the Time aforeſaid, then it ſhall and may be lawful to and for the ſaid Commiſſioners of Sewers to make good, and to order and direct all proper and neceſſary Works for effecting the ſame; and the Expences occaſioned by reaſon thereof ſhall be paid by the Treaſurer, Clerk, or Agent to the ſaid Company of Proprietors, to the Treaſurer or Expenditor-General to the ſaid Commiſſioners of Sewers, within Twenty-one Days next after an Account of the ſame, and Demand of Payment thereof, ſigned by the Clerks to the ſaid Commiſſioners of Sewers reſpectively, ſhall be delivered to the Treaſurer, Clerk, or Agent of the ſaid Company, or any of them, or left at his or their, or any of their Dwelling Houſe or Houſes; and if the ſame ſhall not be ſo paid within the Time aforeſaid, then that it ſhall and may be lawful for the Treaſurer or Expenditor for the Time being to the ſaid Commiſſioners of Sewers, in his own Name, to ſue for and recover the ſaid Expences by Action of Debt, to be brought againſt the ſaid Treaſurer, Clerk, or Agent for the Time being of the ſaid Company of Proprietors, in any of His Majeſty's Courts of Record at *Weſtminſter*, together with full Coſts of ſuing for the ſame, in which Action no Eſſoign or Wager of Law, nor more than One Imparlance ſhall be allowed.

Reſerving all former Powers to Commiſſioners of Sewers.

LXV. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall be conſtrued or taken to hinder or prevent the ſaid Commiſſioners of Sewers, their Surveyors or Servants, from deepening, widening, or altering the Courſe of any Sewer or Sewers over or under which any Main or Pipe ſhall have been laid, placed, or paſſed; and that in all ſuch Caſes the Expences of taking up, relaying, lengthening, ſecuring, or fixing the ſaid Pipes, and all Damages ſuſtained or to be ſuſtained by reaſon thereof, ſhall be made good by the ſaid Company of Proprietors, or otherwiſe repaid to the ſaid Treaſurer or Expenditor General to the Commiſſioners of Sewers; and in Default thereof, recovered in the Manner herein-before provided for in the Caſe of the original laying, placing, or paſſing ſuch Iron Main or Pipe.

For preventing Nuiſances to Roads or Highways by laying Pipes, &c.

LXVI. Provided always, and be it further enacted, That any Ground or Highway which ſhall or may be opened or broken up by the ſaid Company of Proprietors and Occupiers reſpectively, for laying, taking up, or repairing any Main or Common Pipe within ſuch ſeveral Diſtricts and Places by virtue of this Act, ſhall be filled in, and the Rubbiſh thereby occaſioned carried away as ſoon as conveniently may be; and in the mean Time ſhall be fenced or guarded ſo as that the ſame may not be dangerous to Paſſengers or Cattle, and the Pavement and Ground and all Things that ſhall have been removed, ſhall alſo be made good as ſoon as conveniently may be by the ſaid Company of Proprietors, in caſe of the ſaid Ground being opened for laying, taking up, or repairing any Main Pipe, and at the Expence of the reſpective Occupiers opening the ſaid Ground for laying, taking up, or repairing any Communication Pipe: Provided always, that

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if there ſhall be any wilful or negligent Delay in the ſaid Company of Proprietors, or in any of the Agents or Servants of the ſaid Company, or in any of the ſaid Occupiers, in taking up or repairing any of the ſaid Main Pipes, or any of the ſaid Communication Pipes, or in filling in or removing the Rubbiſh thereby occaſioned, or in fencing or guarding the Place or Places which ſhall be ſo opened, or in making good the Pavement, Ground, and other Things which ſhall have been removed, that then and in every ſuch Caſe the ſaid Company and their Agents, and the Occupiers reſpectively, ſhall forfeit any Sum not exceeding Five Pounds.

Pipes to be laid by the Sides of Turnpike Roads, &c.

LXVII. Provided always, and it is hereby further enacted, That whenever it ſhall be found neceſſary by ſuch Company of Proprietors, their Agents or Workmen, to lay down Pipes for the Purpoſe of conveying Water under any Part of any Turnpike Roads, ſuch Pipes ſhall be laid down on the Sides of the ſaid Roads only, and as near the Footpath as can be, unleſs in Caſes where the Intervention of a Common Sewer, or other unavoidable Hindrance or Obſtruction, ſhall make a Deviation abſolutely neceſſary, or where it ſhall be neceſſary for the Purpoſe of carrying Pipes acroſs the ſaid Roads for the Purpoſes of Communication between the Main-pipes and the Service-pipes ſo laid down on the Sides of the ſaid Roads, or Leaden Pipes to communicate from the Main or Service-pipes to the Houſes to be ſupplied therefrom; or where the Conſent of the Truſtees of ſuch Roads reſpectively ſhall be obtained to lay down Pipes otherwiſe than herein directed, to be given at the next General or Special Meeting of ſuch Truſtees reſpectively, which ſhall be held next after any Application made by ſuch Company of Proprietors for that Purpoſe; and in caſe any ſuch Pipe or Pipes ſhall be laid down otherwiſe than as aforeſaid, then the Surveyor or Surveyors to the ſaid Truſtees reſpectively, ſhall give Notice thereof to the ſaid Company of Proprietors, or their Agent or Agents, to take up and remove the ſame; and in caſe they ſhall neglect or refuſe, for the Space of Twenty-four Hours after ſuch Notice, to take up and remove ſuch Pipe or Pipes, then it ſhall be lawful for the Surveyor or Surveyors to the ſaid Truſtees reſpectively, and ſuch other Perſon or Perſons as he and they ſhall appoint, by an Order in Writing under the Hands of any Two or more Juſtices of the Peace acting in and for the County in which the ſaid Roads lay, to take up and remove all and every ſuch Pipe and Pipes; and whenever it ſhall be found neceſſary by ſuch Company of Proprietors, their Agents or Workmen, to open the Ground in or under any Part of the ſaid Roads, for the Purpoſe of laying and amending their Water-pipes or Plugs, the ſame ſhall be done, and the Ground filled up and rammed in, and the Roads made good as expeditiouſly as the Circumſtances will admit of, at the Expence of ſuch Company of Proprietors; and in the mean Time ſuch Agents or Workmen ſo opening the Ground, ſhall ſecure the reſpective Parts thereof in ſuch Manner as to prevent any Damage or Inconvenience happening to Paſſengers, Cattle, or Carriages, upon Pain of forfeiting any Sum not exceeding Ten Shillings for every Hour that the Ground ſhall remain open, or not ſecure in Manner aforeſaid; and that whenever it ſhall happen by the burſting, breaking, or leaking of any ſuch Pipe or Pipes, the Water ſhall overflow any Part of the ſaid Road, ſo as to occaſion any Danger or Inconvenience to Paſſengers, Cattle or Carriages; and the ſaid Company of Proprietors of ſuch Waterworks, or their Agent or Agents ſhall, after Twenty-four Hours Notice

Notice thereof, neglect to do what shall be necessary to remedy the Danger and Inconvenience arising therefrom, it shall be lawful for the Surveyor or Surveyors of the said Roads respectively, to do what he or they shall judge requisite to drain off the Water, and to prevent any Danger or Inconvenience therefrom in future, the Expence whereof, and of taking up and removing such Pipe or Pipes, and of making good the Damage done to the Roads, to be ascertained by Two such Justices or any other Two Justices of the Peace for the County in which the said Roads lay, shall be reimbursed to such Surveyor or Surveyors by such Company of Proprietors; all which respective Forfeitures and Sums shall and may from Time to Time be recovered of and from the Treasurer, Clerk or Agent to the said Company of Proprietors, in such Manner as other Penalties and Forfeitures are by this Act or the said recited Acts to be recovered; and the same, when so recovered, shall from Time to Time be paid to the said Trustees respectively, or the Treasurer or Treasurers for the Time being, and shall be applied for and towards amending the said Roads respectively.

To prevent Drainage of Roads from being injured.

LXVIII. And be it further enacted, That no Pipe or Pipes shall be laid down under the said Roads or either of them, which shall prevent the draining of the Water off the said Roads, and in no case of less Depth than Twelve Inches below the Surface of the Ground so intended to be opened, measured from the upper Side of such Pipe or Pipes.

Protecting Rights of Trustees of Turnpike Roads.

LXIX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to or invest the said Company of Proprietors, or any other Person or Persons whomsoever, with any Right, Power, or Authority which may at all interfere with the Rights, Powers, Authorities, or Provisions heretofore granted by an Act, passed in the Forty-second Year of the Reign of His present Majesty, intituled, *An Act for repealing an Act passed in the Twenty-first Year of the Reign of His present Majesty, for repairing the Roads leading from the* Stones End *in* Kent Street, *in the Parish of* Saint George Southwark, *to* Dartford, *and other Roads therein mentioned in the Counties of* Kent *and* Surrey; *and for more effectually repairing and improving the said Roads, and for lighting and watching or guarding the same, and also for increasing the Compositions payable in lieu of Statute Duty, by the Parishes of* East Greenwich *and* Saint Paul Deptford, *to the Treasurer of the said Roads.*

Act not to affect the Powers given by certain Acts of Parliament.

LXX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to or invest the said Company of Proprietors, or any other Person or Persons whomsoever, with any Right, Power, or Authority, which may at all interfere with the Rights, Powers, Authorities, and Provisions granted by an Act, passed in the Forty-third Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for enlarging and altering the Term and Powers of several Acts of Parliament for making a Road from* New Street Southwark, *to the Places therein mentioned, and from* Freeschool Street Southwark *to* Dock Head *and* Lillipot Hall Bridge *in* Bermondsey, *and from the* Stones End *in* Kent Street Southwark *to* Dartford, *so far as respects the Road leading from the* Stones End *in* Bermondsey Street *towards* Saint Thomas a Waterings; *and also for repairing and maintaining a certain Lane called* Long Lane *in the Parish of* Bermondsey, *in the County of* Surrey, or any of the

Acts therein recited, or with the Rights, Powers, Authorities, or Provisions granted by another Act of Parliament, passed in the same Year of the Reign of His said Majesty, intituled, *An Act for building a Bridge over the River* Ravensborne, *at or near its Mouth or Outlet into the River* Thames, *in the County of* Kent; *and for making and maintaining proper Approaches thereto.*

Fines, &c. how to be recovered and applied.

LXXI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted by this Act, or which shall be inflicted by any Rule, Order, or Bye Law to be made in pursuance thereof, the Manner of levying and Recovery whereof is not particularly herein directed, shall, in case of Non-payment thereof on Conviction of the Offender or Offenders respectively, be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place wherein the Offence shall be committed, or the Offender shall be or reside, which Warrant such Justice is hereby empowered and required to issue upon the Confession of the Party or Parties, or upon the Evidence of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered and required to administer); and all Fines, Penalties, and Forfeitures (the Application whereof is not herein particularly directed) shall be paid into the Hands of the Treasurer of the said Company of Proprietors, and shall be applied and disposed of for the Use of the said Company; and the Overplus of the Money raised by such Distress and Sale, after deducting the Fines, Penalties, or Forfeitures, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained; and for want of sufficient Distress, and in case the Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall be lawful for such Justice, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Form of Conviction.

LXXII. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or against any Order of Sessions, or against any Bye Law, Rule, Order, or Regulation made in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say),

'BE it remembered, That on this Day of in the Year of the Reign of is convicted before of His Maj sty's Justices of the Peace for the of having [*as the Offence shall be*] and I [*or*, we] the said do adjudge him, [her, *or* them] to forfeit and pay for the same, the Sum of Given under my Hand and Seal [*or*, our Hands and Seals] the Day and Year aforesaid.'

Allowing an Appeal.

LXXIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgement made or given in pursuance of any Rule, Bye Law, or Order of the said

ſaid Company of Proprietors, or their Committee, or by any Order, Judgement, or Determination of any Juſtice or Juſtices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, then and in every ſuch Caſe, ſuch Perſon or Perſons may, within Four Calendar Months next after ſuch Order, Judgement, or Determination ſhall have been made or given, appeal to the Juſtices of the Peace at the General or Quarter Seſſions of the Peace to be holden in and for the County, City, or Place in which the Cauſe of Appeal ſhall ariſe (firſt giving Ten Days Notice of ſuch Appeal to the Perſon or Perſons appealed againſt, and of the Nature and Matter thereof, and forthwith after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for ſuch County, City, or Place, with Two ſufficient Sureties conditioned to try ſuch Appeal and to abide the Order and Award of the ſaid Court thereon), and the ſaid Juſtices ſhall in a ſummary Way either hear and determine the ſaid Appeal at ſuch General or Quarter Seſſions, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Seſſions of the Peace to be holden for ſuch County, City, or Place; and the ſaid Juſtices may, if they ſee Cauſe, mitigate any Forfeiture or Fine, and may order any Money to be returned which ſhall have been levied in purſuance of ſuch Rule, Bye Law, Order, Judgement, or Determination, and may alſo order and award Satisfaction to be made to the Party injured, as they ſhall judge reaſonable.

Proceedings not to be quaſhed or removed by Certiorari.

LXXIV. And be it further enacted, That no Order, Verdict, Judgement, Conviction, or other Proceeding, touching or concerning any of the Matters aforeſaid, or touching or concerning any Offence againſt this Act, ſhall be quaſhed or vacated for want of Form only, or be removed or removeable by *Certiorari* or any other Writ or Proceſs whatſoever into any of His Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

Diſtreſſes not unlawful for want of Form.

LXXV. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or want of Form in the Information, Summons, Conviction, Warrant of Diſtreſs or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties ſo diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity, ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe.

Plaintiffs not to recover without Notice, or after Tender of Amends.

LXXVI. Provided always, and be it enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants, or left at his, her, or their laſt or uſual Place or Places of Abode Twenty-one Days before ſuch Action ſhall be commenced, of ſuch intended Action, ſigned by the Attorney for the Plaintiff or Plaintiffs, ſpecifying the Cauſe of ſuch Action; nor ſhall the Plaintiff or Plantiffs recover in ſuch Action if Tender of ſufficient Amends ſhall have been made to him, her,

her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgement shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LXXVII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be brought or commenced within Six Calendar Months next after the Fact committed; or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing such Damage shall have ceased and not afterwards, and shall be laid and brought in the County or Place where the Matter in Dispute or Cause of Action shall arise and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before the Expiration of Fourteen Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time so limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases by Law.

Public Act.

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

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