



ANNO. QUINQUAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. lxxxv.

An Act for better supplying the Inhabitants of the
Town of *Monmouth* with Water.

[5th June 1818.]

WHEREAS the Town of *Monmouth* is generally supplied with Water for domestic Purposes from the River *Wye*, brought in Casks haled with Horses, or by manual Labour, which are both expensive, dangerous, and irregular; and the said Town is badly supplied with Spring Water; both which may be provided at a smaller Expence, and with much greater Convenience, by the Engine Pipes and Machinery herein-after authorized to be made and used in bringing the Water from the said River *Wye*, as well as from such Springs as may be hereafter purchased for that Purpose: And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to effect the same, which cannot be carried fully and completely into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Recorder, Bailiffs, and Common Council of the Town and Borough of *Monmouth*, *Edward Lucas*, *James Bevan*, *Thomas Dyke*, *Richard Powles*, The Reverend *Richard Lendon*, *Frederick Savery*, Surveyor to the *Norwich Union Institution*, *Philip Jones*, *Thomas Embry*, *Thomas Avery*, *Hezekiah Swift*, *Joseph Price*, and all and every such other Person or Persons as from Time to Time shall become a Subscriber or Subscribers, and be duly admitted a Proprietor

Company incorporated,

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tor or Proprietors as herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be, and they are hereby declared to be, One Body Politic and Corporate, by the Name of "The Monmouth Water Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued; and that the said Company shall be established for the Purpose of supplying the said Town with Water.

Stock to be raised not to exceed 1,500l.

II. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute among themselves a Sum of Money by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the Undertaking and the Purposes aforesaid, not exceeding in the whole the Sum of One thousand five hundred Pounds, to be subscribed in Shares of Fifty Pounds each.

1,500l. to be subscribed before the Works are begun.

III. Provided always, and be it further enacted, That the said Company shall not be authorized to exercise any of the Powers granted under this Act, until such Time as the whole Sum of One thousand five hundred Pounds shall have been subscribed.

Subscribers to share in the Stock in proportion to their Subscription.

IV. And be it further enacted, That all and every Person or Persons, by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to the Orders of any General Meeting or Meetings to be held by the said Company for that Purpose, for or towards the raising the said Capital Sum of One thousand five hundred Pounds as aforesaid, his, her, or their Executors, Administrators, and Assigns respectively, shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Company, in proportion to the Monies which he, she, or they shall have so contributed towards making up the same, and to a proportional Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Member or Members of the same.

Subscribers liable to the Debts of the Company, in proportion to their Share in the Stock.

V. Provided always, and be it further enacted, That the several Persons composing the said Company shall respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company, to the full Amount of their several and respective Shares in the Capital of the said Joint Stock, but shall not be any further or otherwise liable, either personally or in their several and respective Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, for any Undertakings, Engagements, Contracts, or Agreements entered into by the said Company, or be subject or liable, by reason of his or their being a Member or Members of the said Company, or of any the Acts of the said Company, to the Statutes respecting Bankrupts, or any of them.

Stock to be divided into Shares of 50l. each, and be Personal Estate.

VI. And be it further enacted, That the said Sum of One thousand five hundred Pounds shall be divided into Shares of Fifty Pounds each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Fifty Pounds; and that all Shares in the said Undertaking, and in the net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

VII. And to the Intent that all Matters and Things touching the Concerns of the said Company may be managed and conducted in the most beneficial Manner; be it further enacted, That all and every Person or Persons who shall have subscribed for, or become entitled to, and be in the actual Possession of One or more Share or Shares in the said Undertaking, shall have a Vote or Votes, in respect of each Share or Shares, in the General and Special Meetings of the said Company, to be held for carrying on the said Undertaking, or for any Purposes relative thereto.

Proprietors to vote according to the Number of their Shares.

VIII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to Two or more Shares in the said Undertaking, and in the Profits and Advantages thereof, such Persons shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Shares; and that no Person or Persons shall vote at any of the Meetings of the said Company upon any Question or Questions relating to the Concerns of the said Undertaking, in which such Person or Persons shall be anyways interested, other than as a Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Undertaking.

If Two or more Persons be Joint Proprietors, the first named shall vote.

IX. And be it further enacted, That all Orders and Proceedings of the said Company of Proprietors, and of the Committee of Management, shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings, so entered and signed by the Clerk or Clerks of the said Company of Proprietors, or by the Chairman appointed at each respective Meeting, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts and Places whatsoever.

Proceedings to be entered in Books.

X. And be it further enacted, That the said Company of Proprietors; or any Five or more of them, shall meet together at the Townhall of the said Town within Thirty Days next after the passing of this Act, between the Hours of Eleven in the Forenoon and Two in the Afternoon, or as soon after as conveniently may be, and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting to the same Place; and if it shall happen that there shall not appear at any one Meeting a sufficient Number of Proprietors severally holding a Share in the said Undertaking, by a Majority of Votes of the Proprietors, to act or to adjourn (Three Proprietors being hereby declared sufficient for the Purposes of Adjournment only), then, and so often as the Case shall happen, such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Time and Place, or until another Day shall be appointed by the said Company of Proprietors, or Three or more of them.

First Meeting.

XI. And be it further enacted, That the said Company of Proprietors, or any Five or more of them present at such Meeting or Meetings as last aforesaid, shall and may proceed to elect Five Persons, to form and become a Committee of Management for managing the Affairs of the said Company, such Votes to be taken by Ballot; and in case such Votes shall be equal, then the Chairman appointed as aforesaid for the Time being shall

Appointment of Committee of Management, Officers, &c.

shall have a casting Vote; and that the said Company of Proprietors, or any Five or more of them present as aforesaid, shall and may appoint one or more Treasurer or Treasurers, Clerk or Clerks, or such other Officers and Persons, for the Execution of this Act, as they the said Company of Proprietors shall think proper; and shall and are hereby required to take Security from such Treasurer or Treasurers, Officer or Officers, or other Person, for the faithful Execution of their respective Duties.

Two General Meetings to be held in each Year.

XII. And be it further enacted, That from and after the First Meeting of the said Company of Proprietors, there shall be held in each Year Two General Meetings of the said Company; (that is to say), on the Twenty-fourth Day of *June* and the Twenty-fourth Day of *December*, or within Fourteen Days next after such Days respectively; of which several Meetings Fourteen Days Notice at the least shall be given by Notice on the Door of the Townhall of *Monmouth*; and the First General Meeting to be held by virtue of this Act shall be holden on such of the said Days as shall first happen next after the First Meeting of Proprietors; and that all such Meetings may be adjourned from Time to Time as shall be found expedient; and that the Subscribers and Proprietors at such General Meeting, or at any other Special Meetings to be called for that Purpose, of which Fourteen Days Notice shall be given in manner aforesaid, specifying the Purpose for which such Special Meeting is called, shall have Power to elect other Persons, qualified as aforesaid, to be Members of the Committee of Management, and to serve in the Place of such Person or Persons whose Office shall have respectively become vacant by Death, Removal, Resignation, or otherwise.

Committee to continue in Office Three Years.

XIII. And be it further enacted, That the several Persons to be nominated and appointed the Committee of Management as aforesaid, who shall not resign or be removed, shall continue in their respective Offices for the Space of Three Years, to be accounted from the Day of Election, and until others shall be duly elected into their Places; and that all succeeding Members of the said Committee shall successively be chosen out of the Members of the said Company between the Twenty-fourth Day of *May* and the Twenty-fourth Day of *June*.

Vacancies in the Committee how to be filled up.

XIV. Provided always, and be it further enacted, That any Vacancy or Vacancies in the said Committee by Death, Resignation, or Removal, may and shall be filled up at any Special Meeting or Meetings to be called for that Purpose in manner aforesaid; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall continue in his or their several and respective Office or Offices, as long as the Person in whose Place or Stead he was elected would have continued in Office.

Special Meetings of the Proprietors may be convened.

XV. And be it further enacted, That if at any Time it shall appear to the said Committee of Management for the Time being, at any Meeting, or to any Five or more of the said Company of Proprietors, who shall together be Holders of Ten Shares at the least, to be necessary or expedient to call a Special Meeting of the Proprietors at large, for the Purpose of taking their Opinion and Determination upon any Matter or Thing relating to the said Company, then and in every such Case it shall be lawful for such Committee of Management, of their own Authority,

ity; or at the Requisition in Writing, to be signed by such Five or more other Proprietors, being Holders of at least Ten Shares, and which Requisition shall specify the Object of such Meeting; and in case the Committee of Management for the Time being shall refuse or neglect for the Space of Fourteen Days to comply with such Requisition, then and in such Case it shall be lawful for the Proprietors who shall have signed the same to call a Special Meeting of the Proprietors at large, by Notice on the Door of the Townhall of *Monmouth*, specifying the Place where and the Time when such Meeting is to be held, the Time not being less than Twenty-one Days after such Notice, and likewise specifying in such Notice the Reason for and Intention of calling such Special Meeting; and the Proprietors are hereby authorized to meet pursuant to such Notice, and take into Consideration the Matter or Matters to be submitted to them by the Persons calling such Special Meeting, and specified in such Notice; and the Decision and Determination of the Proprietors present at such Meeting, or the major Part of them, according to the Number of Votes they shall have a Right to give respecting such Matter or Matters, shall be as valid to all Intents and Purposes as if the same had been made at any General Meeting of the said Company of Proprietors.

XVI. And be it further enacted, That all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management, shall be decided and determined by the Majority in Number of them then present, and, in case of an equal Division, the Chairman appointed as aforesaid for the Time being shall have the casting Vote; and that if, on the Day appointed for any Meeting of the said Committee, Three in Number shall not attend, that then and in every such Case the Meeting shall be adjourned to the next Day by the Members or Member then present; or if none be present, by the Clerk to the said Company, or such other Person as shall attend in his place.

Meetings of the Committee, and Regulations for their Proceedings.

XVII. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time, and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of, for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods and Chattels, for the Use of the said Undertaking; and entering into Contracts, as well for supplying the Inhabitants with Water, and in ordering, directing, and employing the Works and Workmen, and in placing and displacing Officers, Clerks, Agents, and Servants, and making all Contracts or Bargains touching or in anywise concerning the same; subject to such Orders, By-laws, Rules and Regulations, as shall at any Time be duly made by the said Company in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted.

Power of Committee, &c.

XVIII. And be it further enacted, That the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, shall not issue any Sum or Sums of Money on account of the said Company without an Order or Orders in Writing signed by the Chairman of the said Committee of Management for the Time being, and Two Members at the

Treasurer not to issue Money without an Order from the Committee of Management.

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least of the said Committee present at some Meeting of the said Committee of Management.

Names of Proprietors to be entered, and Tickets of their Shares delivered to them.

XIX. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their First or some subsequent General Assembly, to cause the Names and proper Additions of the several Persons who shall be then entitled to the Shares in the said Undertaking, with the Number of the Shares, or the Amount of all the Subscriptions which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk to the said Company of Proprietors; and after such Entry made, to cause the Common Seal of the said Company of Proprietors to be affixed thereto, and shall cause a Ticket or Instrument, with the Common Seal of the said Company of Proprietors affixed thereto, to be delivered to every such Subscriber upon Demand, specifying the Share or Shares to which he or they is or are entitled in the said Undertaking; and such Ticket or Instrument shall be admitted in all Courts whatsoever as Evidence of the Title of such Subscriber, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Ticket or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof; and which said Ticket or Instrument may be in the Words or to the Effect following; *videlicet*,

‘ *The Monmouth Water Company.*’

‘ Number

‘ THESE are to certify, That *A. B.* of _____ is a Proprietor of the Share Number _____, being One Share of the *Monmouth* Water Company, subject to the Rules, Regulations, and Orders of the said Company of Proprietors; and that the said *A. B.* his (or her) Executors, Administrators, (or Successors) and Assigns, is and are entitled to the Profits and Advantages of such Share. Given under the Common Seal of the said Company, the _____ Day of _____ in the Year of Our Lord _____.’

Calls to be made on Subscribers.

XX. And be it further enacted, That at every General Meeting of the said Company, the Committee of Management for the Time being (in consequence of any Resolution that shall have been first passed for such Purpose at any Meeting of such Committee of Management for the Time being to have been on that account held) shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Committee of Management shall from Time to Time find wanting and necessary for the Purposes of the said Undertaking, so that no such Call do exceed the Sum of Ten Pounds for or in respect of any one Share of Fifty Pounds, and so that no Call or Calls be made but at the Distance of One Calendar Month at least from each other, and that the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer to the said Company for the Time being, to be issued and applied by virtue of an Order or Orders given to him for that Purpose; and that such Order or Orders shall be signed by the Chairman of the said Committee of Management for the Time being, and Three of the Members of the said Committee

Committee at least, present at some Meeting of the said Committee duly held; and that the said several Sums of Money so called for shall be paid at such Time and Place as shall be appointed by such General Meeting of the said Company, of which Time and Place One Calendar Month's Notice shall be given by affixing the same on the Door of the said Townhall, and by the Clerk addressing each Subscriber by Letter put into the Post Office at *Monmouth*, or in such other Manner as the said Committee of Management shall at any Meeting direct and appoint in that behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of the Money so to be called for during the Space of Two Calendar Months next after the Time appointed for Payment thereof, then in such Case such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the rest of the said Company; and that all Shares which shall or may be so forfeited shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Company; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, until after Twenty Days Notice shall be given by the Treasurer or Clerk to the said Company to the Owner or Owners thereof, or Notice in Writing left at his, her, or their usual or last Place of Abode; nor unless the same shall be declared to be forfeited at the First Meeting of the said Proprietors which shall be held not earlier than Two Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor and Proprietors, or their Executors, Administrators, Successors, and Assigns so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

In Default of Payment of Calls, Shares to be forfeited;

but Notice first to be given.

XXI. And be it further enacted, That if any Person or Persons, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall die before Payment shall have been made by him or her of the full Sum to be called for in respect thereof as aforesaid, without having made any sufficient Provision as aforesaid, by Will or otherwise, how such Share or Shares shall be disposed of, and how the future Calls in respect thereof shall be answered, then and in such Case the Executors or Administrators of such Proprietor, and the Trustee or Trustees, Guardian or Guardians of any Infant or other Person entitled to the Estate and Effects of such Proprietor or Proprietors, shall be indemnified against such Infant, and all other Persons whomsoever, for paying any Money which shall be called for as aforesaid in respect of the Share or Shares of such deceased Proprietor.

Executors, &c. indemnified in paying Calls.

XXII. And in order that where the original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become Insolvent or Bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been

For ascertaining the Proprietorship of Shares in certain Cases.
made

made of the Transfer thereof with the Clerk to the said Company, it may not be in the Power of the said Company, or any Officer acting for the said Company, to know who is the Owner or Proprietor of such Share or Shares, in order to give him, her, or them, their Executors, Administrators, Successors, and Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions against him, her, or them, their Executors, Administrators, Successors, and Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, their Executors, Administrators, Successors, and Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore further enacted, That in all the Cases aforesaid, where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the Original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal means than by a Transfer or Conveyance thereof in the Form and Manner herein specified, an Affidavit shall be made and sworn to by Two credible Persons before one of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, their Executors, Administrators, Successors, and Assigns; and that such Affidavit shall be transmitted to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the Clerk to the said Company; and that in all or any of the said Cases it shall be lawful for the Subscribers and Proprietors, at any General Meeting, after Two Calendar Months Notice shall have been given by the said Treasurer or Clerk to the Owners, or Persons claiming by such Affidavit to be Owner or Owners thereof, and that such Person or Persons, their Executors, Administrators, Successors, and Assigns, shall not have paid his, her, or their Proportion of the Money becoming payable by virtue of any Call or Calls; and after Notice thereof shall have been given Three Times, at the Intervals of Ten Days at least, on the Door of the Townhall of *Monmouth*, to declare at any General Meeting the same Share or Shares to be forfeited; and that in such Case the same shall be and become forfeited, and be sold and disposed of in such Manner as the said Subscribers and Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the General Fund of the said Company.

Shares may
be trans-
ferred.

XXIII. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, to sell and transfer any Share or Shares of which they shall respectively be possessed; and every such Transfer shall be in the Form and to the Effect following; (that is to say),

Form of
Transfer.

I _____ of _____
 in consideration of _____ paid to
 me by _____ of _____
 do hereby bargain, sell, and transfer to the said
 the Sum of _____ Capital Stock of and in
 the Undertaking called "The *Monmouth* Water Company," being

of my Share, Number in the said Undertaking;
 to hold to the said Executors, Admini-
 strators, and Assigns, subject to the same Rules, Orders, and Restric-
 tions, and on the same Conditions, that I held the same immediately
 before the Execution hereof; and I the said
 do hereby agree to take and accept the said Share,
 subject to the same Rules, Orders, Restrictions, and Conditions. As
 witness our Hands and Seals this Day of
 in the Year of our Lord

And that every such Transfer shall be registered in the Books of the said Company; and that until such Transfer shall be registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, their Executors, Administrators, Successors, and Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings, as Proprietor or Proprietors of the said Undertaking. Transfers to be registered.

XXIV. Provided always, and be it further enacted, That after any Call for Money shall be made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he or they shall possess in the said Undertaking, after the Day appointed for the Payment of the said Call, until the Money so called for or in respect of his, her, or their Share or Shares intended to be sold, shall be paid; and that until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void, and all and every Person or Persons making Default herein shall be subject and liable to forfeit his, her, or their Share or Shares in the said Undertaking to and for the general Benefit of the said Undertaking, unless he, she, or they shall at the Time of such Sale or Transfer pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture nevertheless to be first notified and declared in manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid. No Share to be sold after a Call till the Money is paid.

XXV. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Effoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed. Clerk restrained from acting as Treasurer, and vice versa.

[Local.]

Power to
erect Engines
and other
Works ;

doing as
little Damage
as may be ;

XXVI. And be it further enacted, That it shall be lawful for the said Company of Proprietors and their Successors, by themselves, their Managers, Servants, Workmen and Assistants, from Time to Time to erect and build, make, place, complete, and continue an Engine near and contiguous to the River *Wye*, and to lay Iron or other Pipes from the same into the River *Wye* for raising the said Water, to supply the said Town ; and to make, place, and complete, open, cleanse and maintain, pull down, take up, renew, replace, or otherwise improve, continue, repair, and use such Engines, Cisterns, Wells, and Reservoirs of Water in the said Town, and also such Pipes, Drains, Aqueducts and Conduits, underground Works, and other Conveniences for conveying the Water of the said River, for the Purposes aforesaid, towards and unto the said Town, and through the same, and the Streets, Highways, and Avenues thereof or leading thereto, and the Houses in the said Town, and for lodging sufficient Quantities of Water for the Supply herein-before mentioned, as shall be deemed necessary by the said Company, and to supply such Cisterns, Wells and Reservoirs, Pipes, Drains, Conduits and Aqueducts, and other Works, whilst laying and making, altering or repairing, and when laid and completed, altered or repaired, with a sufficient Quantity of Water from the said River for the Purposes aforesaid, and from Time to Time to set and place such Posts, Stones, or other permanent Marks, as the said Company may deem necessary for ascertaining and finding out the Line and Situation of the said Pipes, Drains, Conduits, and Aqueducts under Ground ; and for better effectuating the Purposes aforesaid, from Time to Time, and as often as may be necessary, to enter into and upon the Lands or Grounds of any Person or Persons, according to the Provisions and Directions of this Act, and the Highways, Streets, Avenues, and Places lying in the said Town, to take Levels, and for other Purposes of effecting the said Works, and to ascertain and mark out the Line of such Pipes, Aqueducts, Conduits and Drains, and the Situation of the said Cisterns, Wells, Reservoirs and other Works and Conveniences, and to bore, dig, cut, trench, bank, place, remove, take and carry away, and use Earth, Clay, Stones, Rubbish, Trees, Roots of Trees, Gravel or Sand, or any other Matters and Things, in the laying and placing, making, altering and amending, continuing and repairing such Wells, Cisterns and Reservoirs, Pipes, Drains, Conduits, Aqueducts, and other Works and Conveniences as aforesaid, or which may hinder, prevent, or obstruct the same, and from Time to Time to make, place, repair, conduct, alter, amend, continue and use such other Pipes and Drains, and such Cocks, Valves, Branches, Plugs, Pumps, Machines, and other Implements, Utensils, and Devices in and about the aforesaid Works, as the said Company shall think proper ; and from Time to Time to take and use all such other Acts, Ways, and Means for the Purpose of collecting, conveying, and bringing and lodging, affording and distributing a sufficient Quantity of Water into the said Town, for the Use of the Inhabitants of the said Town, from the said River, and for completing and using, amending, improving, preserving, or otherwise renewing, continuing, and repairing the Works and Conveniences authorized by this Act, as may be deemed necessary and proper by the said Company, and to resort, pass and repass to and from the aforesaid Works, and carry and convey Materials and other Things to and from the same from Time to Time as often as shall be necessary for the Purposes aforesaid, they the said Company of Proprietors, their Managers, Agents, Officers, Workmen, and

and Servants, doing as little Damage as may be in the Execution of the several Powers to them hereby granted; and the said Company laying and placing the aforesaid under-ground Pipes, Conduits, and Drains at least Two Feet below the Surface, and covering the same with Soil and othewise, so as to restore the Surface of the Land and Ground where the said Pipes, Drains, Conduits, and Aqueducts shall pass, to its former Situation and Appearance, or as near thereto as may be, and as soon as may be; and the said Company of Proprietors making Satisfaction, in the Manner herein-after mentioned, to the Owners, Proprietors, and all other Persons interested in the Lands, Tenements, and Hereditaments respectively which shall be used for the Purposes of this Act, or which shall be injured or damaged by means of the Exercise of any of the Powers hereby granted, or be by them sustained by reason of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company, and their Managers, Officers, Agents, Servants, Workmen, and Assistants, and all other Persons whomsoever, for what they or any of them shall do or cause to be done under or by virtue of the Powers hereby granted.

and making Satisfaction.

XXVII. And be it further enacted, That the said Company shall and they are hereby required, upon the carrying into and laying down any main Pipe in any Square, Street, Passage or Place, for the supplying the same with Water, to fix and place, or cause to be fixed and placed, at the Time of laying down such main Pipe, one or more proper and sufficient Fire Plug or Fire Plugs in each Square, Street, Passage, or Place, supplied with Water from such Main or Mains, for the Supply of Water for the extinguishing of Fires, and when and so soon as any such Fire Plugs shall be finished, the said Company shall immediately deliver a Key or Keys of such Fire Plug or Fire Plugs at each and every House or Place in the Parish in which such Fire Plug shall be, wherein any Engine shall be kept for the extinguishing of Fires.

Requiring the Company to make Fire Plugs in every Street.

XXVIII. And be further enacted, That it shall not be lawful for the said Company at any Time hereafter to sell or dispose of any of the Rights, Privileges, Powers, or Authorities vested in them by this Act for supplying the said Town of *Monmouth* with Water, or any of them, to any other Water Company now existing or which may hereafter be established for the Supply of Water, or to any Person or Persons whomsoever, but only to take and demand such Sums as shall be reasonable for the Water supplied under the Provisions of this Act.

Powers vested in the Company by this Act shall not be alienable.

XXIX. Provided always, and be it further enacted, That no Water Pipe belonging to the said Company shall be laid down at a less Depth under Ground than Nine Inches under the Bottom of the Pavement in any of the Streets or Places in the Town of *Monmouth*; and that the said Water Company shall be subject and liable to the Payment and Discharge of all Charges and Expences to be incurred by the breaking, taking up, relaying, reinstating, and making good all such Ground and Pavement in any of the said Streets and Places as shall be broken or taken up, either for the Purpose of laying down, or for repairing, relaying, and amending any Mains, Pipes, Cocks, or Plugs to be made or laid down, or afterwards repaired, relaid, or amended by virtue and in pursuance of this Act.

Directing how the Pipes shall be laid down.

XXX. And

Requiring
the Company
to deliver
Keys of
Pipes, &c.

XXX. And be it further enacted, That in case any of the Inhabitants of the said Town of *Monmouth* shall be desirous of and shall apply to the said Company of Proprietors for a Key or Keys of the Mains, Plugs, or Services belonging to the said Waterworks, in order that such Key or Keys may be kept in some proper Place, to be agreed upon at a Vestry of the Inhabitants of the said Town of *Monmouth*, to the end that thereby in Cases of Fire the Supply of Water from the said Works may be the more easily and readily obtained, the said Company of Proprietors shall be bound and obliged to furnish such Key or Keys to the Persons applying, in order to their being so kept; and in case the said Company of Proprietors shall refuse such Key or Keys to the Persons so applying, they shall forfeit for every such Refusal the Sum of Ten Pounds; which Penalty shall and may from Time to Time be recovered by Action, Plaint, or Suit in any Court of Law.

Power to
contract for
the Purchase
of Lands and
Buildings.

XXXI. And be it further enacted, That it shall and may be lawful to and for the said Company or their Committee of Management, and they are hereby empowered, to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town, which may be requisite for the Purposes of this Act (not exceeding One Acre of Land in the whole) with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years, absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Trustees, Executors, Administrators, Husbands, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, or with any Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or with any other Person or Persons whomsoever who shall be willing to sell the same for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company to hold any such Lands, Tenements, and Hereditaments so to be purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever.

Bodies
Politic, &c.
empowered
to sell.

XXXII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company to be purchased as aforesaid for the Use and Purposes of this Act, to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in, and

and to the same, to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual 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 said several Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate; and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is, are, and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

XXXIII. Provided always, and it is hereby enacted, That until actual Payment of such Purchase Money or Deposit of the same in the Bank of *England* in Manner by this Act directed (as the Case may be) the said Company shall not enter upon such Lands, Tenements, or Hereditaments, or in any Manner, Use, or Employ the same for the Purposes of this Act.

Until Payment of Purchase Money, Land not to be used.

XXXIV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to contract and agree with the Owners of and other Persons interested in any Spring or Stream of Water for the Purchase thereof, or for the Damage to be done thereto, for the Purposes of this Act; and it shall be lawful for all Corporations Aggregate or Sole, Tenants for Life, or in Tail General or Special, Husbands, Guardians, Trustees, Committees, and other Persons, as well for and on behalf of themselves, their Heirs and Successors, as of any Femes Covert, Infants, Lunatics, or Persons under any other Disability or Incapacity, who are or shall be seised, possessed of, or interested in any Springs, Streams, or Sources of Water as aforesaid, to sell and convey to the said Company and their Successors (which Conveyance they are hereby enabled to accept and take) all or any such Springs, Streams, or Sources of Water, or their respective Interests therein, for the Purposes aforesaid, for such Price or Sum, or in Gross, as shall be agreed upon between the said Company and the Person or Persons so seised, possessed of, or interested in such Springs, Sources, or Streams, in such Manner and Form, and under and subject to such Conditions, Restrictions, Regulations, and Directions, both with regard to the Reinvestment of the Purchase Money, under the Direction of the Court of Chancery, and otherwise, as is herein-after provided, directed,

Company may contract for Springs, &c.

[Local.]

22 K

expressed,

expressed, and declared, of and concerning the Purchase Money to be paid for all Houses, Buildings, and Grounds which may be purchased for the Purposes of this Act.

Company not to take down Houses.

XXXV. Provided always, and be it further enacted and declared, That the Power and Authority given to the said Company shall not extend to the taking or pulling down, or making use of any Dwelling House or other Buildings, or taking in or making use of, for any of the Purposes of this Act, any Site of any House or other Building, or any Garden, Orchard, Yard, Court, Park, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained for that Purpose; any Thing herein contained to the contrary notwithstanding.

Power to break up the Soil and Pavements of Streets, &c. for laying Pipes and lighting Houses, &c.

XXXVI. And be it further enacted, That it shall be lawful for the said Company and their Successors, and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen and others, from Time to Time to make and erect such Buildings, Cisterns, Engines, Machines or other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices, and to sink and lay Pipes of such Construction and in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into Execution; and also to break up the Soil and Pavements of any Streets, Highways, Roads, Ways, Lanes, Passages and other Places, or any Private Grounds, or any Part of them or either of them, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, Syphons, and Plugs or Branches; they the said Company making or tendering such Satisfaction either by Annual Rent or otherwise, to the several Persons whose private Lands or Grounds may be taken or injured, or who shall or may otherwise sustain any Damage or Injury to any of their Lands or Grounds or otherwise, by or in consequence of the Execution of any of the Powers aforesaid, as shall be agreed upon between the said Company and such Persons respectively, or as shall be ascertained in Manner herein-after mentioned: Provided always, that if any Body Politic or Corporate, Corporation Aggregate or Sole, Feme Covert, or other Person or Persons as aforesaid, shall not agree with the said Company touching the Value of the Damage to be done as aforesaid, it shall be lawful for the Justices of the Peace at any General Quarter Session of the Peace to be held in and for the Town of *Monmouth* aforesaid, and they are hereby authorized and required from Time to Time, upon Application made to them for that Purpose by or on behalf of the said Company or any of the Parties interested, by and out of the Grand Jury attending at such Session, or some other honest and substantial Men who shall attend at such Sessions, to cause a Jury of Twelve Men, who shall not be interested in the Matter in question, to be impannelled, and to which said Jurors, or any of them, the said Company, and all Parties interested in the Matter in question, shall have their lawful Challenges; and such Jury, upon their Oaths, shall inquire of the Value of the Injury or Damage which shall be done to the

To make Satisfaction to Owners of private Property.

In default of agreeing, the Damage to be ascertained.

Owners or Occupiers, whereon or wherein any Buildings, Engines, or other Works or Devices shall be made, or any Pipes laid, or other Matter or Thing done as aforesaid, and such Jury shall assess the Sum or Sums to be paid for the Injury or Damage which shall from Time to Time be done to any Lands or Grounds as aforesaid; and the said Justices shall give Judgment for the Money so to be assessed, and award such Costs to either Party as they shall judge reasonable; and every such Verdict, and the Judgment and Determination of the said Justices thereon, shall be binding and conclusive to all Intents and Purposes whatsoever, upon the said Company, and against all and every Person and Persons, Bodies Politic and Corporate, claiming any Estate, Right, Title, Share, or Interest in, to, or out of the same, either in Possession or otherwise, and shall be entered and kept amongst, and be deemed Part of, the Records of the said Quarter Sessions; and the said Justices in Session shall have the like Power of administering Oaths, and compelling the Attendance of Jurymen and Witnesses, and the Production of all Papers and Writings necessary for the determining of the Matters in question arising upon this Act, as they have in all Causes, Traverses, Matters, and Things, of which the said Court have original Jurisdiction by Law: Provided nevertheless, that it shall not be lawful for the Justices at any such Session to proceed in Manner aforesaid, upon any Application made to them by or on behalf of the said Company, unless the Application be made in Writing, and signed by Two at least of the said Company, any Thing hereinbefore contained to the contrary hereof notwithstanding: Provided also, that the said Company shall give Notice in Writing to the respective Parties interested, or their respective Trustees, Agents, or Attornies, at least Fourteen Days before the holding such General or Adjourned Quarter Sessions, of their Intention to apply to such Session for ascertaining the Amount of the Injury or Damage aforesaid.

XXXVII. And be it further enacted, That if any Money shall be contracted, agreed, or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* "The *Monmouth* Water Company," together with the Name or Names of such Person or Persons as any Three or more of the Committee of Management of the said Company shall, by Writing signed by them, direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith, to the same or the like

Directing Application of Purchase Money when amounting to 200l. or upwards.

like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Wills, Intents, and Purposes, and in the same Manner, as the Messuages, Lands, Tenements, and Hereditaments which shall be purchased, taken, or used for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Directing
Application
of Purchase
Money
when less
than 200l.
and exceed-
ing 20l.

XXXVIII. Provided always, and be it further enacted, That if any Money so contracted, agreed, or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like option, to Two Trustees, to be named by the Person or Persons making such Option, and approved by Three or more of the said Committee of Management (such Nomination and Approbation to be signified by Writing under the Hands of the nominating or approving Parties), in order that such principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the High Court of Chancery.

Directing
Application
of Purchase
Money not
exceeding
20l.

XXXIX. Provided always, and be it further enacted, That where such Money so contracted, agreed, and awarded to be paid as last before mentioned, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the

the Lands, Tenements, or Hereditaments so to be purchased for the Purposes of this Act, in such manner as the said Committee of Management or any Three or more of them shall think fit; or in any Cases of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use or Benefit of such Person or Persons so entitled respectively.

XL. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

In case of questionable Title to the Money, Persons in Possession of the Lands to be deemed entitled thereto, until the contrary shall be shown.

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

Expences of Purchases may be allowed by the Court.

XLII. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments, by the said Company, to the Party or Parties or Person or Persons respectively entitled to such Monies, or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in Manner herein-before directed, as the Case may be, and upon the Conveyance in Manner herein-after directed of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or Equity, of the Party and Parties and Person and Persons respectively, to whom or

On Payment of Purchase Money, Premises vested in the said Company.

[Local.]

for

for whose Use the same shall be paid, in, to, or out of such Lands, Tenements, and Hereditaments, shall vest in the said Company and their Successors for ever, for effecting the Uses and Purposes of this Act.

XLIII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Company and their Successors, shall be made in the Form or to the Effect following; (that is to say),

Form of
Conveyance.

‘ I, or we, [as the Case may be] of _____ in consideration
 ‘ of the Sum of _____ to me [or us] paid by the
 ‘ Company of Proprietors established under or by virtue of an Act passed
 ‘ in the Fifty-eighth Year of the Reign of King George the Third, in-
 ‘ titled *An Act* [here insert the Title of this Act], do hereby grant and
 ‘ release to the said Company of Proprietors and their Successors, all
 ‘ [here describe the Premises to be conveyed] and all my [or our] Right,
 ‘ Title, and Interest in and to the same, and every Part thereof, to hold
 ‘ to the said Company of Proprietors and their Successors for ever. In
 ‘ witness whereof, I [or we] have hereunto set my Hand and Seal [or
 ‘ our Hands and Seals] this _____ Day of _____ in the Year
 ‘ of our Lord One thousand eight hundred and _____.’

XLIV. And be it further enacted, That it shall be lawful for the said Company from Time to Time, by Writing under their Common Seal, to assign all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, as a Security for the principal Money to be advanced, together with lawful Interest for the same; and the Charges and Expences of such Assignment, to be made as herein-after mentioned, shall be from Time to Time defrayed by the said Company out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say),

Form of
Assignment.

‘ WE, the *Monmouth Water Company*, acting in pursuance of an
 ‘ Act passed in the Fifty-eighth Year of the Reign of King
 ‘ *George the Third*, intituled [here set forth the Title of this Act]
 ‘ in consideration of the Sum of _____
 ‘ advanced and lent to the said Company by _____
 ‘ of _____ in the County of _____
 ‘ for the Purposes of the said Act, do hereby grant and assign unto the
 ‘ said [or his Trustee or Trustees, as the Case may be] his [or her or their]
 ‘ Executors, Administrators, and Assigns, such Proportion of the Property
 ‘ and Effects belonging to the said Company, as the said Sum of _____
 ‘ doth or shall bear to the whole Sum
 ‘ which may at any Time be borrowed by virtue of the said Act, to be had
 ‘ and holden from the Day of the Date hereof until the said Sum of _____
 ‘ with Interest after the
 ‘ Rate of _____ per Centum per Annum for
 ‘ the same, shall be fully paid and satisfied. In Witness whereof, we the
 ‘ said Company have hereunto set our Common Seal, the _____ Day
 ‘ of _____ in the Year of our Lord One thousand eight
 ‘ hundred and _____.’

And every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his,

his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and Advantages thereof, according to the Form of Words of such Assignment, and the true Intent and Meaning of this Act.

XLV. And be it further enacted, That it shall and may be lawful to and for the several Persons entitled to any of the Securities for the Money to be borrowed as aforesaid, and their respective Executors, Administrators, or Assigns (as the Case may be), at any Time, by Writing under their respective Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say),

Power of transferring Assignments in a prescribed Form.

‘ I *A. B.* being entitled to the Sum of _____ under or by
 ‘ virtue of an Assignment bearing Date the _____ Day of
 ‘ _____ under the Common Seal of the *Monmouth*
 ‘ Water Company, in pursuance of an Act passed in the Fifty-eighth
 ‘ Year of the Reign of King *George* the Third, intituled [*here set forth*
 ‘ *the Title of this Act*], do hereby assign and transfer all my Right and
 ‘ Interest in and to the same Sum, and to the Property and Effects assigned
 ‘ to me for securing the same, unto _____ of
 ‘ his or her Executors, Administrators, and Assigns. Dated the
 ‘ Day of _____

And a Copy of every such Security or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk or Superintendant to the said Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred; to which Book any Person interested shall at all reasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Transfer the said Clerk or Superintendent shall be paid by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

XLVI. Provided always, and be it further enacted, That if any Person hereby nominated, or who shall be elected a Member of the said Committee of Management, shall offer to take and succeed in taking, or shall participate in any Manner in any Work to be done for the said Company, every such Person shall be disqualified to vote in any Matters to be discussed and argued by the said Committee of Management, and shall cease to be a Member thereof; and that if any Person hereby nominated, or to be appointed by virtue of this Act, a Member of the said Committee, shall at any Time cease to be a Proprietor of a Share in the said Undertaking, every such Person shall be thereby disqualified from acting or voting at such Committee, and shall cease to be a Member thereof.

Committee-men contracting for Work cease to have a Voice in the Committee.

XLVII. And be it further enacted, That the Proprietor of every Share in the said Company's Stock entitled to vote in respect of such Share at any General or Special Meeting of the said Company, shall have full
 Power

Proprietors may vote by Proxy.

Power and Authority to give his or her Vote or Votes, at such General or Special Meetings as aforesaid, either in Person or by Proxy, every such Proxy being a Proprietor in the said Undertaking; and the Appointment of such Proxies may be made in the Form or to the Effect following; (*videlicet*),

Form of
Proxy.

‘ I A. B. of _____ Proprietor
 ‘ of and in ‘ The *Monmouth Water Company*,’ do hereby nomi-
 ‘ nate, constitute, and appoint C. D. of _____
 ‘ _____ to be my Proxy, in my Name and in my Absence, to
 ‘ vote or give my Assent to, or Dissent from any Business, Matter, or
 ‘ Thing relating to the said Undertaking, that shall be mentioned or
 ‘ proposed at any General or Special Meeting of the said Company, in
 ‘ such manner as he the said C. D. shall think proper, according to his
 ‘ Opinion and Judgment, for the Benefit of the said Undertaking, or
 ‘ any Thing relating thereto. In Witness whereof, I have hereunto
 ‘ set my Hand the _____ Day of _____
 ‘ One thousand eight hundred and _____’

General
Meetings to
settle Ac-
counts;
Half-yearly
Meetings to
declare
Dividends.

XLVIII. And be it further enacted, That any General Meeting or General Meetings specially called for the Purpose shall have full Power to call for and examine and settle the Accounts of the said Company; and that at every Half-yearly General Meeting, or some Adjournment thereof, a Half-yearly Dividend or Dividends shall be made out of the Interest, Profits, or Advantages of the said Undertaking, unless such Meeting shall declare otherwise; provided that no Dividend shall be made, whereby the Capital of the said Company shall in any degree be reduced or impaired, nor within Six Months next after the said Works shall be completed.

General
Meetings
may make
Bye-laws.

XLIX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General Meetings as aforesaid, to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of the said Committee of Management, and for the regulating of all Officers, Workmen, and Servants to be employed in and about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Company at a General Meeting, shall seem meet and expedient; and all Rules, Orders, and Bye Laws so made as aforesaid (being reduced into Writing, and the Common Seal of the said Company thereto affixed), shall be binding upon all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye Laws, be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or any of the express Directions or Provisions of this Act: Provided also, that Copies thereof shall be fixed and continued in the Office of the Superintendant or Clerk; and all such Rules, Orders, and Bye Laws shall be subject to Appeal in manner by this Act directed.

L. Pro-

L. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Syphons, or Branches, shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage which may be made for the said Works without any Delay; and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, in such manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided always, that if there shall be any wilful or negligent Delay in the said Company, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads, then and in every such Case it shall and may be lawful to and for the Commissioners, Directors, or Trustees, or other Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Sole or Aggregate, in whom, by any Act or Acts of Parliament or otherwise, the Care, Superintendance, and Controul of lighting the public Streets, Highways, Lanes, Passages, or Places, or any Part of them, or either of them, in the said Town is or may be vested, or their Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Commissioners, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage, or Place so broken up, and that the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors or their Treasurer; and that in default of Payment thereof for Ten Days next after Demand shall be made by such Surveyor or other Person acting by or under the Authority of the said Commissioners, or Directors, or Trustees, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said Town, all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace of the said Town, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs, Charges, and Penalty shall be paid to such Commissioners, Directors, or Trustees, or their Treasurer.

Workmen
in laying
Pipes to
make good
the Pavement.

Provision in
case of
Default.

LI. And be it further enacted, That if, for the Purposes of any Act or Acts in force for the Time being for paving the Town of *Monmouth*, it shall at any Time or Times be deemed necessary or expedient by the Commissioners for paving the said Town to require the said Company to raise, sink, or otherwise alter the Situation of any of the Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches which shall be laid down for the Purposes aforesaid, the said Company shall at their own Expence, within Two Calendar Months next after being required so to do, by Notice in Writing to them given by the said Commissioners, signed by their Clerk, raise, sink, or alter such Mains, Pipes, Stopcocks, Syphons, Plugs, or Branches, according to such Notice, in such Manner, and in such Place or Places, as the said Commissioners shall think right and proper; and in

Commission-
ers of Pave-
ment empow-
ered to raise,
sink, or alter
Pipes, &c.

[Local.]

22 M

Default

Default thereof it shall and may be lawful to and for the said Commissioners or their Surveyor, or any other Person or Persons acting by their Order or under their Authority, to cause such Mains, Pipes, Cocks, Plugs, Syphons, or Branches to be raised, sunk, or altered, and that the reasonable Costs and Charges for doing the same shall immediately thereafter be paid by the said Company or their Treasurer: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Ten Days next after Demand shall be made by such Surveyor or other Person acting by or under the Authority of the said Commissioners, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said Town, all such reasonable Costs and Charges shall and may be recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Commissioners or their Treasurer.

Damage to be made good to the Company.

LII. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Mains, Pipes, Cocks, Plugs, Syphons or Branches, any Damage or Injury shall be wilfully or negligently done to the same by the said Commissioners or their Servants, then and in every such Case such Damage or Injury shall be made good as soon as Circumstances permit, and the Costs, Charges, and Expences thereof shall be paid by the said Commissioners to the said Company or their Treasurer.

Time limited for Completion of the Works.

LIII. And be it further enacted, That in case the Works for supplying the said Town with Water shall not be completed, so as to answer the Purposes thereof, within Five Years from and after the passing of this Act, all the Powers and Authorities herein contained relative thereto shall cease and determine, save only as to so much thereof as shall have been then completed.

Owners and Inhabitants of Houses, &c. may lay Pipes to those of the Company.

LIV. And be it further enacted, That such of the Owners of Buildings within or Inhabitants of the said Town of *Monmouth* as shall be desirous of having Water conveyed in Pipes into their Houses, Yards, or Offices, may and are hereby authorized and empowered at their own Expence (having first obtained the Consent in Writing of such Person as the said Company of Proprietors shall authorize under their Common Seal to give such Consent, and also the Consent of the Owner or Owners, Occupier or Occupiers of any inclosed Lands or Grounds in which such Pipes shall be placed) to open the Ground between the said Company's Wells, Reservoirs, Main Pipes, Aqueducts, and the respective Houses, Buildings, and Yards of such Owners or Inhabitants, and to lay down Leaden or such other Pipes, and of such Bore, and continue them for such Term and Time, as shall be agreeable to the said Company and specified in such Writing, giving such Consent as aforesaid, from such Houses, Buildings, and Yards, to communicate with the said Wells, Reservoirs, Aqueducts, or Main Pipes, upon such Terms and Conditions, and such respective Owners of Buildings or Inhabitants agreeing to pay and paying to the said Company yearly, or at shorter Periods, such Rate or Rates, Sum or Sums of Money, for such Privilege and Water, as shall be mutually agreed upon
between

between them; and in case of default in Payment of any such Sum or Sums of Money so agreed to be paid, the same shall be recoverable by the said Company, with the Costs of such Recovery, by Distress and Sale of the Goods and Chattels of the Person or Persons respectively liable to pay the same, in the same Manner as Rents in Arrear upon common Demises may be recovered.

Mode of
Recovery of
Water Rents.

LV. Provided always, and be it enacted, That in case any Difference shall arise between the said Company and the Person or Persons desirous of having the said Water, as to the Price to be paid to the said Company for the same, then and in every such Case every such Person or Persons may appeal to the next General Quarter Sessions of the Peace to be held in and for the said Town and Borough of *Monmouth*, giving to the Clerk of the said Company Fourteen Days Notice of such Intention to appeal, which Court shall have Power to determine and fix the Price to be paid, and the Period of Time for which such Price shall be paid, as the said Court shall think fit, for the said Water, which Decision shall be final and conclusive between the said Parties, and the said Company are hereby required to supply every such Person or Persons so appealing with Water at the Price and for the Period of Time which shall be so fixed by the said Court of Quarter Sessions.

Persons desirous of having Water may appeal in case of any Difference with the said Company.

LVI. And be it further enacted, That it shall be lawful for the said Company of Proprietors to cause any Pipe or Pipes, Drain or Aqueduct, which shall communicate with any of the Wells, Reservoirs, Pipes, or Aqueducts of the said Company, without their Consent as aforesaid, and the Pipe or Pipes, Drains or Aqueducts of any Person or Persons respectively so communicating, who shall negligently suffer the same, or the Cocks belonging thereto, to be out of Repair, so as to let the Water run waste and useless, or who shall make such Default in Payment as aforesaid, or at the End of the Term or Time agreed for such Pipes and Aqueducts remaining, or when it shall be necessary for the Alteration or Amendment of the said Company's Pipes or Works, to be stopped and separated from the Wells, Reservoirs, Aqueducts, and Pipes of the said Company, and the Water to be stopped from issuing or running therefrom by means of such Pipes, Drains, or Aqueducts so authorized to be stopped and separated; and if any Person shall lay or place, or cause to be laid or placed, any Leaden or other Pipes, Drain, or Aqueduct, to communicate with any Aqueduct, Pipe, Reservoir, or Well belonging to the said Company, without such Consent as aforesaid, or shall replace any Pipe or Aqueduct after being so stopped or separated as aforesaid, or shall continue the same beyond the Time agreed for, without the Consent and Approbation of the said Company, every such Person shall be liable to forfeit and pay to the said Company, or their Treasurer for their Use, any Sum not exceeding Ten Shillings for every Day such Pipe or Aqueduct shall afterwards remain, and Water shall issue by means thereof from any Well, Reservoir, or Aqueduct of the said Company; but such Person to whom such Pipes laid to communicate with the Aqueducts, Wells, or Reservoirs of the said Company, and the Cocks attached thereto, shall belong, shall be at liberty to remove and take away the same at the End of the Term agreed for.

Pipes may be stopped and separated by the Company for certain Causes.

Penalty for joining Pipes to those of the Company without Leave.

LVII. Provided always, and be it further enacted, That any Ground, Highway, or Pavement which shall or may be opened or broken up,

When Ground is broken up either

for laying
Pipes, it is to
be filled in
again as soon
as possible,
and fenced
in the mean-
time to pre-
vent Acci-
dents.

either by the said Company of Proprietors or any other Person or Persons, for laying, taking up, or repairing any Aqueduct or Pipe by virtue of this Act, shall, by the said Company or other Persons respectively so opening the same, be filled in, and the Rubbish occasioned thereby carried away, as soon as conveniently may be, and in the meantime shall be fenced or guarded so that the same may not be dangerous to Passengers or Cattle or otherwise; and if there shall be any wilful or negligent Delay in any of the Agents or Servants of the said Company of Proprietors, or any such other Person or Persons, in taking up or repairing any of the said Aqueducts or Main Pipes, or any of the said Communication Pipes, or in filling in or removing the Rubbish thereby occasioned, that then and in every such Case the said Agents or Servants of the said Company, or such other Persons respectively so negligent, shall forfeit any Sum not exceeding Fifty Pounds, to be applied to the Use of the Poor of the Town of *Monmouth* aforesaid.

Penalties for
hindering or
injuring the
Company's
Works, or
fouling the
Water;

LVIII. And be it further enacted, That if any Person shall wilfully or maliciously hinder or interrupt, or cause or procure to be hindered or interrupted, the said Company of Proprietors, or their Managers, Agents, Servants, or Workmen, or any of them, in doing or performing any of the Works, or in the Exercise of any of the Powers and Authorities in this Act authorized or contained; or shall wilfully or maliciously break, throw down, injure, damage, or destroy any Wells, Cisterns, Reservoirs, Aqueducts, Pipes, Drains, Plugs, Cocks, Works, Matters or Things of the said Company, made or to be made and provided in pursuance of this Act, or for the Purpose of the Execution of the Powers herein contained; or shall wash, cast, put or throw any Dog or Cat, or other Animal, alive or dead, or any Cloth, Wool, Filth, Dirt, or other noisome or offensive Matter or Thing, or cause, permit, or suffer the Water of any Sink, Sewer, or Drain to run or be conveyed into any of the said Wells, Cisterns, or Reservoirs, Pipes or Conduits, or otherwise wilfully foul or render noisome or impure, or cause or procure so to be, the Water running to or contained in any of such Wells, Cisterns, or Reservoirs, Pipes or Conduits; or if any Person or Persons supplied with Water by virtue of this Act shall wilfully permit any other Person or Persons, not having the Authority or Consent of the said Company, to take any Water at the Pipes or Reservoirs of the said Company, or shall supply any such other Person or Persons with any Water from such Pipes or Reservoirs, or shall by negligently suffering his or their Pipes or Aqueducts, or the Cocks belonging thereto, to be out of Repair, occasion the Water thereby supplied to run waste and useless; or if any Person, not having such Consent of the said Company as aforesaid, shall take or use any of the Water supplied by means of the Works of the said Company; then and in every such Case the Person so offending as aforesaid shall forfeit and pay for every Offence, to the said Company, any Sum not exceeding Five Pounds, according to the Discretion and Decision of the Justice of the Peace before whom the same shall be recovered, as herein-after provided, besides the full Amount of the Damage sustained by the said Company, by the Acts or Means in respect of which such respective Penalties shall be incurred, in addition thereto; and the said Company shall be at liberty to cut off the Supply of Water from such Person so offending, from the Reservoirs, Cisterns, or Pipes of the said Company; but nothing in this Act contained shall prevent or be construed to extend to prevent any of the Water supplied or

and on Per-
sons supplied
with Water,
supplying
others;

or using
Water with-
out Consent
of Company;

except for
Purposes
specified.

or collected under the Authority of this Act from being used to extinguish any Fire or Fires whatsoever that may have communicated to any Building or Buildings, Rick or Ricks, Stack or Stacks of Hay, Corn or other Produce, or any Waggon, Cart, or other Carriage, or any Matter or Thing therein contained, or shall be in Danger of so communicating; provided that as little Damage as may be shall be done to the Reservoirs, Cisterns, Aqueducts, Pipes, Drains, or Works of the said Company, by or procuring the Water for the Purpose last aforesaid, and any Damage or Injury that shall be done shall be compensated for, and the Reservoirs Cisterns, Aqueducts, Pipes, Drains, or Works so injured shall be completely and effectually, and with as little Loss of Time as may be, repaired by or at the Expence of the Person to whose Buildings, Ricks or Stacks, Waggons, Carts or other Carriages, such Fire shall have communicated, or be in Danger of communicating; and provided that no Person supplied with Water under the Consent and an Agreement with the said Company for that Purpose shall be liable to any Penalty or Payment for supplying any other Person or Persons with Water.

LIX. And be it further enacted, That all the Materials of which the aforesaid Wells, Reservoirs, and Cisterns shall be constructed, as well as the Pipes, Cocks, Conduits, and other Utensils and Things furnished and provided for the Purposes aforesaid, by the said Company of Proprietors or their Managers, Officers, or Servants, at the Expence of the said Company, and all the Profits, Benefits, and Advantages to arise from the said Concern, or under or by virtue of this Act or the Powers herein contained, shall be and be considered to all Intents and Purposes vested in and be the Property of the said Company, in Trust and for the Uses and Purposes aforesaid; and all Persons, their several and respective Executors, Administrators, and Assigns, who shall severally subscribe for one or more Share or Shares, shall be entitled to and receive, after the said Reservoirs, Aqueducts, and Works shall be declared fit for Service by the said Company or their Managers, an equal and proportionable Distribution, according to the Share or Shares they shall respectively possess of the net and clear Profits and Advantages of the said Concern, after deducting all necessary and incidental Charges, Disbursements, and Expences; and every Person having such Property in the said Undertaking as aforesaid shall bear and pay a proportionable Sum towards carrying on the same.

Materials, &c. to be provided, to be the Property of the Company, and the Profits, &c. to be divided.

LX. And be it further enacted, That when and so often as any Part of the Pavement of the Footway in any of the said Streets, Lanes, and other Public Passages and Places, shall be taken up for the Purpose of laying, altering, or amending any Water Pipe, Drain, or Gutter, or for any other Purpose whatsoever, the Person or Persons so taking up such Pavement shall immediately give Notice thereof to the Surveyor of the Commissioners for paving and lighting the said Town, in order that the same may with all convenient Speed be laid down and repaired under the Inspection of the said Surveyor, and the Charges and Expences thereof shall be paid by the said Commissioners, and they shall be reimbursed by the Person or Persons who shall take up or cause to be taken up the said Pavement, or any Part or Parts thereof.

Expences of taking up Pavement to repair Water Pipes, &c. to be reimbursed.

LXI. And whereas a Map or Plan describing the Line of the said intended Works, and the Lands through which the same are intended to

[Local.]

22 N

Map and Book of Reference to be

remain with
the Clerk of
the Peace.

be carried, and the Situation and Course of the intended Water Pipes, and of the intended Engine, and a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers respectively of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Monmouth*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy, and all Persons shall at any seasonable Time have Liberty to inspect and peruse the same, and have a Copy thereof, or such Part thereof, as such Person or Persons shall require; such Copy or Copies to be made by the said Clerk of the Peace, or his Deputy, on being paid the Sum of One Shilling on every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies; and that the said Company of Proprietors, their Successors and Assigns, shall not, in laying and making such of the aforesaid Works, deviate more than Twenty Feet from the Line or Course so described, nor make any Engines or Wells, Cisterns, or Reservoirs in any other Lands, Grounds, or Situations than so described, without the Consent in Writing of the Owner or Owners of the Lands or Grounds in which they shall so deviate, or make such other Engines or Wells, Cisterns, or Reservoirs.

Subscribers
compelled to
pay their
Subscrip-
tions.

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

Appeal may
be made to
the Quarter
Sessions.

LXIII. Provided always, and be it further enacted, That any Body or Bodies Corporate or Collegiate, or any other Person or Persons whatsoever, thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye-Law, or Order of the said Company of Proprietors, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may, within Three Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their next General Quarter Sessions of the Peace to be holden for the said Town, the Person or Persons appealing having first given at least Fourteen clear Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk or Superintendant of the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said Town with sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary way hear and determine such Complaint at such General Quarter Sessions of the Peace, or, if they think proper, may adjourn the
Hearing

Hearing thereof to the next General Quarter Sessions of the Peace to be held for the said Town; and, if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye-Law, Order, or Determination; and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

LXIV. And be it further enacted, That if any Person or Persons shall be summoned in Manner aforesaid as a Witness or Witnesses, to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person or Persons accused, and shall refuse or neglect to appear from Time to Time at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum for his Costs, Charges, and Expences, without a reasonable Excuse for his, her, or their Refusal or Neglect of appearing, or appearing shall refuse to be examined upon Oath, or in case of a Quaker or Quakers, on solemn Affirmation (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace; then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, provided a reasonable Sum shall have been paid or tendered to such Person for Attendance as a Witness; and that in all Cases of Notices and Summonses by this Act directed or required to be given or served, which shall or may be necessary for carrying into Execution any of the Powers of this Act, the Service of any of such Notices or Summonses, either on the Person or Persons to whom the same ought to be given, or leaving the same or a true Copy thereof at his, her, or their Dwelling House, or usual or last Place of Abode, shall be good and sufficient Service of any and every such Notices or Summonses; and that in all Cases whatsoever, where any such Notices or Summonses ought to be given to Two or more Persons, for or respecting the joint Act or Omission of any such Person or Persons, whether the said Person or Persons be in Partnership in Trade, or otherwise jointly concerned in any such Act or Omission, the like Service of any such Notices or Summonses on any one such Partner or Partners, Person or Persons, shall be and is hereby declared to be as good and sufficient Service thereof as if the same had been served on both or all such Persons.

For compelling the Attendance of Witnesses, and respecting Service of Notices.

LXV. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before any Justice of the Peace or otherwise under this Act upon Oath, or in case of a Quaker or Quakers on solemn Affirmation, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he, she, or they so giving false Evidence shall be subject to the same Punishment as if he, she, or they had been convicted of wilful and corrupt Perjury.

Persons giving false Evidence to be punished for Perjury.

LXVI. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties to

How Notices shall be served on the Company.

serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service thereof upon any one of the Members of the said Committee of Management, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Proceedings
to be within
Six Calendar
Months.

LXVII. And be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences against this Act, unless some Proceeding, or Notice of some intended Proceeding, shall be had or given respecting such Offence or Offences within Six Calendar Months next after such Offence committed.

Form of
Conviction.

LXVIII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (*videlicet*),

Town of Monmouth, }
(to wit.) }
BE it remembered, That on the
Day of in the Year of
our Lord one thousand eight hundred and is [or
are] convicted before me [or as the Case shall be] [or
as the Case shall be] of His Majesty's Justices of the Peace for the
said Town of *Monmouth*, by virtue of an Act of Parliament passed in the
Fifty-eighth Year of the Reign of King George the Third, intituled
[here insert the Title of this Act] of having [specifying the Offence, and
the Time and Place when and where the same was committed, as the Case
shall be] contrary to the said Act, and for which Offence, I [or we, as
the Case shall be] do adjudge the said
to have forfeited the Sum of
Given under my Hand and Seal [or our, as the Case shall be, Hands and
Seals] the Day and Year first above written.

Expences of
the Act how
to be paid.

LXIX. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, shall be paid and discharged by the said Committee of Management out of the Monies already subscribed or to be subscribed by virtue of this Act.

Public Act.

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

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