ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. CXXIX.

An Act for ſupplying the Borough and Town of *Weymouth* and *Melcombe Regis*, and the Parts adjacent, in the County of *Dorſet*, with Water.

[19th *July* 1797.]

Preamble.

WHEREAS the Borough and Town of *Weymouth* and *Melcombe Regis* in the County of *Dorſet*, and the Parts adjacent, are not properly ſupplied with freſh Water: And whereas it is of great Conſequence that the Inhabitants thereof, and the Shipping reſorting thereto, ſhould have a conſtant Supply of freſh Water, which is practicable, and the ſeveral Perſons herein-after named are willing to undertake to procure, upon having proper Powers granted them for that Purpoſe: 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 Bryer* of *Chelſea* in the County of *Middleſex* Gentleman, *Thomas Gray* of the City of *Exeter* Gentleman, *James Hamilton* of the Borough and Town of *Weymouth* and *Melcombe Regis* aforeſaid, Builder, *Thomas Richardſon* of *Weymouth* and *Melcombe Regis* aforeſaid, Woollen Draper, *Thomas Ham* of *Weymouth* and *Melcombe Regis* aforeſaid, Brewer, and

Perſons united into a Company for ſupplying *Weymouth* and *Melcombe Regis* with Water.

and *John Harvey* of *Weymouth* and *Melcombe Regis* aforeſaid, Watch-maker, together with ſuch Perſon or Perſons as ſhall be nominated and appointed by them under their Hands, and the ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns of the ſaid Perſons herein-before named, and of the Perſon or Perſons ſo to be nominated and appointed, are and ſhall be united into a Company for ſupplying with Water the Inhabitants of the ſaid Borough and Town of *Weymouth* and *Melcombe Regis*, and the Parts adjacent, and the Shipping reſorting thereto, and ſhall for that Purpoſe be one Body Politick and Corporate, by the Name and Style of *The Company of Proprietors of the Weymouth Water-works*, and by that Name ſhall have perpetual Succeſſion, and ſhall have a Common Seal, and by that Name ſhall and may ſue and be ſued; and that the ſaid Company of Proprietors ſhall and may have Power and Authority to purchaſe Lands to them and their Succeſſors and Aſſigns, for the Purpoſes of this Act, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and the ſaid Company of Proprietors ſhall be and are hereby authorized and empowered, by themſelves, their Deputies, Agents, Officers, Workmen, and Servants, to make and complete a Cut, Trench, or Aqueduct, not exceeding Ten Feet in Breadth over, in all or any Part thereof, from or near a certain Stone or Rock called or known by the Name of *The Boiling Rock*, ſituate and being in the Pariſh of *Preſton* and *Sutton Poyntz* in the ſaid County of *Dorſet*, in, through, and over, certain Lands in the ſaid Pariſh of *Preſton* and *Sutton Poyntz*, and the ſeveral Pariſhes of *Broadway* and *Radipole* in the ſaid County, and in and to the ſaid Borough and Town of *Weymouth* and *Melcombe Regis* aforeſaid, and the Parts adjacent, for the Purpoſe of laying and placing ſuch Pipes therein as they ſhall find neceſſary, and to ſupply the ſaid intended Cut, Trench, or Aqueduct and Pipes, whilſt making, and at all Times for ever after the ſame ſhall be made, with Water from a certain Stream or Brook iſſuing from the Stone or Rock called *The Boiling Rock* aforeſaid, and alſo from all ſuch Springs, Streams, or Brooks, which are or ſhall flow or be found in digging or making the ſaid Cut, Trench, or Aqueduct, or near the Courſe thereof, or the Reſervoirs belonging thereto; and the ſaid Company of Proprietors are hereby authorized and empowered to cleanſe, ſcour, dig, open, deepen, and raiſe, the Banks of the ſaid Streams or Brooks which are to ſupply the ſaid intended Cut, Trench, or Aqueduct, and Pipes with Water, and alſo to erect and make ſuch Steam Engines or other Machinery, and ſuch proper Paſſages for Water, in, upon, over, under, or through, the Lands or Grounds adjoining or near the ſaid Streams or Brooks, for conveying the Water from the ſame into the ſaid Cut, Trench, or Aqueduct, and Pipes, as the ſaid Company of Proprietors ſhall think fit; and for the Purpoſes aforeſaid the ſaid Company of Proprietors, their Deputies, Servants, Agents, and Workmen, are hereby authorized and empowered to enter into and upon the Lands and Grounds of any Perſon or Perſons, Bodies Politick, Corporate, or Collegiate whatſoever, ſituate, lying, and being between the ſaid Rock and Springs, Streams or Brooks, herein-before mentioned, and the ſaid Borough and Town of *Weymouth* and *Melcombe Regis*, and the Parts adjacent, and to ſurvey and take Levels of the ſame, or any Part thereof, and to ſet out and aſcertain ſuch Parts thereof as they ſhall think neceſſary and proper for making the ſaid intended Cut, Trench, or Aqueduct, and any Reſervoirs or Feeders and Aqueducts,

Aqueducts, and all such other Works, Matters, and Conveniencies as they shall think proper and necessary for making, effecting, preserving, improving, completing, cleansing, and maintaining the said intended Cut, Trench, or Aqueduct, Pipes, and other Works; and also from Time to Time to scour, cleanse, repair, and maintain, the said intended Cut, Trench, or Aqueduct, and the Pipes and Works thereof respectively; and also to bore, dig, cut, trench, sough, get, remove, take, carry away, and lay Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got in making the said intended Cut, Trench, or Aqueduct, or other Works, or in making any Reservoirs, Pipes, Feeders, or Aqueducts, or which may hinder, prevent, or obstruct the making, using, completing, and maintaining, of such Reservoirs, Feeders, Pipes, Aqueducts, or Watercourses as aforesaid, as shall be necessary and proper to convey Water to or from the said intended Cut, Trench, or Aqueduct, and Pipes, according to the Intent and Purpose of this Act; and also to make, maintain, repair, and alter, any Fences, Passages, Bridges, or Arches over, under, or through, the said intended Cut, Trench, or Aqueduct, or the Reservoirs, Feeders, Pipes, Aqueducts, or Watercourses respectively, which shall communicate therewith; and also to construct, erect, and keep in Repair any Bridges, Arches, Aqueducts, and other Works in, upon, and across any Rivers, Highways, or Brooks, which the said Company of Proprietors, their Successors and Assigns, shall think convenient and necessary; and also to erect and keep in Repair any Mounds or Walls in, upon, and across any such Lands or Grounds where the said Company of Proprietors, their Successors and Assigns, shall find necessary for the conducting, making, effecting, extending, preserving, improving, and completing, the said intended Cut, Trench, or Aqueduct, and other Works, in pursuance of and according to the true Intent and Meaning of this Act, for the convenient and necessary conveying and bringing a sufficient Stream of fresh Water from the said Rock, and Streams, Springs, or Brooks, to the said Borough and Town, and Places adjacent, for the Use of the Inhabitants thereof respectively, and the Shipping resorting thereto, and for the several other Purposes authorized by this Act; and also from Time to Time to make Weirs and Banks, and other Reparations and Works for the Amendment and Preservation thereof; and also to make any Reservoir or Reservoirs on any such Lands or Grounds sufficient for receiving and keeping the same, and to make any Cuts, and to sink and lay any Pipes and other Devices which they shall think necessary on or underneath such Lands and Grounds, or any of them, for the Purpose of conveying the same; and also to make any Drains, Floodhatches, or Sluices, for the Purpose of carrying off the Waste Water at such Places as the said Company of Proprietors, their Successors and Assigns, shall find necessary; and from Time to Time to make, erect, construct, repair, and maintain, all such Reservatories, Cisterns, Ponds, Basons, Main Pipes, Rider Pipes, Stand Pipes, Service Pipes, Branches of Lead, Metal Cocks, Chamber Cocks, Stop Cocks, Valves, Fire Plugs, Air Plugs, Fire Cocks, Boxes, Mains, Ferrils, Feeders, Tampins, Drains, Pumps, Sluices, and other Works, in such Manner and of such Structure as they shall think proper for that Purpose; and to enter upon, dig, break up, and remove the Soil, Posts, Kirbs, Bulk Heads, Bars, Sewers, Drains, Pavements, and Gravelled Ways of any

of the Roads, Streets, Squares, Market Places, Lanes, Paſſages, Alleys, Yards, Courts, Foot Ways, Quays, Cloſes, Precincts, and Publick Places within the ſaid Borough and Town, and Parts adjacent, and to enter into and make uſe of any private Lands or Grounds within the ſaid Borough and Town, and Parts adjacent, and to dig and ſink Trenches and lay Pipes, and put Stop Cocks, Chambers, Fire Cocks, Fire Plugs, and Branches from ſuch Pipes in ſuch Places, and to widen common Paſſages for the laying and fixing ſuch Pipes, and all ſuch other Matters and Things in ſuch Places and in ſuch Manner as they ſhall judge neceſſary for diſtributing and conveying ſuch Water to the reſpective Houſes, Offices, and other Tenements of ſuch of the ſaid Inhabitants of the ſaid Borough and Town, and Parts adjacent, as ſhall be deſirous of being ſupplied therewith, and alſo for ſupplying the Shipping reſorting thereto, and for the ſeveral other Purpoſes hereafter mentioned; and from Time to Time, as Occaſion may require, to alter the Poſition of, and to repair, relay, and maintain ſuch Pipes, Stop Cocks, Plugs, and Machinery, and do all ſuch other Acts, Matters, and Things as ſhall from Time to Time be neceſſary or proper for completing, amending, repairing, improving, and uſing the Works authorized by this Act to be done and provided for the Purpoſes aforeſaid, according to the Intent and true Meaning thereof, they the ſaid Company of Proprietors, their Succeſſors and Aſſigns, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the ſeveral Powers to them hereby granted, and making Satisfaction in Manner herein-after mentioned to the Owners or Proprietors of, and all Perſons intereſted in the Lands, Tenements, and Hereditaments reſpectively, which ſhall be taken and uſed for all Damages to be by them ſuſtained in or by the Execution of all or any of the Powers of this Act; and this Act ſhall be ſufficient to indemnify the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and their Deputies, Servants, Agents, Workmen, and all other Perſons whatſoever, for what they or any of them ſhall do by virtue of the Powers hereby granted, ſubject nevertheleſs to ſuch Proviſoes and Reſtrictions as are hereafter mentioned.

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

II. Provided always, That nothing herein contained ſhall authorize or empower the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or any Perſon or Perſons whomſoever acting by or under their Authority, to take, uſe, injure, or damage, for the Purpoſes of the ſaid Cut, Trench, or Aqueduct, or any other of the Purpoſes aforeſaid, any Houſe or other Building which was erected or built on or before the Firſt Day of *September* One thouſand ſeven hundred and ninety-ſix, or any Land or Ground which, on or before the ſaid Firſt Day of *September* One thouſand ſeven hundred and ninety-ſix, was ſet apart and uſed as or for a Yard, Garden, Orchard, Park, Paddock, Planted Walk or Avenue to a Houſe, without the Conſent of the Owners and Occupiers thereof for that Purpoſe firſt had and obtained; nor any Houſe, Out-Houſe, or Building ſtanding and being within the ſaid Borough and Town, or the Parts adjacent, or any of them, without the like Conſent of the Owners and Occupiers thereof for that Purpoſe firſt had and obtained.

III. And

III. And whereas a Map or Plan, deſcribing the Line of the ſaid intended Cut, Trench, or Aqueduct, and the Lands through which the ſame is intended to be carried, together with a Book of Reference, containing a Liſt of the Names of the Owners or reputed Owners and Occupiers reſpectively of ſuch Lands, hath been depoſited at the Office of the Clerk of the Peace for the ſaid County of *Dorſet*; be it therefore further enacted, That the ſaid Map or Plan, and Book of Reference, herein-before mentioned, ſhall remain in the Cuſtody of the Clerk of the Peace for the Time being of the ſaid County, and all Perſons ſhall at any ſeaſonable Times have Liberty to inſpect and peruſe the ſame, and to take Copies thereof, or Extracts therefrom, at their Will and Pleaſure, paying ſuch Clerk of the Peace the Sum of One Shilling for every ſuch Inſpection, and after the Rate of Sixpence for every Two hundred Words of ſuch Copies or Extracts of the ſaid Book of Reference; and that the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall not, in conducting the ſaid Cut, Trench, or Aqueduct, to the ſaid Borough and Town, and Parts adjacent, deviate more than Ten Yards of Three Feet each from the Line or Courſe thereof ſo deſcribed in the ſaid Map or Plan, and Book of Reference reſpectively as aforeſaid; nor ſhall any ſuch Deviation be made into or carried through the Lands or Grounds of any Perſon or Perſons not named and ſet forth in the ſaid Book of Reference, without the Approbation and Conſent in Writing of the laſt-mentioned Perſon or Perſons through whoſe Lands or Grounds any ſuch Deviation ſhall be made: But nothing herein contained ſhall extend to reſtrain or prevent the ſaid Company of Proprietors, their Succeſſors and Aſſigns, from making any further or other Deviation from the ſaid Courſe or Direction of the ſaid intended Cut, Trench, or Aqueduct, in caſe all the Perſons to whom the Lands, Grounds, or Hereditaments to be cut through or made uſe of for the Purpoſes of ſuch Deviation ſhall belong, ſhall conſent thereto: Provided always, that no Advantage ſhall be taken of or againſt the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or any Interruption given to the making the ſaid intended Cut, Trench, or Aqueduct, or any of the Works authorized by this Act, on account of any Error or Omiſſion in the ſaid Map or Plan, or Book of Reference.

Line of the Aqueduct to be guided by the Plan and Book of Reference.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and do make or tender Satisfaction to the Owners of and Perſons intereſted in any Lands or Grounds which ſhall be taken or made uſe of, or damaged, by virtue or in execution of any of the Powers aforeſaid, for the Land or Ground ſo to be taken or uſed, or the Damage to be ſo done, either in Groſs Sums or by Annual Rents; and in caſe the Parties do not agree touching the Amount of ſuch Satisfaction within the Space of Twenty Days after Application ſhall have been made for that Purpoſe by or on Behalf of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to the reſpective Owners and Perſons intereſted as aforeſaid, or in caſe ſuch Owners and Perſons intereſted in any ſuch Lands and Hereditaments ſhall not be able to produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim, to the Satisfaction of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, then and in every ſuch Caſe the ſame ſhall be inquired of and aſcertained by a Jury at ſome General Quarter Seſſion of the Peace for

Satisfaction for Damages.

If Parties diſagree, or in caſe of defective Title, Damages to be ſettled by a Jury.

for the ſaid County of *Dorſet*; or in caſe the ſaid Lands or Grounds ſhall lie within the Juriſdiction of the ſaid Borough and Town, then the ſame ſhall be enquired of and aſcertained by a Jury at ſome General Seſſion of the Peace for the ſaid Borough and Town; and the Juſtices at ſuch Seſſion reſpectively, or the Adjournment thereof, ſhall, and are hereby authorized and required, upon Application made to them for that Purpoſe by or on Behalf of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, Fourteen Days previous Notice of ſuch Application being given to ſuch reſpective Owners or Perſons intereſted as aforeſaid, (by leaving ſuch Notice at the Dwelling Houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, or with ſome Tenant or Occupier of ſome of the ſaid Lands and Hereditaments intended to be valued and aſſeſſed, in caſe ſuch Party cannot otherwiſe be found out to be conveniently ſerved with ſuch Notice), to charge a Jury to be impannelled and returned by the Sheriff of the ſaid County, or the returning Officer of the ſaid Borough and Town, in caſe the ſaid Lands or Grounds ſhall lie within the Juriſdiction thereof, without Fee or Reward, conſiſting of Twenty-four ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries upon the Trial of Iſſues at Law, and to cauſe Twelve of them to be ſworn, well and truly upon their Oaths to inquire into and aſcertain the Value of the Land or Ground to be taken or uſed, or the Damage to be done to any Private Land or Ground as aforeſaid; to which Jury any of the Parties ſhall have their lawful Challenges when they come to be ſworn; and any Juſtice of the Peace for the ſaid County or Borough and Town, as the Caſe may be, is hereby empowered and required, upon Application made to him by any of the Parties intereſted, by Warrant under his Hand and Seal, to call before the Juſtices at ſuch Seſſions reſpectively, or the Adjournment thereof, any Perſon or Perſons who ſhall be thought proper to be examined touching the Premiſes; and the ſaid Jury upon their Oaths (which Oaths, and alſo the Oaths to be taken by the Perſons who ſhall appear to be examined and give Evidence as aforeſaid, any One of the ſaid Juſtices is hereby empowered and required to adminiſter), ſhall inquire into, and aſcertain and award what Sum or Sums of Money ſhall be paid by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, (not exceeding Forty Years Purchaſe of the clear Yearly Value thereof,) or by an Annual Rent or Payment for the abſolute Purchaſe of or as a Recompence for the Uſe of the Lands, Grounds, or Hereditaments which ſhall be ſet out and aſcertained as aforeſaid for making the ſaid Cut, Trench, or Aqueduct, and for other the Purpoſes herein mentioned; and alſo to aſcertain and award the Compenſation to be made by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for any Damages which ſhall appear to them to have been done as aforeſaid; and the ſaid Juſtices ſhall thereupon give Judgement according to ſuch Verdict of the ſaid Jury; which Verdict of the ſaid Jury, and Judgement thereupon delivered and pronounced by the ſaid Juſtices, ſhall be binding and concluſive to all Intents and Purpoſes whatſoever upon the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and all and every Perſon and Perſons, Bodies Politick and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt in, to, or out of the ſaid Lands, Hereditaments, and Premiſes, or otherwiſe intereſted therein, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well againſt the King's moſt Excellent Majeſty, his Heirs and

Challenge.

Verdict of Jury binding.

and Succeſſors, as againſt Infants and Iſſue unborn, Lunaticks, Idiots, and Femes Covert, and Perſons under any other legal Incapacity or Diſability, and all Truſtees and *Ceſtuique* Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, and againſt all other Perſons whomſoever; and the ſaid Verdicts and Judgements and other Proceedings of the ſaid Court and Juries, ſo to be made, given, and pronounced as aforeſaid, ſhall be entered and kept amongſt the Records of the Quarter Seſſions of the ſaid County, or of the General Seſſions of the ſaid Borough and Town, as the Caſe may be; and the ſame, or true Copies thereof, being ſigned by the Clerk of the Peace for the ſaid County, or the Town Clerk of the ſaid Borough and Town, as the Caſe may require, ſhall be deemed and taken as good Evidence and Proof in any Court of Law or Equity whatſoever, and all Perſons may have Recourſe thereto, and may take Copies thereof or Extracts therefrom, on paying the uſual Fees paid in Caſes of the like Nature; and immediately upon Payment or legal Tender of the reſpective Sum or Sums of Money, or giving ſuch Security as the ſaid Juſtices ſhall approve, for Payment of any ſuch Annual Rent as ſhall have been contracted or agreed for between the Parties, or aſſeſſed and adjudged by the ſaid Juries and Juſtices in Manner reſpectively as aforeſaid, as the Value and for the Purchaſe of any Lands, Grounds, or Hereditaments, to be taken or made uſe of as aforeſaid, or as a Recompence for the Yearly Produce or Profits thereof, or as a Compenſation for Damages as herein-before mentioned, to the reſpective Perſons entitled thereto, or their Agents, and Entry of ſuch Verdicts, Judgements, Orders, and Proceedings of the ſaid Juſtices and Juries, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, both at Law and in Equity, of the Perſon or Perſons to whom or for whoſe Uſe ſuch Money ſhall be paid, or Security given as aforeſaid, of, in, to, and out of the ſaid Lands, Hereditaments, and Premiſes, ſhall become and be abſolutely veſted in the ſaid Company of Proprietors, their Succeſſors and Aſſigns for ever, free from all Right, Intereſt, or Claim of any Perſon whomſoever, and they ſhall reſpectively be deemed in Law to be in the actual Seiſin and Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having or claiming, or pretending to have or claim, any Eſtate or Intereſt whatſoever in the Premiſes, had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seiſin, Fine, Recovery, or any other legal Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Claim, and Demand of the Perſon or Perſons to whoſe Uſe ſuch Payment was made, but alſo ſhall extend to and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail in Poſſeſſion, Reverſion, or Remainder, and the Iſſue or Iſſues of ſuch Perſon or Perſons, and every Perſon claiming under them, as effectually as a Fine or Recovery, or either of them, would do if levied or ſuffered by the proper Parties in due Form of Law; and ſhall alſo extend to, and be deemed and conſtrued to extend to bar the Right, Title, Intereſt, Uſe, Claim, and Demand whatſoever, in Poſſeſſion, Reverſion, Remainder, or Expectancy, of any other Perſon or Perſons whomſoever, in, to, or out of ſuch Lands and Hereditaments, and every Part thereof; and the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and thoſe claiming from, by, and underthem, ſhall be quieted in the Poſſeſ-

Premiſes to veſt on Payment of Money.

ſion thereof, any Law, Statute, Uſage, Matter, or Thing whatſoever to the contrary notwithſtanding; and all ſuch Yearly Rents or Sums as ſhall be agreed on between the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and the ſaid Parties intereſted in ſuch Lands and Grounds or other Hereditaments, or as ſhall be ſo aſcertained and ſettled as aforeſaid, ſhall be paid by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, as the ſame ſhall become due and payable; and in caſe the ſame ſhall not be regularly paid as the ſame ſhall become due and payable, (being lawfully demanded), it ſhall be lawful for ſuch Perſon or Perſons to whom ſuch Yearly Rents or Sums ſhall be due and owing as aforeſaid, to ſue for and recover the ſame, with Coſts of Suit, by Action of Debt in any of His Majeſty's Courts of Record.

Bodies Politick, &c. empowered to ſell and convey.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Truſtees or Feoffees in Truſt, Guardians and Committees for Lunaticks and Idiots, Executors, Adminiſtrators, and Guardians whomſoever, not only for or on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes Covert, or other Perſon or Perſons whomſoever, and to and for all Femes Covert who are or ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed and poſſeſſed of or intereſted in any Lands or Hereditaments which ſhall be neceſſary to be purchaſed or uſed for the Purpoſes of this Act, to ſell and convey all or any ſuch Lands, Tenements, Hereditaments, Eſtates, and Intereſts, or any Part thereof, to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by ſuch Perſons as aforeſaid, ſhall be good and valid in Law to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes Covert, or other Perſons whomſoever, and all claiming and to claim by, from, or under them; any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding; and all ſuch Perſons ſo conveying as aforeſaid ſhall be and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake or Matter of Form whatſoever.

Money belonging to Corporations to be re-inveſted.

VI. And be it further enacted by the Authority aforeſaid, That the principal Money to ariſe from the Sale of any Lands, Hereditaments, or Premiſes, which ſhall be purchaſed for the Purpoſes of this Act of any Body Corporate or Eccleſiaſtical, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Femes Covert or Feme Covert, or other incapacitated Perſon or Perſons, if the ſame ſhall exceed the Sum of Twenty Pounds, ſhall be paid to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed, to be reinveſted in the Purchaſe of other Lands, Hereditaments, and Premiſes, which ſhall be conveyed and ſettled to and upon and ſubject to the like Uſes, Truſts, Limitations,

mitations, Remainders, and Contingencies, as the Lands, Hereditaments, or Premiſes which ſhall be purchaſed from them reſpectively by the ſaid Company of Proprietors as aforeſaid were reſpectively ſettled, limited, or aſſured at the Time of ſuch the purchaſing of the ſame, or ſo many thereof as at the Time of making ſuch Conveyances and Settlements ſhall be exiſting and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe or Purchaſes ſhall be made, the ſaid Money ſhall be placed out by or on the Behalf of ſuch Bodies Corporate or Eccleſiaſtical, Corporations Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or Truſtees, or other Perſon or Perſons, in ſome of the Publick Funds, or on Government or Real Securities, producing an Annual Intereſt, in the Names of Three or more Perſons, to be nominated by the Parties intereſted therein, and to be approved of by the ſaid Juſtices; and the Intereſt ariſing or to be produced from any ſuch Funds and Securities, and alſo the Annual Rent for ſuch Lands and Grounds, Tenements, and Hereditaments, where a Rent ſhall be fixed upon as aforeſaid, ſhall be paid to ſuch Perſon or Perſons reſpectively as would have been entitled for the Time being to the Rents and Profits of ſuch Lands and other Premiſes ſo to be purchaſed, in caſe the ſame had been purchaſed and ſettled purſuant to the Tenor and true Meaning of this Act.

Owners of Lands, *etc.* on Payment of Money awarded, to convey.

VII. And be it further enacted and declared by the Authority aforeſaid, That upon Payment or legal Tender of ſuch Sum or Sums of Money, or on giving ſuch Security as aforeſaid for Payment of ſuch Annual Rent ſo to be awarded or adjudged reſpectively, the Perſon or Perſons to whom the ſame ſhall be ſo awarded for the Purchaſe of the ſaid Lands or Hereditaments, or for the Purchaſe of any Eſtate or Intereſt therein, ſhall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Aſſignments, and Aſſurances in the Law to the ſaid Company of Proprietors, and their Succeſſors and Aſſigns, or to ſuch Perſon or Perſons as they ſhall order, direct, or appoint, of the ſaid Lands or Hereditaments, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo awarded, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments, and Aſſurances; and ſhall do all Acts, Matters, and Things neceſſary and requiſite to make a good, clear, and perfect Title to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or the Perſon or Perſons ſo by them in that Behalf to be appointed as aforeſaid; and ſuch Conveyances, Aſſignments, and Aſſurances ſhall contain all ſuch reaſonable and uſeful Covenants as on the Part of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or of the Perſon or Perſons ſo by them in this Behalf to be appointed as aforeſaid, ſhall be reaſonably required; and in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, ſhall not be able to evince their Title to the Premiſes, or to make or procure to be made ſuch good, valid, and legal Conveyances thereof as aforeſaid, or ſhall refuſe ſo to do, being thereto required, and ſuch Sum or Sums of Money ſo aſſeſſed and awarded as aforeſaid being tendered to be paid to him, her, or them, on his, her, or their making ſuch Title, and executing and procuring to be executed ſuch Conveyances, Aſſignments, or Aſſurances as aforeſaid, or ſuch Security being given for the Payment of ſuch Annual Rent as aforeſaid, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money

ſhall

In caſe of Refuſal or Inability to make a good Title, *etc.* the Purchaſe Money to be paid into the Bank.

ſhall be ſo awarded as aforeſaid cannot be found, or in caſe, by reaſon of Diſputes depending in any Court of Law or Equity, or for Defect of Evidence, it ſhall not appear what Perſon or Perſons is or are entitled to the Premiſes in queſtion, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Juſtices to order the ſaid Sum or Sums of Money ſo aſſeſſed or awarded as aforeſaid, as and for the Value of the Purchaſe Money for the ſaid Lands and Hereditaments, or as and for the Annual Rent for the ſaid Lands and Hereditaments, as the Caſe may be, from Time to Time to be paid into the Bank of *England*, for the Uſe of the Parties intereſted in the ſaid Premiſes, to be paid them, and every of them, according to their reſpective Eſtates and Intereſts therein, at ſuch Time as the ſaid Juſtices ſhall order and direct; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum and Sums, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums, mentioning and ſpecifying for what Premiſes and for whoſe Uſe the ſame is or are received, to ſuch Perſon as ſhall pay any Sum or Sums into the Bank as aforeſaid.

In what Caſes and Manner the Juſtices may order the Money ſo paid into the Bank to be placed at Intereſt.

VIII. Provided always, That it ſhall and may be lawful for the ſaid Juſtices after ſuch Payment into the Bank and Entry as aforeſaid, upon the Petition of any Perſon or Perſons in whom the legal Eſtate in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, was veſted at the Time of the ſaid Payment into the Bank, to place out or inveſt, or cauſe to be placed out and inveſted, ſuch Sum or Sums of Money, or any Part thereof, in ſome of the Publick Funds, or on Government Security at Intereſt, in the Names of the Chairman of the Court of Quarter Seſſions, Clerk of the Peace, and Deputy Clerk of the Peace for the ſaid County of *Dorſet* for the Time being, or any Two of them, or in the Names of the Senior Alderman, Recorder, and Town Clerk of the ſaid Borough and Town for the Time being, or any Two of them, in caſe ſuch Lands, Tenements, or Hereditaments, ſhall lie within the Juriſdiction thereof, and the ſame ſhall, as ſoon as conveniently may be after the Death or Removal of any of them, be by the Survivor or Survivors of them transferred into the Names of the Chairman of the Court of Quarter Seſſions, Clerk of the Peace, and Deputy Clerk of the Peace for the ſaid County for the Time being, or any Two of them, or into the Names of the ſenior Alderman, Recorder, and Town Clerk, of the ſaid Borough and Town for the Time being, or any Two of them, as the Caſe may be and require, and ſo from Time to Time as often as any One of them ſhall happen to die or be removed, in Truſt to transfer and aſſign the ſame to ſuch Perſon or Perſons to whom the Premiſes ſhall belong, on their executing proper Conveyances thereof, and in the mean Time in Truſt to pay the Intereſt and Dividends ariſing therefrom to ſuch Perſon or Perſons ſo in Poſſeſſion of the ſaid Premiſes as aforeſaid.

The Dividends to be paid to the Perſons in Poſſeſſion;

but recoverable againſt them by thoſe entitled to the Meſne Profits.

IX. Provided always, and it is hereby further enacted, That all and every Perſon or Perſons who would be entitled to recover the Meſne Profits of the Premiſes againſt the Perſon or Perſons in Poſſeſſion, in caſe the ſame had not been ſo conveyed to or veſted in the ſaid Company of Proprietors, ſhall be entitled to recover the Sum or Sums to ariſe from all Intereſt and Dividends as aforeſaid, by Action of Debt, or otherwiſe, againſt the Perſon or Perſons who ſhall receive the ſame; and the Governor and Company of the Bank of *England* are hereby authorized and required

required to obey ſuch Order and Orders from Time to Time, as ſhall be made by the ſaid Juſtices reſpectively, for the Payment of ſuch Sum or Sums of Money, or any Part thereof, in order to the ſame being inveſted in Publick Securities as aforeſaid, or otherwiſe concerning the ſame; and the ſaid Company of Proprietors, and their Succeſſors and Aſſigns, ſhall be quieted in the Seiſin and Poſſeſſion of the Lands and Hereditaments for which ſuch Money ſhall be ſo paid as aforeſaid, and ſhall not be anſwerable or accountable in any Court of Law or Equity for the Money ſo depoſited and placed out as aforeſaid, purſuant to the true Intent and Meaning of this Act.

Perſons ſo barred may recover the Purchaſe Money againſt the Perſons to whom paid, together with Intereſt.

X. Provided nevertheleſs, That any Perſon or Perſons barred of any Right, Title, or Eſtate, Intereſt, Claim, or Demand, whatſoever, into or out of the ſaid Lands or Hereditaments, by virtue of this Act, ſhall be at Liberty to bring any Action or Actions of Debt for Money had and received to his or their Uſe, or take ſuch other legal Remedy as he, ſhe, or they ſhall think proper, againſt any Perſon or Perſons, or the legal Repreſentatives of any Perſon or Perſons, who received the Purchaſe Money ariſing from ſuch Sale of the ſaid Lands and Hereditaments, or Premiſes aforeſaid; and that in every ſuch Caſe the Plaintiff or Plaintiffs, on Proof of ſuch Title as would have enabled him, her, or them, to recover the ſaid Purchaſe Money, ſhall recover the ſame, or ſo much thereof, as ſhall be equivalent to their Intereſt, to the Meſne Profits of the Premiſes which they would have been entitled to recover in caſe this Act had not been made.

Expences of ſummoning the Jury.

XI. And be it further enacted, That whenever a Jury ſhall be ſummoned, and a Verdict ſhall be given for Money, or for a greater Annual Rent, as a Recompence or Satisfaction for the abſolute Sale of any Lands, Grounds, Hereditaments, or Premiſes, of any Perſon or Perſons whomſoever, or as a Compenſation for any Damages done or to be done to ſuch Lands, or other Premiſes, than had been previouſly offered by or on Behalf of the ſaid Company of Proprietors, before the ſummoning of the ſaid Jury, or where any Verdict ſhall be found for any Damages where the Diſpute is for Damages only, and where no Compenſation had been previouſly offered or tendered in reſpect thereof, by and on Behalf of the ſaid Company of Proprietors, or where, by reaſon of any Impediment or Diſability, as aforeſaid, there ſhall not be found any Perſon or Perſons who may be legally capacitated to enter into Contract with, and make Conveyances to, or receive Compenſations from the ſaid Company of Proprietors, as herein-before mentioned, then, and in all ſuch Caſes, the Expences of ſummoning ſuch Jury, and taking ſuch Verdict, ſhall be ſettled by the ſaid Court of Quarter Seſſions or General Seſſions, and be defrayed by the ſaid Company of Proprietors; but if any Verdict ſhall be given for the ſame Sum that had been previouſly offered by or on Behalf of the ſaid Company of Proprietors, or in caſe no Damages ſhall be given by the Verdict when the Diſpute is for Damages only, or in caſe of ſuch Refuſal to enter into Treaty with, or make Conveyances to, or receive Compenſation from the ſaid Company of Proprietors, by any Bodies Politick, Corporate, or Collegiate, or by any Perſon or Perſons whomſoever, who is or are, by the Proviſions of this Act or otherwiſe, legally capacitated to treat and convey, or receive ſuch Compenſation as aforeſaid, then, and in all ſuch Caſes, (except where, by reaſon of Abſence

ſence or otherwiſe, any Perſon ſhall have been prevented from treating and agreeing as aforeſaid), the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Verdict, ſhall be ſettled in like Manner by the ſaid Court of Quarter Seſſions, or General Seſſions, and be borne or paid by the Perſon or Perſons with whom the ſaid Company of Proprietors ſhall have ſuch Concerns, Controverſies, or Diſputes; which ſaid Coſts and Expences, having been ſo ſettled, ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons, and the Payment or Tender of the Remainder of ſuch Sum or Sums of Money ſhall be deemed and taken, to all Intents and Purpoſes, to be a Payment or Tender of the whole Sum or Sums ſo aſſeſſed and adjuged.

Satisfaction for Tithes.

XII. And be it further enacted, That full Recompence and Satisfaction ſhall be made by the ſaid Company of Proprietors for all the Tithes, both Great and Small, which would have been iſſuing from or out of any of the Lands which ſhall be taken or made uſe of for the Purpoſes of this Act, to the ſeveral Perſons who now are, or at any Time hereafter might have, become entitled to ſuch Tithes, according to their reſpective Intereſts therein; ſuch Tithes to be eſtimated at the Average Value of the Four Years commencing at *Michaelmas Day* One thouſand ſeven hundred and ninety-two, and ending at *Michaelmas Day* One thouſand ſeven hundred and ninety-ſix; ſuch Value to be aſcertained, in caſe of any Difference concerning the ſame, in like Manner as the Value of any Lands or other Hereditaments is herein-before directed to be aſcertained: Provided always, that ſuch Recompence and Satisfaction ſhall be made to Spiritual Perſons by an Annual Rent.

Bargains and Sales enrolled in purſuance of this Act, to have the Operation of Fines and Recoveries.

XIII. And be it further enacted by the Authority aforeſaid, That all Bargains and Sales whatſoever to be made and acknowledged by any Perſon or Perſons whomſoever, and which ſhall be inrolled in the ſaid Court of Quarter Seſſions for the ſaid County, or in any of His Majeſty's Courts of Record at *Weſtminſter*, of any ſuch Lands and Hereditaments as ſhall be purchaſed by virtue of and for the Purpoſes of this Act, ſhall have the full Force, Effect, and Operation in Law, to all Intents and Purpoſes, which any Fine or Fines, Recovery or Recoveries whatſoever, would have, if levied or ſuffered by the Bargainor or Bargainors, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſes in Truſt for or to the Uſe of ſuch Bargainor or Bargainors, in any legal Manner or Form whatſoever.

Inhabitants deſirous of having the Water, may lay Pipes to communicate with the Company's Pipes,

XIV. And be it further enacted, That ſuch of the Inhabitants of the ſaid Borough and Town of *Weymouth* and *Melcombe Regis*, and the ſaid Parts adjacent, (except as herein-after excepted), as ſhall be deſirous of having the Water laid into their reſpective Houſes or Offices, may and are hereby authorized and empowered, at their own Expence, (having firſt obtained the Conſent in Writing of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or of ſuch Perſon or Perſons as ſhall be by them duly authorized to give ſuch Conſent, and which Conſent they and he are and is hereby required to give to ſuch of the ſaid Inhabitants as ſhall be deſirous of being ſupplied with the ſaid Water immediately upon receiving a Notice in Writing, to be ſigned by the Party ſo applying, which ſhall be entered in the Books of the ſaid Company, for the Payment

ment of ſuch Sum or Sums of Money for the ſaid Water as are herein-after provided), to open the Ground between the Pipes belonging to the ſaid Company of Proprietors and the reſpective Houſes or Offices of ſuch Inhabitants, and to lay leaden Pipes (the Bore thereof to be aſcertained by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, the ſame nevertheleſs not being leſs than Half an Inch Diameter) from ſuch reſpective Houſes or Offices, to communicate with the ſaid Company's Pipes in any Road, Street, Lane, Paſſage, or Place, within the Borough and Town of *Weymouth* and *Melcombe Regis* aforeſaid, and the ſaid Parts adjacent, ſuch reſpective Inhabitants thereof paying to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſuch Sum or Sums of Money for the ſaid Water as are herein-after mentioned and directed.

paying for the ſame, as ſpecified in the following Table.

XV. And be it further enacted, That ſuch of the ſaid Inhabitants of the ſaid Borough and Town, and Parts adjacent, (except as herein-after excepted), as ſhall be deſirous of being ſupplied with the ſaid Water, ſhall, from Time to Time, (in Conſideration of the great Charge and Expence which the ſaid Company of Proprietors will incur and ſuſtain in making and maintaining the Works hereby authorized to be made and maintained), well and truly pay or cauſe to be paid to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſuch Yearly Sums of Money for the ſaid Water, and at and after the ſame Rates as are mentioned and enumerated in the Table thereof herein-after ſet forth, being in the ſame Proportions at which the Inhabitants of the Pariſh of *Melcombe Regis* and of the Chapelry of *Weymouth* within the ſaid Borough and Town were rated and charged in reſpect of their Meſſuages or Premiſes there, to the Relief of the Poor thereof reſpectively, by the firſt Rates or Aſſeſſments made for the ſaid Pariſh and Chapelry reſpectively after *Eaſter* One thouſand ſeven hundred and ninety-ſix, *videlicet*, for the Pariſh of *Melcombe Regis* on the Fourth Day of *April* One thouſand ſeven hundred and ninety-ſix, and for the ſaid Chapelry of *Weymouth* on the ſaid Fourth Day of *April* One thouſand ſeven hundred and ninety-ſix, and which it is hereby declared ſhall be the Rates or Aſſeſſments to regulate the Payments from the ſaid Inhabitants (except as herein-after excepted) to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, in all Caſes whatſoever, (Occupiers of Breweries, Inns, Victualling Houſes, Malt Houſes, Manufactories, Waſhing Houſes, or Offices, and New Buildings, as well on Old Scites as otherwiſe, excepted,) the ſame to be paid by Four equal Quarterly Payments, and the Firſt of ſuch Quarterly Payments to commence and be made by the ſaid Inhabitants reſpectively, on the reſpective Days and Times on which the ſaid Water ſhall be laid into and communicate with their reſpective Houſes or Offices, and ſo to be continued and paid One Quarter in Advance, during ſuch Time and ſo long as the ſaid Inhabitants reſpectively ſhall think proper to be ſupplied with the ſaid Water; and which ſaid ſeveral Yearly Payments or Sums of Money ſhall be in the following Proportions; (that is to ſay),

For Houſes and Tenements, or the Occupiers in reſpect thereof, (except as aforeſaid), which were aſſeſſed by the above-mentioned Rates reſpectively, at the following Sums; *videlicet*,	The following Yearly Sums to be paid to the ſaid Company of Proprietors.

For the Pariſh of Melcombe Regis.

		£.	s.	d.
At the Sum of	Five Shillings, or under,	0	4	0
At	Six Shillings,	0	5	0
At	Seven Shillings,	0	6	0
At	Eight Shillings,	0	7	0
At	Nine Shillings,	0	8	0
At	Ten Shillings,	0	9	0
At	Eleven Shillings,	0	10	0
At	Twelve Shillings,	0	11	0
At	Thirteen Shillings,	0	12	0
At	Fourteen Shillings,	0	13	0
At	Fifteen Shillings,	0	14	0
At	Sixteen Shillings,	0	15	0
At	Seventeen Shillings,	0	16	0
At	Eighteen Shillings,	0	18	0
At	Nineteen Shillings,	1	0	0
At	Twenty Shillings,	1	2	0
At	Twenty-one Shillings,	1	4	0
At	Twenty-two Shillings,	1	6	0
At	Twenty-three Shillings,	1	8	0
At	Twenty-four Shillings,	1	10	0
At	Twenty-five Shillings,	1	12	0
At	Twenty-ſix Shillings,	1	14	0
At	Twenty-ſeven Shillings,	1	16	0
At	Twenty-eight Shillings,	1	18	0
At	Twenty-nine Shillings,	2	0	0
At	Thirty Shillings,	2	2	0
At	Thirty-one Shillings,	2	4	0
At	Thirty-two Shillings,	2	6	0
At	Thirty-three Shillings,	2	9	0
At	Thirty-four Shillings,	2	12	0
At	Thirty-five Shillings,	2	15	0
At	Thirty-ſix Shillings,	2	18	0
At	Thirty-ſeven Shillings,	3	1	0
At	Thirty-eight Shillings,	3	4	0
At	Thirty-nine Shillings,	3	7	0
At	Forty Shillings,	3	10	0
At	Forty-one Shillings,	3	13	0
At	Forty-two Shillings,	3	16	0
At	Forty-three Shillings,	3	19	0
At	Forty-four Shillings,	4	2	0
At	Forty-five Shillings,	4	5	0
At	Forty-ſix Shillings,	4	8	0
At	Forty-ſeven Shillings,	4	11	0

For Houſes and Tenements, or the Occupiers in reſpect thereof, (except as aforeſaid), which were aſſeſſed by the above-mentioned Rates reſpectively, at the following Sums; *videlicet*,	The following Yearly Sums to be paid to the ſaid Company of Proprietors.		
	£.	s.	d.
At - - Forty-eight Shillings, - -	4	14	0
At - - Forty-nine Shillings, - - -	4	18	0
At - - Fifty Shillings, - - - -	5	2	0
And ſo in regular Progreſſion, increaſing Four Shillings on every Shilling Increaſe in the ſaid Rate for the Pariſh of *Melcombe Regis*.			

For the Chapelry of Weymouth.

At the Sum of Two Shillings and Sixpence, or under,	0	4	0
At - - Three Shillings, - - -	0	5	0
At - - Three Shillings and Sixpence, - -	0	6	0
At - - Four Shillings, - - -	0	7	0
At - - Four Shillings and Sixpence, - -	0	8	0
At - - Five Shillings, - - -	0	9	0
At - - Five Shillings and Sixpence, - -	0	10	0
At - - Six Shillings, - - -	0	11	0
At - - Six Shillings and Sixpence, - -	0	12	0
At - - Seven Shillings, - - -	0	13	0
At - - Seven Shillings and Sixpence, - -	0	14	0
At - - Eight Shillings, - - -	0	15	0
At - - Eight Shillings and Sixpence, -	0	16	0
At - - Nine Shillings, - - - -	0	18	0
At - - Nine Shillings and Sixpence, - -	1	0	0
At - - Ten Shillings, - - -	1	2	0
At - - Ten Shillings and Sixpence, - -	1	4	0
At - - Eleven Shillings, - - -	1	6	0
At - - Eleven Shillings and Sixpence, -	1	8	0
At - - Twelve Shillings, - - -	1	10	0
At - - Twelve Shillings and Sixpence, -	1	12	0
At - - Thirteen Shillings, - - -	1	14	0
At - - Thirteen Shillings and Sixpence, -	1	16	0
At - - Fourteen Shillings, - - -	1	18	0
At - - Fourteen Shillings and Sixpence, -	2	0	0
At - - Fifteen Shillings, - - -	2	2	0
At - - Fifteen Shillings and Sixpence, -	2	4	0
At - - Sixteen Shillings, - - -	2	6	0
At - - Sixteen Shillings and Sixpence, -	2	9	0
At - - Seventeen Shillings, - - -	2	12	0
At - - Seventeen Shillings and Sixpence, -	2	15	0
At - - Eighteen Shillings, - - -	2	18	0
At - - Eighteen Shillings and Sixpence, -	3	1	0
At - - Nineteen Shillings, - - -	3	4	0
At - - Nineteen Shillings and Sixpence, -	3	7	0

For Houſes and Tenements, or the Occupiers in reſpect thereof, (except as aforeſaid), which were aſſeſſed by the above-mentioned Rates reſpectively, at the following Sums; *videlicet*,		The following Yearly Sums to be paid to the ſaid Company of Proprietors.		
		£.	s.	d.
At - -	Twenty Shillings, - - -	3	10	0
At - -	Twenty Shillings and Sixpence, -	3	13	0
At - -	Twenty-one Shillings, - - -	3	16	0
At - -	Twenty-one Shillings and Sixpence, -	3	19	0
At - -	Twenty-two Shillings, - -	4	2	0
At - -	Twenty-two Shillings and Sixpence, -	4	5	0
At - -	Twenty-three Shillings, - -	4	8	0
At - -	Twenty-three Shillings and Sixpence, -	4	11	0
At - -	Twenty-four Shillings, - - -	4	14	0
At - -	Twenty-four Shillings and Sixpence, -	4	18	0
At - -	Twenty-five Shillings, - - - -	5	2	0
And ſo in regular Progreſſion, increaſing Four Shillings on every Sixpence Increaſe in the ſaid Rate for the Chapelry of *Weymouth*.				

And in caſe of Default in Payment of any ſuch Sum or Sums of Money ſo to be paid as aforeſaid, it ſhall be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to cauſe the Pipe or Pipes belonging to the Perſon or Perſons making ſuch Default, and communicating with any Main Pipe or Pipes belonging to the ſaid Company, to be ſeparated from the Pipe or Pipes with which the ſame ſhall ſo communicate, and to cauſe the Water to be ſtopped from iſſuing or running into the Houſe or Offices of every or any Perſon or Perſons making ſuch Default, and that the Sum or Sums of Money which ſhall be due and in Arrear from ſuch Perſon or Perſons to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may be recovered by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, from ſuch Perſon or Perſons, in like Manner as the Penalties or Forfeitures impoſed by this Act are herein-after directed to be recovered; and if any Perſon ſhall lay or cauſe to be laid any Leaden or other Pipe to communicate with any Main Pipe or other Pipe belonging to the ſaid Company of Proprietors, without ſuch Conſent being obtained from the ſaid Company of Proprietors, or Perſons authorized by them as aforeſaid, every ſuch Perſon ſhall forfeit and pay to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, the Sum of Ten Shillings for every Day ſuch Pipe ſhall ſo remain.

Empty Houſes not to pay.

XVI. Provided always, That nothing herein contained ſhall extend or be deemed to extend to ſubject the Owners of empty Houſes or Buildings within the ſaid Borough and Town to the Payment herein-before mentioned, or any of them, during ſuch Time as their ſaid Houſes or Buildings ſhall continue uninhabited and unfurniſhed, and the ſaid Water ſhall be ſtopped from running into their ſaid Houſes or Buildings reſpectively.

XVII. And

XVII. And be it further enacted, That ſuch Inhabitants or Occupiers of or within the ſaid Borough and Town of *Weymouth* and *Melcombe Regis*, and the ſaid Parts adjacent, as now exerciſe or carry on the Trades or Buſineſſes of Brewers, Innkeepers, Victuallers, Maltſters, Manufacturers, or Perſons carrying on the Buſineſs or Employment of Waſhing there, as ſhall be deſirous of having the Water laid into their reſpective Houſes or Offices, may and are hereby alſo authorized and empowered, at their own Expence, having firſt obtained the like Conſent in Writing of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or of ſuch Perſon or Perſons authorized as aforeſaid, (and which Conſent they and he are and is hereby required to give immediately upon receiving a Notice in Writing, to be ſigned by the Party applying, which ſhall be entered in the Books of the ſaid Company, for the Payment of ſuch Sum or Sums of Money for the ſaid Water as ſhall have been previouſly mutually agreed on as herein-after provided), to open the Ground between the Pipes belonging to the ſaid Company of Proprietors and the reſpective Houſes, Brewhouſes, Malt Houſes, Manufactories, and Offices, of ſuch laſt-mentioned Inhabitants or Occupiers reſpectively, and to lay Leaden Pipes (the Bore thereof to be aſcertained by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, as aforeſaid) from ſuch reſpective Houſes, Brewhouſes, Malthouſes, Manufactories, or Offices, to communicate with the ſaid Company's Pipes in any Road, Street, Lane, Paſſage, or Place, within the ſaid Borough and Town of *Weymouth* and *Melcombe Regis* aforeſaid, and the ſaid Parts adjacent, ſuch reſpective Inhabitants or Occupiers thereof reſpectively paying to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, Yearly, Quarterly, or Monthly, ſuch Sum or Sums of Money for ſuch Water as ſhall be aſcertained and agreed upon between ſuch laſt-mentioned Inhabitants and the ſaid Company of Proprietors, their Succeſſors and Aſſigns, the ſaid Payments to commence and to continue and be made at ſuch Times as are herein-before provided with reſpect to the Payments from the ſeveral other Inhabitants of the ſaid Town and Borough; and in caſe of Default in Payment of any ſuch Sum or Sums of Money ſo to be aſcertained and agreed to be paid as aforeſaid, it ſhall be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to cauſe the Pipe or Pipes belonging to the Perſon or Perſons making ſuch Default, and communicating with any Main Pipe or Pipes belonging to the ſaid Company, to be ſeparated from the Pipe or Pipes with which the ſame ſhall ſo communicate, and to cauſe the Water to be ſtopped from iſſuing or running into the Houſe or Offices of every or any ſuch Perſon or Perſons making ſuch Default, and that the Sum and Sums of Money which ſhall be due and in Arrear from ſuch Perſon or Perſons to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may be recovered by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, from ſuch Perſon or Perſons in like Manner as the Penalties or Forfeitures impoſed by this Act are herein after directed to be recovered; and if any ſuch Inhabitant or Perſon reſpectively ſhall lay or cauſe to be laid any Leaden or other Pipe to communicate with any Main Pipe or other Pipe belonging to the ſaid Company of Proprietors without ſuch Conſent being obtained from the ſaid Company of Proprietors, or their Agent or Officer, as aforeſaid, every ſuch Perſon ſhall forfeit and pay to the ſaid Company of Proprietors, their Succeſſors and

Certain other Inhabitants deſirous of having the Water, may alſo lay Pipes to communicate with the Company's Pipes,

paying for the ſame, as ſhall be mutually agreed on.

and Aſſigns, the Sum of Ten Shillings for every Day ſuch Pipe ſhall ſo remain.

Penalty on Company refuſing to permit Pipes to be laid.

XVIII. And be it further enacted, That in caſe the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall wilfully refuſe to permit any Inhabitant or Inhabitants of the ſaid Borough and Town of *Weymouth* and *Melcombe Regis* aforeſaid, to lay the Leaden Pipe herein-before mentioned from his or their Houſe or Office to communicate with the ſaid Company's Pipes in any Road, Street, Lane, Paſſage, or Place, within the ſaid Borough and Town as aforeſaid, who ſhall have previouſly ſignified his or their Deſire of having the Water laid into his or their reſpective Houſe or Office, by delivering the Notice in Writing herein-before mentioned, ſigned by him or them as aforeſaid, that then and upon every ſuch wilful Refuſal (ſave and except whenever inevitable Accidents ſhall or may happen by breaking of Pipes, or during the Inclemency of Weather or exceſſive Droughts, or a Deficiency of Water from any other Cauſe for ſupplying in the uſual Manner thoſe who have before agreed for Water, or during the neceſſary Repair of ſuch Pipes) the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall forfeit and pay, to and for the Uſe of the Poor of the ſaid Pariſh of *Melcombe Regis* and Chapelry of *Weymouth* within the ſaid Borough and Town, any Sum not exceeding Five Pounds nor leſs than Ten Shillings, at the Diſcretion of the Juſtices before whom the Conviction ſhall take place; which Forfeiture ſhall, in caſe of Nonpayment thereof on Conviction, be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, by Warrant under the Hands and Seals of any Two Juſtices of the Peace for the ſaid Borough and Town; which Warrant ſuch Juſtices are hereby empowered and required to grant, upon the Information or Teſtimony of any credible Witneſs upon Oath; which Oath ſuch Juſtices are hereby empowered and required to adminiſter, and to hear and determine the ſame; the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale being rendered, on Demand, to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, after deducting thereout the ſaid Penalty or Forfeiture, and the Charges and Expences of ſuch Diſtreſs and Sale.

Rates to be paid by Inhabitants of Houſes, *etc.* to be hereafter erected or eſtabliſhed.

XIX. And be it further enacted, That the Sums to be paid to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, by the Inhabitants or Occupiers of all Dwelling Houſes which may be hereafter erected or built in the ſaid Borough and Town, (Breweries, Inns, Victualling Houſes, Malt Houſes, Manufactories, and Waſhing Houſes, or Offices excepted), who may be deſirous of having the Water laid into their reſpective Houſes, ſhall be according to the Firſt Aſſeſſment which ſhall be made on any ſuch Dwelling Houſes, (except as aforeſaid), towards the Relief of the Poor, and at the ſame Rates reſpectively herein mentioned and contained: Provided, that ſuch Aſſeſſment is made at and after the Rate of One Shilling in the Pound on ſuch Dwelling Houſes, (except as aforeſaid), as may hereafter be built in the ſaid Pariſh of *Melcombe Regis*, and at the Rate of Sixpence in the Pound in the Chapelry of *Weymouth* aforeſaid; or otherwiſe ſuch Sums of Money ſhall be paid by the ſaid Inhabitants or Occupiers of the ſaid new-erected Dwelling Houſes, (except as aforeſaid), to the ſaid Company of Proprietors,

tors, their Succeſſors and Aſſigns, as ſhall be aſcertained and agreed upon between ſuch laſt-mentioned Inhabitants and the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and that the Inhabitants or Occupiers of ſuch reſpective Victualling Houſes, Inns, Brewhouſes, Malt Houſes, Manufactories, and Waſhing Houſes, as ſhall hereafter be erected and built, or eſtabliſhed, in the ſaid Borough and Town, ſhall and may, from Time to Time, be ſupplied with Water by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, upon Payment of the Sum of One Shilling for each and every Tun, and Sixpence for each and every Hogſhead of Water with which he or they ſhall be ſupplied, and no more; or otherwiſe ſuch Sums of Money ſhall be paid by the Inhabitants or Occupiers of the ſaid Victualling Houſes, Inns, Brewhouſes, Malt Houſes, Manufactories, and Waſhing Houſes, to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, as ſhall be aſcertained and agreed upon between ſuch Inhabitants or Occupiers and the ſaid Company of Proprietors, their Succeſſors and Aſſigns; the ſaid Payments reſpectively to commence, and to continue and be made at ſuch Times as are herein-before provided with reſpect to the Payments from the ſeveral other Inhabitants of the ſaid Borough and Town; and in caſe of Default in Payment of any ſuch Sums of Money reſpectively, it ſhall be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to cauſe the Pipe or Pipes belonging to the Perſon or Perſons making ſuch Default, and communicating with any Main Pipe or Pipes belonging to the ſaid Company, to be ſeparated from the Pipe or Pipes with which the ſame ſhall ſo communicate, and to cauſe the Water to be ſtopped from running into the Houſe or Offices of every or any ſuch Perſon or Perſons making ſuch Default; and that the Sum and Sums of Money which ſhall be due and in Arrear from ſuch Perſon or Perſons to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may be recovered by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, in like Manner as the Penalties or Forfeitures impoſed by this Act are herein-after directed to be recovered.

Preference to be given to Perſons firſt ſupplied with Water.

XX. Provided alſo, and be it further enacted, That in caſe, by any Increaſe of Buildings, Breweries, Manufactories, or other Eſtabliſhments within the ſaid Borough and Town, there ſhould not be a ſufficient Quantity of Water to ſupply ſuch new Erections, Breweries, Manufactories, or Eſtabliſhments, and alſo to continue the uſual Supply of Water to the Inhabitants of the ſaid Borough and Town, and Parts adjacent, who ſhall have before agreed with the ſaid Company of Proprietors for Water, then it ſhall be lawful to and for the ſaid Company to ſupply in the uſual Manner thoſe Perſons who had before agreed for Water, under the Proviſions of this Act, in Preference to the Owners or Occupiers of ſuch new Erections, Breweries, Manufactories, or Eſtabliſhments; and the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall not in ſuch Caſe be ſubject or liable to any Penalty or Forfeiture whatſoever for refuſing to ſupply the Owners or Occupiers of ſuch new Erections, Breweries, Manufactories, or Eſtabliſhments, with Water; any Thing herein-before contained to the contrary notwithſtanding.

Leaden Pipes may be removed.

XXI. Provided always, and be it further enacted, That it ſhall be lawful to and for any Inhabitant or Inhabitants of the ſaid Borough and

Town of *Weymouth* and *Melcombe Regis*, who ſhall be ſupplied with Water by virtue of and under the Authority of this Act, to take up, remove, and carry away any Leaden Pipe or Pipes which ſhall or may be laid down by ſuch Inhabitant or Inhabitants from his, her, or their Houſes or Offices reſpectively, to communicate with any Main Pipe or other Pipe belonging to the ſaid Company of Proprietors as aforeſaid, at his or their free Will and Pleaſure, the Pavement and Ground nevertheleſs being forthwith made good at the Expence of ſuch Inhabitant or Inhabitants reſpectively in the Manner herein-after directed.

Penalty on Perſons ſuffering Water to run waſte.

XXII. Provided always, and be it further enacted, That the Inhabitants of the ſaid Borough and Town and Parts adjacent ſhall not permit the Water ſo to be laid into their reſpective Houſes or Offices to run to Waſte; and that the Surplus of ſuch Water, after ſupplying every neceſſary Uſe and Occaſion of the ſaid Inhabitants reſpectively, ſhall belong to and remain the Property of the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and that if any ſuch Inhabitant or other Perſon whomſoever ſhall permit or ſuffer the Water laid on to his or their Houſe or Office to run to Waſte, then, and in every ſuch Caſe, ſuch Inhabitant or other Perſon ſo offending ſhall, for every ſuch Offence, pay to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, any Sum not exceeding Five Shillings nor leſs than Two Shillings and Sixpence, at the Diſcretion of the Juſtices before whom the Offender ſhall be convicted, for each and every Hour ſuch Water ſhall ſo run to Waſte.

Fixing the Rate to be paid for ſupplying Shipping.

XXIII. And be it further enacted, That ſuch Maſters and Commanders, or Perſons having the Charge of the Shipping reſorting to the ſaid Borough and Town, and the Port thereof, as ſhall be deſirous of having their Veſſels watered by the ſaid Company of Proprietors, ſhall and may from Time to Time be ſupplied with Water by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, the ſaid Maſters and Commanders or Perſons reſpectively paying to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for ſuch Supply of Water, the Sum of One Shilling *per* Tun for each and every Tun of Water, and Sixpence *per* Hogſhead for each and every Hogſhead, and ſo in Proportion for any leſs Quantity than a Tun of Water with which he or they ſhall be ſupplied as aforeſaid; which ſaid Payments ſhall become due and be made by the ſaid Maſters and Commanders or Perſons as aforeſaid to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, on the Delivery of the ſaid Water at a certain Place there called or known by the Name of *Yatch's Hole*, or at a certain other Place there called or known by the Name of *George's Stairs*; and that any Sum or Sums of Money which ſhall become and be due and owing from the ſaid Maſters and Commanders or Perſons reſpectively to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may be recovered in like Manner as the ſeveral Payments or Sums of Money to become due and payable from the ſaid ſeveral Inhabitants of the ſaid Borough and Town to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, are herein-before directed to be recovered, or otherwiſe, if the Neceſſity of the Caſe ſhall ſo require, by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, with full Coſts of Suit: Provided always, that in caſe any ſuch Maſter and Commander or other Perſon

Perſon as aforeſaid ſhall refuſe to pay the ſaid Sum of One Shilling *per* Tun for each and every Tun of Water, and Sixpence *per* Hogſhead for each and every Hogſhead, and ſo in Proportion for any leſs Quantity than a Tun of Water, on the Delivery thereof as aforeſaid, that then, and in every ſuch Caſe, it ſhall be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to refuſe to ſupply the ſaid Maſter and Commander or Perſon as aforeſaid with Water.

Penalty on Perſons interrupting the Workmen.

XXIV. And be it further enacted, That if any Perſon ſhall wilfully or maliciouſly hinder or interrupt the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works, or in the Exerciſe of any of the Powers and Authorities by this Act granted, or ſhall in anywiſe cauſe or procure the ſame to be done, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, any Sum not exceeding Five Pounds nor leſs than Twenty Shillings, at the Diſcretion of the Juſtices before whom the Offender ſhall be convicted; and alſo the full Amount of the Damage which ſhall be ſuſtained by ſuch Hindrance or Interruption, the ſame to be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered.

Penalty on Perſons injuring the Works.

XXV. And be it further enacted, That if any Perſon ſhall wilfully and maliciouſly, and to the Prejudice of the ſaid Cut, Trench, or Aqueduct, or the Works thereof, break, throw down, damage, or deſtroy any Banks, Pipes, or other Works to be erected, placed, and made by virtue of this Act, or deſtroy, damage, or hinder any Engine, Waterhouſe, Reſervoir, Pipe, Plug, or other Matter or Thing which ſhall be made, provided, or procured for the Purpoſes of the ſaid Cut, Trench, or Aqueduct, or any of the Materials uſed or provided for the ſame, every ſuch Perſon ſhall be deemed guilty of a Miſdemeanor; and the Court by and before whom ſuch Perſon ſhall be tried ſhall have full Power and Authority to cauſe ſuch Perſon to be puniſhed in like Manner as Perſons guilty of Miſdemeanors are directed to be puniſhed by the Laws and Statutes of this Realm.

Penalty on annoying the Water.

XXVI. And, in order to preſerve the Water to be conveyed into the ſaid Borough and Town, and Parts adjacent, clean and wholeſome, be it further enacted, That no Perſon ſhall caſt, throw, or put any Filth or Dirt, or any offenſive Thing, or permit or ſuffer the Water of any Sink, Sewer, or Drain, to run or be conveyed into any of the ſaid Reſervoirs, Ponds, or Aqueducts, or the Feeders thereof, to be made by virtue of this Act, or cauſe any other Annoyance to be done to the Waters thereof reſpectively upon Pain of forfeiting to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for every ſuch Offence, any Sum not exceeding Five Pounds nor leſs than Twenty Shillings, at the Diſcretion of the Juſtices before whom the Offender ſhall be convicted.

Ground where broke up to be made good as ſoon as may be.

XXVII. Provided always, and be it further enacted, That any Ground which ſhall or may be opened or broken up, for laying, taking up, or repairing any Pipe within the ſaid Borough and Town by virtue of this Act,

Act, ſhall be filled in, and the Rubbiſh occaſioned thereby 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, and that Notice in Writing ſhall be given, within Three Days after the ſaid filling in, to the Clerk or Surveyor of the Truſtees of the Pavements there, or to the Clerk or Surveyor of the *Weymouth* and *Dorcheſter* Turnpike Road, as the Caſe may be, in order that the Pavement and Ground, and all Things that ſhall have been removed, ſhall be made good as ſoon as conveniently may be by the ſaid Truſtees of the Pavements of the ſaid Borough and Town, or by the ſaid Truſtees or Commiſſioners of the ſaid Turnpike, at the Expence of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, in the Caſe of the ſaid Ground being opened for laying, taking up, or repairing any Main Pipe, or at the Expence of the Inhabitant or Inhabitants opening the ſaid Ground for laying, taking up, or repairing any Communication Pipe, who are hereby reſpectively required to pay and diſcharge all fair and reaſonable Coſts, Charges, and Expences, attending the ſame, according to the atteſted Accounts of the Tradeſmen employed; and in caſe ſuch Coſts, Charges, and Expences, ſhall remain unpaid for the Space of Fourteen Days next after the Day on which the ſame ſhall be demanded by or on Behalf of the ſaid Truſtees from the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their known Officer or Agent, or the ſaid Inhabitant or Inhabitants, as the Caſe may be, the ſame ſhall and may be recovered by the ſaid Truſtees from the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or the ſaid Inhabitant or Inhabitants reſpectively, as the Caſe may happen, in ſuch Manner as the Penalties and Forfeitures impoſed by this Act are herein-after directed to be recovered.

Inhabitants ſupplied with Water under this Act. not to ſupply any other Perſons with Water.

XXVIII. Provided always, and be it further enacted, That if any Inhabitants of the ſaid Borough and Town of *Weymouth* and *Melcombe Regis*, or Parts adjacent, or any other Perſon or Perſons whomſoever, ſupplied with Water by virtue of this Act, ſhall furniſh the Inhabitant or Occupier of any other Houſe or Building there with any Part of ſuch Water, that in every ſuch Caſe every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, any Sum not exceeding Forty Shillings nor leſs than Ten Shillings, at the Diſcretion of the Juſtices before whom the Offender ſhall be convicted, to be recovered in like Manner as any Penalty or Forfeiture can or may, by virtue of this Act, be recovered; and it ſhall alſo be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, if they ſhall ſo think fit, alſo to take off the Water from the Houſe or Office of any Perſon ſo offending for every ſuch Offence.

Inhabitants whoſe Pipes are broken, may be ſupplied by other Inhabitants, their Pipes being repaired as ſoon as poſſible.

XXIX. Provided nevertheleſs, and be it further enacted, That nothing herein contained ſhall extend to ſubject any ſuch Inhabitant, ſupplied with Water by virtue of this Act, to any Penalty or Forfeiture for furniſhing any other Inhabitant (being an Inhabitant ſupplied with Water by virtue of this Act) with any Quantity of Water during ſuch Time only as the Pipes belonging to ſuch laſt-mentioned Inhabitant ſhall or may happen to be out of Repair, ſuch Pipes nevertheleſs being repaired

without any unneceſſary or wilful Delay, and as ſoon as poſſible after any Damage ſhall happen thereto.

Aqueduct not to be ſubject to Commiſſioners of Sewers;

XXX. And be it further enacted, That the ſaid Cut, Trench, or Aqueduct, or any of the Reſervoirs, Pipes, or Works whatſoever to be made by virtue of this Act, ſhall not be ſubject to the Judgement, Controul, Direction, Survey, or Order of any Commiſſioners of Sewers, or to any Law or Statute relating to Sewers whatſoever; and that the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may from Time to Time hereafter be rated and charged to all Parliamentary and Parochial Taxes, Rates, and Aſſeſſments, for and in reſpect of the Lands and Grounds to be purchaſed or taken, and all Buildings or other Works to be by them erected or made in purſuance of this Act, in the ſame Proportion as other Lands, Grounds, and Hereditaments adjoining to or being near the ſame are or ſhall be rated and charged.

and how to be rated.

Confirming Agreement between Mr. *Bryer* and Mr. *Gray*,

XXXI. And whereas the ſaid *Thomas Bryer* and *Thomas Gray* did on or about the Twenty-fifth Day of *January* One thouſand ſeven hundred and ninety-ſeven, enter into and execute certain Articles of Agreement, for the Purpoſe of ſupplying the Town of *Weymouth* and *Melcombe Regis* in the County of *Dorſet* with freſh Water, whereby the ſaid *Thomas Bryer*, for the Conſiderations therein mentioned, did agree to quit and give up unto the ſaid *Thomas Gray*, his Executors, Adminiſtrators, and Aſſigns, all his the ſaid *Thomas Bryer*'s Right, Title, and Share of and in the ſaid Concern: And whereas the ſaid *Thomas Gray*, and the ſaid *James Hamilton*, *Thomas Richardſon*, *Thomas Ham*, and *John Harvey*, did, on the ſaid Twenty-fifth Day of *January* One thouſand ſeven hundred and ninety-ſeven, enter into and execute certain Articles of Agreement, whereby the ſaid *Thomas Gray*, for the Conſiderations therein mentioned, did agree that the ſaid *James Hamilton*, *Thomas Richardſon*, *Thomas Ham*, and *John Harvey*, ſhould be entitled to One Moiety or Half Part of the ſaid Concern and Undertaking in Manner therein mentioned: Be it therefore enacted, That the ſaid reſpective Articles of Agreement, and every Article, Clauſe, Agreement, Matter, and Thing, therein reſpectively contained, ſhall be, and the ſame are hereby reſpectively ratified, confirmed, and eſtabliſhed; any Thing herein contained to the contrary in anywiſe notwithſtanding.

and between Mr *Gray* and other Proprietors.

Apportioning their Shares.

XXXII. And be it further enacted, That the Property of and in the ſaid Undertaking, and the Profits ariſing therefrom, (after Payment of the Expences of obtaining and paſſing this Act, and of making the different Surveys and Plans of the ſaid Cut, Trench, or Aqueduct, and of all other incidental Coſts, Charges, and Expences whatſoever touching or concerning the ſame, which ſhall be reſpectively borne, paid, and defrayed by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, within the Space of Three Calendar Months next after the paſſing of this Act), ſhall be and are hereby veſted in ſuch of the ſaid Company of Proprietors as are herein-after named, their Succeſſors and Aſſigns, and they ſhall ſeverally and reſpectively be entitled thereto in the following Shares and Proportions, without any Benefit of Survivorſhip; (that is to ſay), That the ſaid *Thomas Gray* ſhall be entitled to Four equal Eighth Parts or Shares thereof (the Whole into Eight equal Parts or Shares being divided); the ſaid *James Hamilton* to One other equal Eighth Part

or Share thereof; the ſaid *Thomas Richardſon* to One other equal Eighth Part or Share thereof; the ſaid *Thomas Ham* to One other equal Eighth Part or Share thereof; and the ſaid *John Harvey* to the other and remaining One equal Eighth Part or Share thereof; and that the ſame ſhall be deemed Perſonal Eſtate, and ſhall be tranſmiſſible as ſuch accordingly: And that the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall alſo bear, pay, and defray, all ſuch Sum and Sums of Money as ſhall be neceſſary for carrying on and completing the ſaid Undertaking, in the ſame Shares and Proportions to which they are herein-before declared to be reſpectively entitled to the ſaid Undertaking, and the Profits thereof; and ſhall pay and advance the ſame within the Space of Six Calendar Months next after the paſſing of this Act, to ſuch Perſon or Perſons, and in ſuch Manner and Form, as the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or the major Part of them in point of Value, ſhall direct and appoint; and if any Perſon ſhall neglect or refuſe to advance and pay his proportionable Part or Share of the ſame accordingly, (the ſame having been lawfully demanded), every Perſon ſo neglecting or refuſing ſhall forfeit and pay to the others or other of them a Sum of Money equal to the Rate of Six Pounds *per Centum* of the Money in reſpect whereof ſuch Neglect or Refuſal ſhall happen; and in caſe any ſuch Perſon ſhall neglect to pay his proportionable Part or Share of the ſame for the Space of Twelve Calendar Months next after the paſſing of this Act, (the ſame having been lawfully demanded), then every ſuch Perſon ſhall forfeit all his Share, Part, and Intereſt in the ſaid Undertaking, and the Profit and Benefit thereof, and the ſame ſhall go and belong to the Reſt of the ſaid Company of Proprietors, and be equally divided amongſt them, in Proportion to their reſpective Intereſts in the ſaid Undertaking: Provided always, that no Advantage ſhall be taken of the Forfeiture of any Share, Part, or Intereſt in the ſaid Undertaking, unleſs the ſame ſhall, within the Space of Three Calendar Months next after ſuch Forfeiture ſhall have happened, be, by Writing under the Hands and Seals of the others or other of the ſaid Company of Proprietors, declared to be forfeited; and every ſuch Forfeiture ſhall be an Indemnification and Diſcharge, to and for every ſuch Proprietor ſo forfeiting, againſt all Actions, Suits, and Proſecutions, for any Breach of Contract, Penalty, or other Agreement between him and the Reſt of the Proprietors relative to ſuch Share or Shares.

Compenſation for Water.

XXXIII. And whereas the ſaid Company of Proprietors are willing that the Annual Sum of Twenty-one Pounds ſhall be paid to *Thomas Weld* Eſquire, Lord of the Manor, wherein the ſaid Stone or Rock, called the *Boiling Rock*, is ſituate, as a Compenſation for the Water of the ſaid Stream or Brook iſſuing from the ſame, being taken for ſupplying the ſaid Borough and Town as aforeſaid; be it therefore further enacted, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and are hereby required to pay or cauſe to be paid to the ſaid *Thomas Weld*, his Heirs or Aſſigns, at *Lulworth Caſtle* in the County of *Dorſet*, the Annual Sum of Twenty-one Pounds, upon the Twenty-fourth Day of *June* in every Year, for ever, free and clear of and from all Taxes and Deductions whatſoever, the Firſt Payment thereof to be made upon the Twenty-fourth Day of *June* next after any of the Water of the ſaid Stream or Brook ſhall, by virtue of this Act, be firſt conveyed to the ſaid Borough or Town, or either of them; and

in caſe the ſaid Annual Sum of Twenty-one Pounds, or any Part thereof, ſhall be unpaid for the Space of Three Calendar Months next after the Day on which the ſame ſhall become due, or is herein-before directed to be paid, the Money ſo unpaid ſhall and may be recovered by the ſaid *Thomas Weld*, his Heirs or Aſſigns, from the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or any of them, by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, together with full Coſts of Suit; or otherwiſe it ſhall be lawful for the ſaid *Thomas Weld*, his Heirs or Aſſigns, and he and they is and are hereby authorized and empowered, (at his or their Election), by ſuch Ways and Means as he or they ſhall think proper, to ſtop and prevent the Water of the ſaid Stream or Brook from being conveyed to the ſaid Borough and Town, or either of them, and to make uſe or diſpoſe of the ſame until full Payment ſhall be made of the ſaid Annual Sum, or ſuch Part thereof as ſhall be due and unpaid as aforeſaid, and all Charges and Expences occaſioned by the Nonpayment thereof, in like Manner as he or they could or might have done in caſe this Act had not been made; any Thing in this Act to the contrary thereof notwithſtanding.

Reſervoirs to be made for the Supply of Cattle.

XXXIV. Provided always, and be it further enacted, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and are hereby required at their Expence to make, and for ever ſupport and maintain in good and ſufficient Repair and Condition, ſuch and ſo many Reſervoirs or Ponds, and in ſuch Situations, within the ſaid Manor, as the ſaid *Thomas Weld*, his Heirs or Aſſigns, ſhall by Writing under his or their Hand or Hands direct and appoint, and ſhall from Time to Time cauſe the ſame to be properly and ſufficiently ſupplied with Water from the Stream or Brook iſſuing from the ſaid *Boiling Rock* as aforeſaid, or from a certain River called the *Preſton River*; for which Purpoſe the ſaid Company of Proprietors ſhall be and are hereby authorized and empowered to make, complete, and from Time to Time keep in Repair, a certain other Cut, Trench, or Aqueduct, (not exceeding the Width herein-before mentioned), from the ſaid River called the *Preſton River*, at or near a certain Place called *Preſton Weir* within the ſaid Manor belonging to the ſaid *Thomas Weld*, in the Pariſh of *Preſton* and *Sutton Poyntz* aforeſaid, in, through, and over, certain Lands belonging to the ſaid *Thomas Weld* in the ſaid Pariſh of *Preſton* and *Sutton Poyntz*, to ſuch Reſervoirs or Ponds ſo to be made and maintained as aforeſaid, making Satisfaction for Damages in the Manner herein-before mentioned, for the Purpoſe of laying and placing ſuch Pipes therein as they ſhall find neceſſary; and to ſupply the ſame whilſt making, and ever after the ſame ſhall be made, with Water from the ſaid River called *The Preſton River*, at or near the ſaid Weir called *The Preſton Weir*, as aforeſaid, for the Uſe and Supply of the Cattle depaſtured within ſuch of the Lands through which the ſaid Aqueduct ſhall be carried as lie within the ſaid Manor; the Courſe of which ſaid laſt mentioned Cut, Trench, or Aqueduct, ſhall alſo be guided by the ſaid Map or Plan and Book of Reference herein-before mentioned to have been depoſited at the Office of the Clerk of the Peace for the ſaid County; and in caſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall not make ſuch Reſervoirs or Ponds as aforeſaid, or ſhall refuſe or neglect to ſupport, maintain, cleanſe, or keep the ſame in good and proper Repair and Condition,

Condition, and ſufficiently ſupplied with Water for the Purpoſes aforeſaid, by the Ways and Means herein-before mentioned reſpectively, being thereto required by the ſaid *Thomas Weld*, his Heirs or Aſſigns, it ſhall be lawful for the ſaid *Thomas Weld*, His Heirs or Aſſigns, from and immediately after ſuch Requiſition and Refuſal, to cauſe the ſame to be done, and the Charges and Expences thereof ſhall be repaid or re-imburſed to him or them by the ſaid Company of Proprietors, their Succeſſors or Aſſigns; and the ſaid *Thomas Weld*, his Heirs or Aſſigns, ſhall have the like Remedy and Power for the Recovery thereof, in caſe the ſame ſhall not be paid upon Demand, as are by this Act given to him or them with reſpect to the Annual Sum of Twenty-one Pounds hereby made payable to him and them when the ſame ſhall be unpaid.

Situation of the Reſervoirs.

XXXV. Provided nevertheleſs, That the Situation of every ſuch Reſervoir or Pond ſhall be as near to the Courſe of the ſaid Stream or Brook, of laſt mentioned Aqueduct, as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall think proper, and where the Water of the ſaid Stream or Brook, or laſt mentioned Aqueduct, reſpectively will flow into the ſame.

Securing the Payment to Mr. *Weld* of an Annual Rent.

XXXVI. Provided always, and be it further enacted, That in caſe the ſaid Annual Sum of Twenty-one Pounds, or any Part thereof, or the Charges and Expences of making the ſaid Reſervoirs and Ponds as aforeſaid, ſhall be in Arrear and unpaid to the ſaid *Thomas Weld*, his Heirs or Aſſigns, and the ſame ſhall be advanced and paid to him or them by the Mayor, Bailiffs, and capital Burgeſſes of the ſaid Borough and Town, in order to prevent the Water of the ſaid Stream or Brook from being intercepted and cut off from the ſaid Borough and Town, by virtue of the Power herein-before reſerved, and which Payments reſpectively they are hereby authorized and empowered to make, that then and in every ſuch Caſe, whenever the ſame ſhall ſo happen, it ſhall be lawful to and for the ſaid Mayor, Bailiffs, and capital Burgeſſes to receive the Rates or Sums of Money which ſhall be payable from the ſaid Inhabitants and other Perſons ſupplied with Water by virtue of this Act, or a ſufficient Part thereof, until they ſhall be thereout or otherwiſe fully reimburſed all ſuch Sums of Money as they ſhall or may have paid to the ſaid *Thomas Weld*, his Heirs or Aſſigns, in reſpect of the ſaid Annual Rent of Twenty-one Pounds, or the Arrears thereof, or of the Charges and Expences of making the ſaid Reſervoirs and Ponds as aforeſaid, and all reaſonable Coſts, Charges, and Expences, attending the ſame; who ſhall thereupon, in the mean Time and until they ſhall have been fully reimburſed and repaid the ſame reſpectively as aforeſaid, have ſuch and the like Remedies, Powers, and Authorities, for recovering and receiving the ſame Rates as are herein-before given to the ſaid Company of Proprietors, their Succeſſors and Aſſigns; they the ſaid Mayor, Bailiffs, and capital Burgeſſes, accounting with and rendering to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, the Overplus ariſing from the ſaid Rates or Sums of Money come to their Hands, after deducting the ſaid Payments which ſhall or may have been made by them as aforeſaid, and all Arrears thereof, and all reaſonable Coſts, Charges, and Expences, attending the ſame as aforeſaid.

In case any Dwelling Houses (not exceeding Five) shall be erected within the Manor, Occupiers to be supplied with Water.

XXXVII. Provided always, That in case any Dwelling House or Houses, not exceeding Five in Number, shall at any Time be erected within the said Manor near to the Course of the said Stream or Brook, it shall be lawful for the Occupier of every such Dwelling House (not exceeding Five in Number as aforesaid) to take any Quantity of Water from the said Stream or Brook, to be made use of at or within such House, without Hindrance or Interruption from the said Company of Proprietors, their Successors or Assigns, and without paying any Thing to them for the same.

Recovery of Forfeitures and Penalties &c.

XXXVIII. And be it further enacted, That all Rates and Sums of Money to become payable by virtue of this Act, and all Penalties or Forfeitures inflicted or made payable by this Act, the levying and recovering of which Penalties and Forfeitures are not particularly hereinbefore directed, shall, in case of Non-payment thereof, on Conviction of the Offenders respectively, be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, by Warrant under the Hands and Seals of any Two Justices of the Peace for the County, Borough, Town, or Place, where the Offence shall be committed, or such Person or Persons shall be or reside, which Warrant such Justices are hereby empowered and required to grant upon the Information or Testimony of any credible Witness upon Oath, which Oath such Justices are hereby empowered and required to administer, and to hear and determine the same, and all such Rates and Sums of Money, and all such respective Penalties and Forfeitures shall be paid into the Hands of, and for the Use of the said Company of Proprietors, their Successors and Assigns, and the Overplus (if any) of the Money arising by such Distress and Sale shall be rendered, upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting thereout the Rates or Sums of Money, or the Penalty or Forfeiture, and the Charges and Expences of such Distress and Sale; and in case sufficient Distress cannot be found, or such Rates or Sums of Money, or such Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for such Justices to commit the Person or Persons liable to the Payment of such Rates or Sums of Money, or Penalty or Forfeiture, to the Common Gaol or House of Correction of the County, Borough, Town, or Place, where the Offence shall be committed, or such Person or Persons shall be or reside, there to remain without Bail or Mainprize for such Time as such Justices shall direct, not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Rates or Sums of Money, or Penalty or Forfeiture, and all reasonable Charges attending the same, be sooner paid and satisfied.

Form of Conviction.

XXXIX. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That such Justices of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the following Form; *videlicet*,

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before us *C. D.* and *E. F.*, Two of His Majesty's Justices of the Peace for (*the County or Borough, Town or Place, as the Case*

'*may be, ſhortly ſpecifying the Offence or Omiſſion, and the Time and* '*Place when and where committed, as the Caſe may be*). Given under 'our Hands and Seals the Day and Year firſt above written.'

Appeal.

XL. Provided always, and be it further enacted, That if the ſaid Company of Proprietors, or any Perſon, ſhall think himſelf, herſelf, or themſelves, aggrieved by any Thing done in purſuance of this Act, every ſuch Perſon may, within Six Calendar Months after the making or doing thereof (firſt giving Seven Days Notice of ſuch Intention to appeal to the Perſon or Perſons againſt whom ſuch Appeal is intended to be made), appeal to the Juſtices of the Peace at the General Quarter Seſſions or General Seſſions to be holden in and for the County, Borough, Town, or Place, where the Offence ſhall have been committed, or the Subject-Matter of ſuch Appeal ſhall have ariſen, and the ſaid Juſtices, in their ſaid Seſſions, ſhall in a ſummary Way either hear and determine the ſaid Complaint, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Seſſions of the Peace to be holden for the ſaid County, Borough, Town, or Place reſpectively, and then hear and determine the ſame, and if they ſee Cauſe, may mitigate any Forfeiture, and award ſuch Coſts to either of the Parties as they ſhall judge reaſonable, and their Determination therein ſhall be final and concluſive.

Diſtreſs not unlawful for Want of Form.

XLI. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums 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 Irregularity which ſhall afterwards be done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by any ſuch Irregularity may recover full Satisfaction for the Special Damage, in an Action on the Caſe.

Plaintiff not to recover if Amends tendered.

XLII. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be committed, any ſuch Irregularity, Treſpaſs, or wrongful Proceedings before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful 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 or they ſhall ſee fit; whereupon ſuch Proceedings or Order and Judgement ſhall be had, made, or given, in and by ſuch Court, as in other Actions where the ſaid Defendant is allowed to pay Money into Court.

Orders not removeable by *Certiorari*.

XLIII. And it is hereby alſo enacted, That no Order which ſhall be made by any Juſtice or Juſtices by virtue of or under this Act or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form, 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*.

XLIV. And

Limitation of Actions.

XLIV. 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, or in relation to the Premiſes, every ſuch Action or Suit ſhall be brought or commenced within Six Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Dorſet*, 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 be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſuffer a Diſcontinuance of his, her, or their Action or Actions 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 or Defendants have for Coſts of Suit in other Caſes by Law.

The Undertaking to be completed in Three Years.

XLV. Provided always, and be it further enacted, That in caſe the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall not have conducted and brought the ſaid Cut, Trench, or Aqueduct, to the ſaid Borough and Town of *Weymouth* and *Melcombe Regis*, within the Space of Three Years next after the paſſing of this Act, then this Act, and the ſeveral Powers and Authorities hereby created, ſhall be void and of none Effect.

Publick Act.

XLVI. And be it further enacted, That this Act ſhall be allowed in all Courts whatſoever as a Publick Act; and all Juſtices and other Perſons are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

FINIS.