



ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

Cap. ciii.

An Act for supplying with Water the Town and County of *Haverfordwest* and the Liberties thereof. [28th June 1833.]

WHEREAS a Supply of Water for domestic and other Purposes would be of great Advantage to the Inhabitants of the Town and County of *Haverfordwest* and the Liberties thereof: And whereas such Supply of Water may be obtained from certain Streams and Watercourses herein-after more particularly described and mentioned: And whereas the Mayor, Sheriff, Bailiffs, and Burgesses of the Town and County of *Haverfordwest* aforesaid are willing, by and out of certain Funds now in hand belonging to them in their Corporate Capacity, to defray the Expence of constructing the necessary Works, and of supplying the Water to the said Town and County: And whereas the Objects herein-before mentioned cannot be beneficially effected without the Aid 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 Parliament assembled, and by the Authority of the same, That the Mayor and Common Council for the Time being of the Town and County of *Haverfordwest* shall be and they are hereby appointed Commissioners for carrying this Act into execution.

Mayor and Common Council to be the Commissioners.

II. And be it further enacted, That where in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as One Matter, several Persons as well as One Person, and Females as well as Males;

Rules for the Interpretation of this Act.

[Local.]

Males; and where the Word "Lands" shall be used, the same shall be understood to include Tenements and Hereditaments; and where the Word "Corporation" shall be used, the same shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole, unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Com-
missioners em-
powered to
construct
Waterworks.

III. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to construct and maintain all such Waterworks and other Works and other Conveniences as they shall think proper in the Situations, and upon, across, under, or over the Lands delineated on the Plan and described in the Book of Reference relating to the said Waterworks and other Works deposited with the Clerk of the Peace for the Town and County of *Haverfordwest*, as herein-after more particularly mentioned, and to supply with Water by means of such Waterworks the said Town and County of *Haverfordwest* and the Liberties thereof from certain Streams and Watercourses at or near to a certain Extra-parochial Place called *Portfield*, within the Liberties of the said Town and County of *Haverfordwest*, and also from a certain Spring called *Fountain Head*, in the Parish of *Saint Mary* in the said Town and County of *Haverfordwest*, and also from such Brooks, Streams, Springs, Watercourses, and other Sources of Water as may be found in constructing the said Waterworks and other Works.

Plan and
Book of Re-
ference to
remain in
Custody of
the Clerk of
the Peace,
and be open
to Inspection.

IV. And whereas a Map or Plan describing the Situation of the intended Reservoirs and Aqueducts, and the Lands upon, through, or in which the same respectively are intended to be carried or made, together with a Book of Reference to such Plan containing Lists of the Names of the Owners and Occupiers or reputed Owners or Occupiers of such Lands, have been deposited with the Clerk of the Peace for the Town and County of *Haverfordwest*; be it therefore enacted, That the said Map or Plan and Book of Reference so deposited shall remain with and be kept by the said Clerk of the Peace; and all Persons interested in any Manner in such Lands shall have Liberty at all reasonable Times to inspect and to make Extracts from or Copies of the said Map or Plan and Book of Reference respectively, paying to the said Clerk of the Peace for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference, or true Copies thereof, or of so much thereof respectively as shall relate to any Matter which may be in question, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Uninten-
tional Errors
in Act or
Plan or Book
of Reference
not to pre-
vent the Exe-
cution of the
Act.

V. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to construct the said Reservoirs, Aqueducts, and other Works in the Situation, and in the Line or Course, and upon, through, or in the Lands delineated on the said Map or Plan, although such Lands or any of them, or the Situation thereof respectively, or the Names of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto, or in the Book of Reference to the said Map or Plan, if it shall appear to any Two or more Justices of the Peace for the said Town and County of *Haverfordwest* (in case of Dispute about the same),

and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said Town and County.

VI. And be it further enacted, That for the Purposes and subject to the Provisions and Restrictions of this Act it shall be lawful for the said Commissioners, their Agents and Workmen, and all other Persons by them authorized, and they are hereby empowered, to enter into and upon the Lands of any Person or Corporation whatsoever, and to survey and take Levels of the same or of any Part thereof, and to set out and appropriate for the Purpose of this Act such Parts thereof as they are by this Act empowered to take or use, and in or upon such Lands, or any Lands adjoining thereto, to bore, dig, cut, embank, and sough, and to remove or lay, and also to use, work, and manufacture, any Earth, Stone, Rubbish, Trees, Gravel, or Sand, or any other Materials or Things which may be dug or obtained therein or otherwise in the Execution of any of the Powers of this Act, and which may be proper or necessary for constructing, making, maintaining, altering, repairing, or using the said Waterworks and other Works by this Act authorized, or which may obstruct the constructing, making, maintaining, altering, repairing, or using the same according to the true Intent and Meaning of this Act, and as the said Commissioners shall think proper, and also from Time to Time to alter, repair, or discontinue the before-mentioned Works or any of them, and to substitute others in their Stead, and generally to do and execute all other Matters and Things necessary or convenient for constructing, maintaining, altering, or repairing and using the said Waterworks and other Works by this Act authorized, they the said Commissioners, their Agents or Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and the said Commissioners making full Satisfaction in manner herein-after mentioned to all Persons and Corporations interested in any Lands which shall be taken, used, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Commissioners and all other Persons for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisions and Restrictions as are herein-after mentioned and contained.

Power to enter upon Lands, and take Levels, &c.

VII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to contract and agree with the Owners or Proprietors of and other Persons interested in the present Waterworks within the said Town and County of *Haverfordwest* and the Liberties thereof, for the absolute Purchase thereof, at such Price or Sum of Money as shall be mutually agreed upon by and between such Owners and Proprietors and other Persons interested as aforesaid and the said Commissioners; and it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to pay and defray such Price or Sum of Money by and out of the Monies to be raised under or by virtue of this Act.

Commissioners may contract for the Purchase of the present Waterworks.

VIII. And be it further enacted, That after any Lands intended to be taken or used for the Purposes of this Act shall have been set out and ascertained, or if the said Commissioners, and such Owners and Proprietors, and other

Persons under legal Disability empowered to

sell and convey Lands.

other Persons interested in the said present Waterworks, shall have mutually contracted and agreed for the Purchase of the said present Waterworks, it shall be lawful for all Corporations, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised; possessed of, or interested in their own Right, or entitled to Dower or other Interest in, and for all other Persons whatsoever seised or possessed of or interested in any such Lands and Waterworks, to contract for, sell, and convey the same or any Part thereof unto the said Commissioners; and all such Contracts, Sales, and Conveyances shall be made at the Expence of the said Commissioners, and shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (namely,)

Form of Conveyance to Commissioners.

‘ I of in consideration of the Sum of
 ‘ to me, [*or, as the Case may be,* into the Bank of
 ‘ *England*, in the Name and with the Privy of the Accountant General
 ‘ of the Court of Exchequer, *ex parte* the Commissioners of the *Haver-*
 ‘ *fordwest* Waterworks, or to *A. B.* of and *C. D.* of
 ‘ Two Trustees appointed to receive the same,] pursuant
 ‘ to the Act after mentioned, paid by the Commissioners of the *Haver-*
 ‘ *fordwest* Waterworks, or the said Commissioners appointed by an Act
 ‘ of Parliament passed in the Third Year of the Reign of His Majesty
 ‘ King *William* the Fourth, intituled [*here set forth the Title of this Act*],
 ‘ do hereby convey to the said Commissioners and their Successors all
 ‘ [*describing the Premises to be conveyed*], together with all Ways, Rights,
 ‘ and Appurtenances thereunto belonging, and all such Estate, Right,
 ‘ Title, and Interest in and to the same and every Part thereof as I am
 ‘ or shall become seised or possessed of, or am by the said Act capacitated
 ‘ or empowered to convey, to hold the Premises to the said Commis-
 ‘ sioners and their Successors for ever, according to the true Intent
 ‘ and Meaning of the said Act. In witness whereof I have hereunto set
 ‘ my Hand and Seal the Day of in the Year of
 ‘ our Lord

And all such Conveyances as aforesaid shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Estates, Interest or Interests so thereby conveyed or aliened, and to bar and destroy all Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and in the same.

Power to purchase the Release of Lands wanted from Rents charged thereon.

IX. And be it further enacted, That where any Lands intended to be purchased by the said Commissioners shall be subject, solely or jointly with other Lands not intended to be purchased, to or with any Rent, Service, Rent Charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Commissioners to agree for the Release

Release of the Lands so purchased from such Rent, Payment, or Incumbrance, and also (where necessary) for an Apportionment of such Rent, Payment, or Incumbrance, for such Sum as shall be agreed upon between the said Commissioners and the Party who under the Provisions of this Act shall agree to sell or apportion the same, and which Agreement may be entered into by all Corporations and other Persons by this Act authorized and empowered to convey Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Land is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Lands intended to be purchased, and shall also (where necessary) apportion the Rent, Payment, or Incumbrance affecting the Lands jointly subject to Rent, Payment, or Incumbrance, as hereinbefore mentioned, according to the respective Values of the Lands intended to be purchased and of the Lands not intended to be purchased by the said Commissioners; and all Contracts, Conveyances, and Assurances which shall be made by and between the said Commissioners and any such Party as aforesaid respecting such Release (and which may be of the like Forms as by this Act are directed to be used in the Case of Conveyances of Lands) shall be valid and effectual in the Law, and shall extinguish the Whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that when any of the Lands purchased by the said Commissioners shall be released from any Rent, Payment, or Incumbrance affecting the same jointly with other Lands not purchased by the said Commissioners, such last-mentioned Lands shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with the Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released, it shall be lawful for the said Commissioners, or for any Three or more of them, or for the Mayor for the Time being of the Town and County of *Haverfordwest*, on behalf of the said Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent, Payment, or Incumbrance, to sign their Names respectively (as the Case may be) to a Memorandum indorsed on such Deed or Instrument, declaring what Part of the Lands originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrance which shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, and shall not exclude any other Evidence of the same Facts.

X. And be it further enacted, That all Persons and Corporations having any Mortgage on any Lands to be taken for the Purposes of this Act (and whether entitled thereto in their own Right or in Trust for any other Person, and whether in possession thereof by virtue of such Mortgage or not,) shall, on Tender of the Principal Money and Interest due

[*Local.*]

24 Y

thereon,

Mortgagees to convey to Commissioners upon Payment of Principal and Six Months Interest.

thereon, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Commissioners, immediately assign and transfer such mortgaged Premises to the said Commissioners, or to such Person as they shall appoint, and which Assignment may be of the like Form as the Conveyances by this Act directed to be used in Cases of Conveyance of Lands, or as near thereto as the Circumstances of the Case will permit; or in case such Mortgagees shall have Notice in Writing from the said Commissioners that they will pay off the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months (to be computed from the Day of giving such Notice), then at the End of such Six Calendar Months, on the Payment of the Principal Money and Interest so due, together with any just Costs then due, such Mortgagees shall assign and transfer their respective Interests in the mortgaged Premises to the said Commissioners, or as they shall direct; and in case any such Mortgagee shall refuse to assign or transfer as aforesaid on such Tender or Payment, then all Interest on every such Mortgage Debt shall from thenceforth cease and determine: Provided always, that in case any such Mortgagee shall neglect or refuse to assign or transfer as aforesaid, then, upon Payment of the Principal Money and Interest and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice at aforesaid, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance, for the Use of such Mortgagee, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee and of all Persons in Trust for him shall vest in the said Commissioners, and the said Commissioners shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage to all Intents and Purposes whatsoever.

Directing in what Manner Disputes between the Commissioners and certain Mortgagees shall be settled.

XI. And be it further enacted, That in all Cases in which any Lands subject to any Mortgage shall be required for the Purposes of this Act, which Lands shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of any Lands subject to any Mortgage shall be required for the Purposes of this Act, and the Mortgagee thereof shall not consider the remaining Part of such Lands to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due or to become due thereon, and all Costs, the Value of such Lands, or, as the Case may be, of such Part of the said Lands as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done, shall be settled and agreed upon by and between such Mortgagee and the Person entitled to the Equity of Redemption of such Lands on the one Part and the said Commissioners on the other Part, and in case of any Difference between them then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference, and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee

Mortgagee in satisfaction of his Claim so far as the same will extend, and such Mortgagee shall thereupon assign and transfer all his Interest in such mortgaged Lands the Value whereof shall so have been agreed upon or determined as aforesaid, or in case of his neglecting or refusing to assign or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of such Mortgagee, as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee, or into the Bank as last aforesaid, shall be and be accepted in satisfaction of the Claim of such Mortgagee so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon, and thereupon such mortgaged Lands shall become absolutely vested in the said Commissioners, and the said Commissioners shall be deemed to be in the actual Possession thereof, to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers or Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands not required for the Purposes aforesaid, as they would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage: Provided also, that when a Part only of any Lands subject to any Mortgage shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands so taken shall, on the Assignment thereof to the said Commissioners, have been paid to the Mortgagee thereof in part Satisfaction of his Mortgage Debt, a Memorandum of what shall have been so paid shall be indorsed on the Deed creating such Mortgage at the Time of executing such Assignment to the said Commissioners, and shall be signed by such Mortgagee, and a Copy of such Memorandum shall at the same Time, if required, be furnished by the said Commissioners, at their Expence, to the Person entitled to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

XII. And be it further enacted, That all Corporations and other Parties by this Act capacitated to sell and convey any Lands, or to release Lands from Rents and other Incumbrances charged thereon, and the respective Owners and Occupiers of any Lands through, upon, or on which the Works by this Act authorized are intended to be constructed or made, may agree to accept and receive, and may, subject to such Restrictions as in this Act contained as to the Payment thereof, accept and receive, Satisfaction for the Value of such Lands, or of the Interest therein, by them conveyed, and also Compensation for any Damage by them sustained by reason of the Execution of any of the Works by this Act authorized, and also by reason of the severing or dividing such Lands, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners (including Persons hereby capacitated as aforesaid) and Occupiers respectively and the said Commissioners; and in case the said Commissioners and such Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively,

Satisfaction to be made for Lands taken for Works.

or

or either of them, concerning which they do not so agree, shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after is directed.

In case the Parties refuse or are incapable to treat, the Value of Land and of Damages to be settled by a Jury.

XIII. And for settling all Differences which may arise between the said Commissioners and the several Owners and Occupiers of or Persons interested in any Lands which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation, Trustee, or other Person so interested or entitled, and capacitated to sell, agree, or convey as aforesaid, shall not agree with the said Commissioners as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid, or if any of the Parties entitled to receive such Purchase Money or Satisfaction or other Compensation as aforesaid shall refuse to accept such Purchase Money or Satisfaction or other Compensation aforesaid as shall be offered by the said Commissioners, and shall give Notice thereof in Writing to the said Commissioners within Twenty-one Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall (for the Space of Twenty-one Days next after Notice in Writing shall have been given to the Clerk, Agent, or principal Officer of any such Corporation, or to any of such Trustees or Persons respectively, or left at his last or usual Place of Abode, or with the Tenant or Occupier of any Lands required for the Purposes of this Act,) neglect or refuse to treat or shall not agree with the said Commissioners for the Sale and Conveyance of their respective Estates or Interests, or the respective Estates or Interests which they respectively are hereby capacitated to convey therein, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability not provided for by this Act be incapable of making such Agreement or Conveyance as shall be necessary or expedient for enabling the said Commissioners to proceed in constructing the Works by this Act authorized, or shall not disclose and prove the State of the Title to the Premises of which they respectively may be in possession, and claim to be entitled unto or interested in, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of this Act cannot be made, then and in every such Case the said Commissioners shall and they are hereby required from Time to Time to issue a Warrant under the Hands and Seals of any Three or more of them, or of the Mayor for the Time being of the Town and County of *Haverfordwest*, on the Behalf of the said Commissioners, to the Sheriff of the County in which the Lands in question shall be situate or the Matter in dispute shall arise, or in case such Sheriff or his Under Sheriff shall be one of the said Commissioners, or enjoy any Office of Trust or Profit under them, or shall be in any ways interested in the Matter in question, then to any of the Coroners of such County not interested as aforesaid, or if all the Coroners shall be so interested, then to some Person then living in the said Town and County, and free from personal Disability, commanding such Sheriff or Coroner or other Person to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impanel, summon, and return, a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this

Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*; and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person, at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, or Coroner, or other Person, or by some Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may authorize or order the said Jury, or any Six or more of them, to view the Place or Matter in controversy; and such Jury shall, upon their Oaths, or, being Quakers, upon their Affirmations, (which Oaths and Affirmations, as well as the Oaths and Affirmations of all such Persons, as shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the Sum of Money to be paid for the Purchase of such Lands, except for such Interest therein as shall have been of right purchased by the said Commissioners from any other Person, and also the Sum of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages which shall have been so done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Commissioners, and which cannot or will not be further obviated, removed, or repaired by them, which Satisfaction or Compensation for such Damage or Loss shall be inquired into and assessed separately and distinctly from the Value of the Lands so to be taken or used as aforesaid; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereon to be pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes upon all Corporations and Persons whatsoever: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Commissioners to the Party with whom any such Controversy shall arise, by leaving such Notice at the Dwelling House of the Person, or of the Clerk or Agent or principal Officer of the Corporation, or with some Tenant or Occupier of the Premises intended to be valued, or respecting which or any Damage to which any such Question shall arise.

Compensation Money to be apportioned.

XIV. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to settle what Shares and Proportions of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises for his Interest therein.

Verdicts to be recorded.

XV. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County or Place in which the Matter of Dispute shall have arisen among the Records of the Quarter Sessions for such County or Place, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and also to take or make Copies thereof, paying for every Copy after the Rate of Sixpence for every One hundred Words.

Penalty upon Sheriffs, &c. Jurors, or Witnesses making default.

XVI. And be it further enacted, That if any such Sheriff or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker to make Affirmation, or shall refuse to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or being a Quaker affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse (to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; all which said Penalties and Forfeitures shall and may be levied, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County or Place in which the said Lands shall be situate or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced, if any, after such Penalty; and the Charges and Expences of such Distress and Sale, shall have been deducted.

Jurors to be under the same Regulations as those of the Courts at Westminster.

XVII. And be it further enacted, That every such Jury and Juryman as aforesaid shall also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all Persons who, in any Examination to be taken by virtue of this Act upon their Oath, or, being Quakers, upon their Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace, acting

acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to the Pains and Penalties to which Persons guilty of wilful and corrupt Perjury shall or may by Law be subject.

XVIII. And be further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or for a greater Sum than shall have been previously offered by the said Commissioners for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury, and the Expences of Witnesses, shall be defrayed by the said Commissioners, and such Costs and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Commissioners or of the Treasurer of the said Commissioners (and which Treasurer shall be at liberty to reimburse himself all such Costs and Expences if paid by him, and all Costs and Expences incurred by him by reason of any such Distress, out of any Monies received by him by virtue of this Act,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the County or Place where such Inquisition shall be held, not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by any Party entitled to receive such Costs and Expences; but if the Verdict of a Jury shall be given for a less Sum than shall have been previously offered by the said Commissioners, one Moiety of the said Costs and Expences shall be defrayed by the Party with whom the said Commissioners shall have such Controversy or Dispute, and the Remainder shall be defrayed by the said Commissioners; and the former Moiety of such Costs and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money adjudged to be paid to such other Party as so much Money advanced to and for his Use; and the Payment or Tender of the Remainder of the Money so adjudged shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in Cases in which, by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Commissioners.

Expences of Juries how to be paid.

XIX. And be it further enacted, That all Parties with whom the said Commissioners shall have any such Dispute, and who shall require a Jury to be summoned as aforesaid, shall, at their own Costs, before the said Commissioners shall be obliged to issue their Warrant for the summoning of such Jury, enter into a Bond with Two sufficient Sureties to the Treasurer or Clerk of the said Commissioners in a Penalty of One hundred Pounds to prosecute their Complaint, and to bear and pay their Proportion

Persons requesting Juries to enter into Bonds to prosecute their Complaint and to pay Expences.
of

of the Costs and Expences of summoning and returning such Jury and taking such Verdict, and of the summoning and Attendance of Witnesses in case any Part of such Costs and Expences shall fall upon them.

Notice of Injury to be given to the Commissioners before Complaint.

XX. And be it further enacted, That the said Commissioners shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, to receive or take notice of any Complaint to be made by any Party for any Loss or Injury by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, signed by the Person making such Complaint, stating the Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given to the said Commissioners Ten Days before the summoning of such Jury, and within the Space of Six Calendar Months after the Time of such supposed Loss or Injury having been sustained, or the doing or committing thereof shall have ceased.

Tenants at Will or for Years to quit Lands, &c. after-Notice.

XXI. And be it further enacted, That all Tenants at Will, Lessees for a Year, Tenants from Year to Year, and other Persons in possession of any Lands which shall be intended to be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenants at Will or Lessees for a Year, or as Tenants from Year to Year, shall respectively deliver the Possession of such Premises to the said Commissioners, or to such Person as they shall appoint to take possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Commissioners to such respective Tenants or Lessees or Persons in possession, or left upon the said Premises, or at such other Time after the Expiration of Six Calendar Months as they shall be respectively required; whether such Notice be given with reference to the Time of the Commencement of such Tenants holding or not, and whether such Notice be given before or after the said Premises shall be purchased by the said Commissioners; and in case any such Tenant or Lessee or Person so in possession as aforesaid shall refuse to deliver such Possession as aforesaid, it shall be lawful for the said Commissioners to issue their Precepts to the Sheriff of the County in which the Premises shall be situate to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy and satisfy such Costs as shall accrue from the issuing and Execution of such Precept on the Person so refusing to deliver Possession by Distress and Sale of his Goods and Chattels.

Interests of such Tenants may be settled by a Jury.

XXII. Provided always, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver the Possession of any Premises so occupied by him before the Expiration of his Term or Interest therein, the said Commissioners shall and they are hereby required to make or tender to such Tenant or Lessee, before they shall issue their Precept to the Sheriff to give Possession of the Premises in the Occupation of such Tenant or Lessee, Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be ascertained and determined in

in the same Manner as any other Satisfaction or Compensation for any Lands taken or used by the said Commissioners is by this Act directed to be made or determined.

XXIII. Provided always, and be it further enacted, That in all Cases in which any Party shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto, in any Lands intended to be taken or used, under the Authority of this Act, under or by virtue of any Lease or Agreement for Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Party to produce or show the Lease or Agreement for Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made; and if such Lease or Agreement for Lease, or Grant; shall not be produced or shown, the Party claiming such Compensation or Satisfaction shall be considered as holding only from Year to Year.

Persons holding under Leases to produce the same.

XXIV. And be it further enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken for the Purposes of this Act as to the Amount or Value of the Damages done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall be ascertained and determined by some Two or more Justices of the Peace for the County, Liberty, or Place in which such Lands shall lie, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners, provided such Compensation do not exceed the Sum of Twenty Pounds; and the said Justices respectively are hereby authorized and required, on Nonpayment of the said Damages for the Space of Ten Days after the same shall become due, to levy such Damages and all Charges respecting the same by Distress and Sale of any Goods and Chattels by this Act vested in the said Commissioners, in the same Manner as by this Act is directed with respect to the Recovery of Compensation for other Damages done by the said Commissioners.

Settling Disputes as to Damages to a small Amount.

XXV. And be it further enacted, That in case any Party to whom any Money shall be awarded for the Purchase of any Lands to be taken or used under or by virtue of the Powers of this Act, or for Compensation or Satisfaction as aforesaid, shall refuse to accept the same, or cannot be found, or shall be absent from *England*, or shall refuse, neglect, or be unable to make a Title to such Lands to the Satisfaction of the said Commissioners for the Purposes of this Act, or if any Party entitled unto or to convey such Lands shall not be known, or shall be absent from *England*, or shall refuse to convey the same, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Commissioners to order the Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands [describing them so far as the said Commissioners can do], subject to the Controul and Disposition of the said Court; which said Court, on the Application of any Party making claim

In case of not making out Titles, &c. the Money to be paid into the Bank.

to such Money, or to any Part thereof by Petition, is hereby empowered in a summary Way of proceeding or otherwise, as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividend, thereof, according to the Estate, Title, or Interest of the Party making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Commissioners, or to any Party paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

Persons in possession presumptively entitled.

XXVI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Party to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, or of any Estate, Right, Title, or Interest in any Lands, to be taken or used in pursuance of this Act for the Purposes aforesaid, or for Compensation or Satisfaction as aforesaid, or to any Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in possession or receipt of the Rents or Profits of such Lands at the Time of such Purchase, and all Corporations and Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some and what other Party was lawfully entitled to some and what Part of such Lands, or to some and what Estate or Interest therein.

Application of Compensation Money amounting to 200*l.*

XXVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands or Waterworks to be taken, purchased, or used by virtue of the Powers of this Act, or for the Release of any such Lands or Waterworks from any Rents or other Incumbrances charged thereon, or for any Compensation or Satisfaction under this Act which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto, interested in, or hereby capacitated to convey, 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 Court of Exchequer, to be placed to his Account there *ex parte* "The Commissioners of the *Haverfordwest* Waterworks," pursuant to the Method prescribed by an Act passed in the
First

First Year of the Reign of His late Majesty King *George* the Fourth intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the said Lands or Waterworks, be applied, either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the said Lands or Waterworks, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands or Waterworks which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase can be made the said Money may, 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, or in Government or Real Securities; and in the meantime and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled.

XXVIII. Provided always, and be it further enacted, That if any Money agreed or awarded to be paid for any Lands or Waterworks to be taken or used for the Purposes of this Act, or for Compensation or Satisfaction as aforesaid in respect of any Lands or Waterworks, and belonging to any Corporation, or to any Person 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 the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands so taken or used, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Commissioners, signified in Writing under the Hands of any Three or more of them, or of the Mayor for the Time being of the Town and County of *Haverfordwest*, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the

Application of Compensation Money when less than 200*l.* and exceeding 20*l.*

the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Commissioners), and such Nomination and Approbation to be signified in Writing under the Hands or Common Seals of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

Application of Compensation Money when not exceeding 20l.

XXIX. Provided also, and be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands or Waterworks so taken, purchased, or used for the Purposes of this Act, or in respect of which such Compensation or Satisfaction shall be paid, for their own Use and Benefit, or in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Parties respectively entitled thereto.

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

XXX. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Party entitled to any Lands to be taken or used, or in respect of which any Compensation or Satisfaction shall be payable, under the Authority of this Act, the Purchase Money for the same, or the Money paid for such Compensation or Satisfaction, shall be required to be paid into the Bank of *England*, to be applied in the Purchase of other Lands 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 such Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act; and the said Commissioners shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to enter Lands, &c. on Payment or Tender of Purchase Money.

XXXI. And be it further enacted, That upon Payment or legal Tender of such Sums of Money as shall have been agreed upon between the Parties, or awarded by a Jury in manner aforesaid, for the Purchase of any Lands or Waterworks, or as a Satisfaction and Compensation for any Loss or Injury as aforesaid, to the respective Proprietors of such Lands or other Persons respectively interested therein, and entitled to receive such Money or Satisfaction or Compensation respectively, within Thirty Days after the same shall have been so agreed upon or awarded, or if the Parties so respectively interested and entitled as aforesaid cannot be found, or shall be absent from *England*, or shall refuse to receive such Money as aforesaid, or shall refuse, neglect, or be unable to make a good Title to such Lands or Waterworks (to the Satisfaction of the said Commissioners), or if any Party entitled unto or to convey such

Lands shall not be known, or shall be absent from *England*, or shall refuse to convey the same, then upon Payment of such Money into the Bank of *England*, as herein-before directed, to the Credit of the Parties interested in such Lands or Waterworks, or in case such Money shall have been agreed or awarded to be paid for the Purchase of any such Lands, or such Compensation or Satisfaction as aforesaid, which any Corporation, Trustee, or Person under Disability is hereby capacitated to convey, upon Payment of such Money into the Bank of *England* as herein-before directed to an Account *ex parte* "The Commissioners of the *Haverfordwest* Waterworks," then and in every of such Cases it shall be lawful for the said Commissioners immediately to enter upon such Lands or Waterworks, and thereupon such Lands or Waterworks, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of all Parties therein, shall thenceforth be vested in and become the sole Property of the said Commissioners to and for the Purposes of this Act; and such Payment or Tender and Conveyance, or such Deposit in the Bank of *England* as aforesaid, shall operate to merge all outstanding or other Terms of Years, and to bar and destroy all Dower, and all Estates Tail and other Estates in Reversion and Remainder, and all Rights, Titles, Limitations, and Trusts whatsoever of and in the said Lands: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid it shall not be lawful for the said Commissioners, or for any Person acting under their Authority, to bore under, dig, or cut into or enter upon such Lands for any of the Purposes of this Act, save for the Purpose of ascertaining and setting out the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

XXXII. And whereas in making and executing the several Works by this Act authorized it may be necessary for the said Commissioners, their Agents and Workmen, to enter upon and take temporary Possession of some Parts of the Lands adjoining to the said Reservoirs, Aqueducts, and other Works, for the Purpose of laying or depositing thereon the Earth, Clay, and other Materials which shall have been taken out in excavating deep Cuttings, or of manufacturing such Clay into Bricks, or for other Purposes; but inasmuch as a Jury summoned as directed by this Act to assess a Compensation for the Damage and Injury done to such adjoining Lands by the Exercise of the Powers and Authorities by this Act granted cannot, either upon View or from Evidence, form a just Opinion of the permanent Injury which will be sustained by the Owners or Proprietors of such adjoining Lands by the Exercise of the Powers and Authorities aforesaid, until the Works shall have been completed, it is expedient that the said Commissioners, their Agents and Workmen, should be empowered to enter upon such adjoining Lands for the Purposes aforesaid without having previously made such Payment, Tender, or Investment of Money, as herein-before mentioned; be it therefore enacted, That notwithstanding any thing in this Act contained it shall be lawful for the said Commissioners, their Agents and Workmen, and they are hereby empowered, to enter upon the Lands of any Person or Corporation whatsoever adjoining or lying near to the said Reservoirs, Aqueducts, and other Works by this Act authorized to be constructed and maintained, or any of them, or any Part thereof respectively, for the Purpose of depositing or manufacturing upon such Lands, or upon

Compensation to be made for temporary Damage.

any Part thereof respectively, any Soil, Gravel, Clay, Sand, Stone, or other Materials which shall have been excavated, dug, or got in constructing the said Reservoirs, Aqueducts, or other Works, or which may be taken or dug out of or from any Lands adjoining to the Place where the said Works shall be then carried on, and to manufacture the same, without having previously made such Payment, Tender, or Investment as herein-before mentioned, they the said Commissioners, their Agents and Workmen, doing as little Damage as may be in the Exercise of the several Powers hereby granted to them, and making Compensation for such temporary Occupation of the said Lands to the Owners or Occupiers thereof, such Compensation, in case the Parties differ about the same, to be settled and recovered in manner herein-before provided in Cases of Disputes as to Damages to a small Amount: Provided always, that the said Commissioners shall and they are hereby required, within One Calendar Month after the Expiration of the Period by this Act granted for executing the said Reservoirs, Aqueducts, and other Works, to make such Compensation and Satisfaction for the permanent Damage or Injury, if any, which may have been done to the said Lands by the Exercise of any of the Powers and Authorities aforesaid in the same Manner as in this Act is directed in other Cases of permanent Damage or Loss occasioned by the said Commissioners: Provided also, that before it shall be lawful for the said Commissioners to make such temporary Use as aforesaid of the Lands adjoining or lying near the said Reservoirs, Aqueducts, or other Works, the said Commissioners shall and they are hereby required to give Fourteen Days Notice of such their Intention to the Owners or Occupiers of such Lands, and to separate and set apart by sufficient Railings or Fencings so much of the Lands as shall be required to be so used as aforesaid from the other Lands adjoining thereto.

Houses and Gardens not to be used.

XXXIII. Provided also, and be it further enacted, That nothing herein contained shall authorize the said Commissioners or any other Person to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built on or before the First of *January* One thousand eight hundred and thirty-three, or any Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees.

Commissioners empowered to deviate from Plan to an Extent not exceeding One hundred Yards.

XXXIV. And be it further enacted, That the said Commissioners, in constructing the said Reservoirs, Aqueducts, and other Works by this Act authorized, shall have full Power and Authority to deviate from the Lines and Situations delineated on the Map or Plan so deposited with the Clerk of the Peace as herein-before mentioned: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Lines or Situations so delineated upon the said Plan, nor shall such Deviation extend into the Lands or Property of any Person whose Name is not mentioned in the said Book of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-after provided for in Cases of unintentional Errors in the said Book of Reference.

XXXV. And

XXXV. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized, in the Name of the said Commissioners or of such Person as they shall for that Purpose appoint, to contract and agree with any Person for constructing the said Reservoirs and Aqueducts and other Works, or any Part thereof respectively, and that in such Manner, and for such Sums, and under such Regulations and Restrictions, as the said Commissioners shall think proper; and all Contracts in Writing for any of the Purposes aforesaid shall be binding on the said Commissioners and all other Parties thereto, their respective Successors, Heirs, Executors, and Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the said Commissioners, or any of the Parties failing in the Execution thereof.

Com-
missioners may
contract for
the Works.

XXXVI. And be it further enacted, That for the Purposes of providing, conveying, and supplying Water to the Inhabitants of the said Town and County and Liberties, it shall be lawful for the said Commissioners, and they are hereby fully authorized and empowered, to break up and open the Pavement, Soil, and Surface of and in the several Highways, Streets, and other public Passages and Places within the Limits of this Act, and also any Sewers or Drains therein, and to lay and place Pipes, Conduits, and other Apparatus and Conveniences, and to do all other Acts which the said Commissioners shall from Time to Time deem necessary for furnishing, conveying, and supplying Water to the Inhabitants of the said Town and County and Liberties according to the true Intent and Meaning of this Act, and also from Time to Time to break up and open such Pavement, Soil, and Surface, and Drains and Sewers, for the Purpose of repairing, altering, or removing any such Pipes, Conduits, Apparatus, or Conveniences, they the said Commissioners doing as little Damage as may be in the Execution of the Powers hereby granted, and making Compensation herein-before mentioned for any Damage which may be done in the Exercise of the Powers hereby granted.

Commis-
sioners em-
powered to
open the Sur-
face of the
Highways,
&c. and to
lay down
Pipes for the
Conveyance
of Water.

XXXVII. And be it further enacted, That whenever the said Commissioners shall have opened or disturbed the Pavement, Soil, or Surface of any Highway, Street, Passage, or Place within the Limits of this Act, the said Commissioners shall and are hereby required forthwith to reinstate such Pavement, Soil, or Surface, and to remove the Rubbish occasioned by the opening of the Ground, and in the meantime to protect such Opening with a sufficient Fence in such Manner as to prevent Accidents to Passengers, Cattle, or Carriages; and if there shall be any wilful Delay in the said Commissioners in reinstating such Pavement, Soil, or Surface, or in removing such Rubbish, or in protecting such Opening with a proper Fence as herein-before directed, the said Commissioners shall forfeit and pay any Sum not exceeding Five Pounds, the same to be applied, when recovered, One Moiety to the Informer, and the Remainder to the Overseers of the Poor of the Parish or Place in which the Offence shall be committed, to be by such Overseers applied in aid of the Poor Rates of such Parish or Place.

Requiring
Commis-
sioners to
reinstate
Pavements,
&c. after the
Pipes have
been laid
down.

XXXVIII. And be it further enacted, That such of the Inhabitants of the said Town and County and Liberties as shall be desirous of having Water from the Waterworks of the said Commissioners conveyed into their

Inhabitants
may lay Pipes
to those of
their

Commis-
sioners after
giving Notice.

their Houses, Buildings, or other Premises may and they are hereby authorized and empowered, at their own Expence, (having given Fourteen Days previous Notice in Writing of their Intention so to do to the said Commissioners, and with the Consent of the Owners of the Premises through which the Pipes shall be conveyed,) to open the Ground between the Commissioners Aqueducts or Main Pipes and the respective Houses, Buildings, or other Premises of such Inhabitants, and to lay down Leaden or other Service Pipes (the Bore thereof to be of the Dimensions of Three Fourths of an Inch in Diameter without the Consent of the Commissioners, or of a greater Bore with the Consent of the said Commissioners,) from such respective Houses, Buildings, and other Premises, to communicate with the Aqueducts or Main Pipes of the said Commissioners, such respective Inhabitants paying to the said Commissioners the several Rents herein-after mentioned: Provided always, that any Person who shall have laid any Pipe as aforesaid shall be at liberty to remove and take away such Pipe, and the Cock and other Apparatus belonging thereto, having first given Fourteen Days Notice in Writing to the said Commissioners of his Intention so to do and of the Time of the doing thereof, and doing no Injury or Damage to the Pipes of the said Commissioners.

Cisterns and
Ballcocks to
be provided
by Persons
supplied with
Water by the
Commis-
sioners.

XXXIX. And in order to prevent the wilful or negligent Waste of Water, be it further enacted, That every Person supplied with Water under the Authority of this Act shall, on being required by the said Commissioners, provide a proper Cistern to receive and hold the Water with which it is proposed to supply such Person, and he is hereby also required to provide a Ball and Stopcock, and to affix the same to the Pipe conducting the Water from any Pipe belonging to the said Commissioners to such Cistern, and to keep the same in good and constant Repair, for the Purpose of preventing the Water flowing into such Cistern from running to waste when the same shall be full; and in case any Person supplied with Water by virtue of this Act shall make default in any of the Matters aforesaid it shall be lawful for the said Commissioners, or any Person acting under the Authority of the said Commissioners, to cut off the Pipe or to turn off the Water, by such Means as to them or him shall seem proper, from the Premises of such Person, until such Cistern and Ball and Stopcock shall be provided and fixed in manner herein-before directed.

Limiting the
Rents to be
paid for
Water.

XL. And be it further enacted, That the said Commissioners shall and they are hereby required to furnish a sufficient Supply of Water to every Inhabitant occupying any private Dwelling House or any Part of a private Dwelling House within the said Town and County of *Haverfordwest* and the Liberties thereof, or within those Parts of the Limits herein-before mentioned in which any of the Pipes of the said Commissioners shall be laid, for the Use of the Family of such Inhabitant, for such annual Rents or Sums as shall be agreed upon between such Inhabitants and the said Commissioners, not exceeding the following; (that is to say,) where the annual Rack Rent or Value of the Premises so supplied with Water shall exceed Seven Pounds and shall not exceed Ten Pounds, the Sum of Twenty Shillings; where such Rent shall exceed Ten Pounds and shall not exceed Twenty Pounds, the Sum of Two Pounds; where such Rent shall exceed Twenty Pounds and shall

not exceed Thirty Pounds, the Sum of Two Pounds Sixteen Shillings; where such Rent shall exceed Thirty Pounds and shall not exceed Forty Pounds, the Sum of Three Pounds Fifteen Shillings; where such Rent shall exceed Forty Pounds and shall not exceed Sixty Pounds, the Sum of Five Pounds; where such Rent shall exceed Sixty Pounds and shall not exceed Eighty Pounds, the Sum of Five Pounds Twelve Shillings; where such Rent shall exceed Eighty Pounds and shall not exceed One hundred Pounds, the Sum of Six Pounds Five Shillings; and where such Rent shall exceed One hundred Pounds, the Sum of Seven Pounds; and such Water Rent shall be payable according to the actual Amount of the Rent of the Premises in all Cases in which such last-mentioned Rent can be ascertained, and in Cases in which the same cannot be ascertained then according to the Rent at which such Inhabitant shall be assessed for the House Tax: Provided nevertheless, that the said Commissioners shall not be entitled to receive from any such Inhabitant more than the Sum of Ten Pounds in any One Year for such Supply, nor shall such Commissioners be obliged to furnish such Supply to any Inhabitant for less than Twelve Shillings in any One Year: Provided also, that in the Case of Manufacturers, Dyers, Printers, Bleachers, Brewers, Innkeepers, Alehouse Keepers, Vintners, or other Persons requiring a Supply of Water for other than domestic Purposes, and also in the Case of Persons requiring a Supply of Water for Baths, Ponds, Pools, or Closets, or for washing Carriages, or for Cows or Horses, or for the Purposes of any Trade or Business, or for any other than domestic Purposes, such Supply shall be furnished by the said Commissioners at such Rent as shall be agreed upon between such Persons and the said Commissioners.

XLI. And be it further enacted, That in case Default shall be made by any Person in Payment of any Water Rent due to the said Commissioners by virtue of this Act, it shall be lawful for the said Commissioners to separate the Pipe supplying with Water the Person so making default, and communicating with the Waterworks of the said Commissioners, from such Waterworks, and to stop the Water from flowing into the Lands or Premises of such Person; and the Rent so due and in arrear from such Person, if less than the Sum of Twenty Pounds, shall and may be recovered by the said Commissioners, together with the Costs and Expences of removing the Pipe, and of cutting off the Water, and of making the Distress, by Distress and Sale of the Goods and Chattels of such Person wherever any such Goods and Chattels may be found, by Information before any Justice of the Peace for the said County and Town of *Haverfordwest* or for the County of *Pembroke*, subject to Appeal in manner herein-after mentioned; but if the same shall amount to Twenty Pounds, it shall and may be recovered (together with such Costs and Expences as aforesaid) in the same Manner as Rents reserved or in arrear on common Demises may by Law be recovered, or such Water Rent, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, wherein no Essoign, Protection, or Wager of Law, or more than One Impar lance, shall be allowed.

Recovery of
Water Rents
in arrear.

XLII. Provided always, and be it further enacted, That where several Lands or Premises in the Occupation of several Persons shall be supplied

[*Local.*]

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When several
Houses, &c.
are supplied
by

by One com-
mon Branch,
each Occupier
liable to Rent.

by One common Pipe, the several Owners and Occupiers of such Lands and Premises shall be liable to the Payment of the Rent for such Supply of Water at and after the same Rate as they would have been liable if each of such several Lands or Premises was separately supplied with Water from the Works of the said Commissioners by a distinct Pipe; and such several Rents, in case of Nonpayment, shall and may be recovered in like Manner as other Rents are recoverable by virtue of this Act.

Penalty on
Commis-
sioners for
not supplying
Water to the
Inhabitants
of Dwelling
Houses.

XLIII. And be it further enacted, That in case the said Commissioners shall neglect or refuse to supply with Water any Person occupying any private Dwelling House within the Limits of this Act, or within those Parts of the said Limits in which any Pipe of the said Commissioners shall be laid, at the Rent or Price and according to the Directions herein-before mentioned, for the Space of Seven Days after Demand in Writing made by such Inhabitant to the Clerk or Engineer of the said Commissioners of such Supply of Water, and Tender of the Amount of One Year's Rent for such Supply, the said Commissioners shall forfeit and pay to such Inhabitant Treble the Amount of the Rent so tendered, (in case the said Commissioners at the Time of such Demand and Tender can grant such Supply of Water without lessening the Supply to the other Tenants of the said Commissioners, but not otherwise,) and also a further Sum not exceeding Twenty Shillings for each Day during which the said Commissioners shall refuse or neglect to furnish such Supply of Water; which respective Penalties, together with reasonable Costs, shall and may be levied and recovered by Warrant under the Hands and Seals of some Two of His Majesty's Justices of the Peace acting for the Town and County of *Haverfordwest*, such Justices not being any of such Commissioners, by Distress and Sale of the Goods and Chattels of the said Commissioners or of their Treasurer: Provided always, that if there be no Justice of the Peace for the said Town and County of *Haverfordwest* other than such as are Commissioners under this Act, then such Warrant shall be under the Hands and Seals of Two of His Majesty's Justices of the Peace for the County of *Pembroke*.

Penalty on
Persons sup-
plying Water
to others who
are not
Tenants of
the Commis-
sioners.

XLIV. And be it further enacted, That if any Person supplied with Water by virtue of an Agreement with the said Commissioners under the Provisions of this Act shall furnish any Portion of such Water to any other Person who shall not have agreed with the said Commissioners for a Supply of Water, or shall wilfully permit such last-named Person to take any Portion of such Water, or if any Person not having so entered into Agreement with the said Commissioners for a Supply of Water shall take or use any Water from any of the Waterworks constructed, provided, or found under the Authority of this Act, or if any Person shall wilfully or negligently permit his Cistern, or any Pipe, Ball, or Cock, or other Apparatus belonging to him, and communicating or connected with the Works of the said Commissioners, to be out of repair, so that any of the Water supplied by the said Commissioners shall run to waste, then and in every such Case every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence: Provided always, that nothing in this Act contained shall be construed to extend to or to prevent any Person occupying or residing in any House (the

(the annual Rack Rent or Value of which shall not exceed Seven Pounds), from having, taking, or using, for his own Use only, any such Water belonging to the said Commissioners.

XLV. Provided always, and be it further enacted, That nothing herein contained shall extend to subject any Person supplied with Water by virtue of this Act to any Penalty or Forfeiture for supplying any other Person whomsoever with any Quantity of such Water in case of Fire, or during such Time only as the Cistern, Pipe, Ball, or Cock, or other Apparatus belonging to any Person supplied with Water by virtue of this Act, shall happen to be under Repair or Alteration.

Persons permitted to supply Water in certain Cases.

XLVI. And be it further enacted, That it shall be lawful for the Engineer of the said Commissioners, or for any other Person acting under the Authority of the said Commissioners, between the Hours of Ten in the Forenoon and Four in the Afternoon (on giving Twelve Hours previous Notice of the Intention so to do), to enter into any Lands or Premises supplied with Water under the Authority of this Act, and to examine if there be any Waste, undue Diversion or Appropriation of the Water supplied by the said Commissioners; and if such Engineer or other Person as aforesaid shall be refused Admittance into such Premises for the Purposes aforesaid, it shall be lawful for the said Commissioners to cut off from such Premises the Water so supplied by the said Commissioners.

For enabling the Commissioners to enter Premises to see that there is no Waste of Water.

XLVII. And be it further enacted, That it shall be lawful for any Person whomsoever at all Times to take and employ the Water which shall be contained in or be supplied by any of the Waterworks of the said Commissioners in the extinguishing of any Fire which may happen to any Premises or Property within the Limits of this Act, without making any Satisfaction or Compensation for such Water to the said Commissioners, or to any other Person whomsoever.

Water to be used in extinguishing Fires.

XLVIII. And be it further enacted, That the said Commissioners shall and they are hereby required, at the Time of laying down in any Street, Passage, or Place within the Limits of this Act any Main Pipe for supplying such Street, Passage, or Place with Water, to fix, and from Time to Time to repair or renew, all proper and sufficient Fire Plugs in such Street, Passage, or Place, for the Supply of Water for extinguishing Fire; and as soon as any such Fire Plug shall have been finished the said Commissioners shall immediately deposit a Key of such Fire Plug at each Place within the Limits of this Act where any Engine shall be kept for extinguishing Fire.

Requiring the Commissioners to fix Fire Plugs.

XLIX. And be it further enacted, That if any Person shall bathe in any Reservoir, Aqueduct, Watercourse, Feeder, or Pond constructed, provided, or maintained under the Authority of this Act, or wash any Dog or other Animal therein, or throw therein any Dog or other Animal, or any Gravel, Stone, Rubbish, Filth, Dirt, or other noisome or offensive Matter or Thing, or wash or cleanse therein any Cloth, Wool, or Leather, or the Skin of any Sheep, Lamb, or other Animal, or shall cause or permit the Water of any Sink, Sewer, or Drain to run or be conveyed into

Penalty on Persons fouling the Water.

into any of the said Waterworks, or into any of the Brooks, Streams, or Springs communicating therewith, or shall commit or cause to be committed any other Act whereby the Water in any of the said Waterworks shall be soiled, fouled, or corrupted, every Person so offending shall forfeit and pay any Sum not exceeding Fifty Pounds for every such Offence.

Penalty on Person opening the Locks, or doing other Damage to the Waterworks.

L. And be it further enacted, That if any Person shall wilfully open any Lock, Cock, Gate, Paddle, Valve, or Clough belonging to any of the Waterworks constructed, provided, or maintained under the Authority of this Act, or shall flush or draw off the Water from any of the said Waterworks, or leave open or running any Valve, Clough, Lock, Pipe, or Cock communicating with any of the said Waterworks, or shall do any other wilful Act whereby the Water in any of the said Waterworks shall be mis-spent or wasted, or shall (without the Licence or Consent of the said Commissioners first obtained) take or destroy any Fish out of or in any of the said Waterworks, or shall wilfully obstruct or prevent any Person in the Execution of this Act, every Person so offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty on destroying the Works of the Commissioners.

LI. And be it further enacted, That if any Person shall wilfully injure, break, throw down, destroy, steal, or take away any of the Works, of whatever Description, constructed or made by virtue of this Act, or any Part of the Materials of any such Works, any Person being lawfully convicted of any such Offence shall be subject and liable to the Punishment to which Persons shall be liable in Cases of Felony.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

LII. And be it further enacted, That all Pipes which shall hereafter be laid or used for the Conveyance or Consumption of Gas within the Limits of this Act shall in all Cases be laid at the greatest practicable Distance (and whenever the Width of the Carriageway will allow thereof, such Pipes shall be laid at the Distance of Four Feet at least) from the nearest Part of any Pipe already laid down or hereafter to be laid down for the Conveyance or Consumption of Water within the said Limits, except in any Case in which it may be unavoidably necessary to lay any Gas Pipe across any such Water Pipe, in which Case the said Gas Pipe shall be laid over or under such Water Pipe (as the Case may require) at the greatest practicable Distance therefrom, and shall therewith form a Right Angle, or as nearly such as may be practicable, and in such Case the said Gas Pipe so crossing the said Water Pipe shall be at least Nine Feet in Length, so that no Joint of any such Gas Pipe shall be nearer to any Part of such Water Pipe than Four Feet; and in laying down the said Gas Pipes the Person to whom they shall belong shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the jointing of such Pipe with the other Pipes connected therewith with proper and sufficient Materials, and shall also make and keep all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, so as to prevent the said Gas from escaping therefrom, upon Pain of forfeiting and paying the Sum of Five Pounds for every such Offence.

LIII. And

LIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by any Person or Corporation supplying Gas within the Limits of this Act, such Person or Corporation shall, at his or their own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas from any Person whomsoever, cause the most speedy and effectual Measures to be taken to prevent such Gas from escaping; and in case such Person or Corporation shall not, within Twenty-four Hours next after such Notice as aforesaid being given, effectually prevent the Gas from further Escape, and wholly and satisfactorily remove the Cause of Complaint, such Person or Corporation shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which said Penalty shall be recoverable in a summary Way on the Oath (or being a Quaker on the Affirmation) of some credible Witness before some Justice of the Peace for the Town and County of *Haverfordwest*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of such Person or Corporation, the Warrant of any such Justice of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties.

Penalty on permitting the Escape of Gas.

LIV. Provided always, and be it further enacted, That if any Person or Corporation making or supplying any Gas within the Limits of this Act shall at any Time empty, or shall permit to flow, any Washing or other waste Liquid, or any noisome or offensive Liquid, Substance, or Thing whatsoever, which shall be produced in making or procuring Gas, into any River, Brook, or running Stream, Canal, Reservoir, or Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or shall do any other Act whereby the Water contained in any such River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, shall be fouled or corrupted, the Person or Corporation so offending shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and the whole of such Penalty shall be paid to the Party who shall inform or sue for the same: Provided always, that no such Penalty shall be recoverable unless the same be sued for within Three Calendar Months from the Time that such Act shall have ceased and determined: Provided also, that in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not have been recovered, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained or emptied or suffered to flow in manner aforesaid into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such other Act as aforesaid shall be done as aforesaid, and Notice in Writing shall have been given by any Person whomsoever to the Person or Corporation to whom such Gas Works belong, and such

Penalty on Washings draining into Rivers, Streams, &c.

[*Local.*]

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Person

Person or Corporation shall not, within Twenty-four Hours after such Notice given, prevent such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained or emptied or from flowing in manner aforesaid, and every such other Act from being continued as aforesaid, such Person or Corporation shall forfeit and pay the Sum of Twenty Pounds for each Day during which such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained or emptied or suffered to flow in manner aforesaid, or such other Act as aforesaid shall be done as aforesaid; and the Amount of such last-mentioned Penalty shall and may be recovered, levied, and applied in the same Manner as any other Penalty may by this Act be recovered and levied, and shall be paid to the Informer, or to the Party who, in the Judgment of the Justice before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any of the Causes herein-before mentioned.

Penalty on
Persons sup-
plying Gas
for causing
Contamina-
tion of Water.

LV. And be it further enacted, That whensoever the Water of the said Commissioners shall be contaminated or affected by the Gas of any Person or Corporation supplying Gas within the Limits of this Act, such Person or Corporation shall forfeit and pay to the said Commissioners for every such Offence the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered; and in case any such Water shall be so contaminated or affected by Gas as aforesaid, then and in every such Case the Person or Corporation supplying such Gas shall, within Twenty-four Hours next after Notice thereof in Writing signed by or on behalf of the said Commissioners to be left at the usual Place of Abode of the Person, or at the Office or Place of transacting Business of the Corporation, supplying such Gas, cause the most effectual Measures to be taken to prevent the Gas from escaping from their Works, or contaminating or affecting any such Water; and in case the Person or Corporation so supplying such Gas shall not, within Twenty-four Hours next after such Notice so left as aforesaid, effectually prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the Person or Corporation supplying such Gas shall, on every Complaint whereof Notice shall have been given as aforesaid, forfeit and pay to the said Commissioners, over and above the before-mentioned Penalty of Twenty Pounds, a further Sum not exceeding Ten Pounds for every Day during which the said Water shall be and remain contaminated or affected by any such Gas; and in default of Payment thereof such Penalty shall and may be recovered by Information, to be exhibited on the Oath (or, in the Case of a Quaker, on the Affirmation) of some credible Witness, by and in the Name of the Clerk of the said Commissioners before some Justice of the Peace, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the Person or Corporation aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant.

For ascer-
taining if the
Water is con-
taminated.

LVI. And whereas it may become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated by the Gas of any Person or Corporation supplying Gas within the Limits of this Act; be
it

it therefore enacted, That it shall be lawful for the said Commissioners to remove the Surface of the Ground, and to examine the Pipes and other Works of the Person or Corporation supplying such Gas, for the Purpose of ascertaining whether the Water has been contaminated by any Escape of Gas of such Person or Corporation; and if it shall appear that such Water has been so contaminated, all Expences attending such Examination, and also attending the Repair of the Surface of the Highway, Street, or other public Passage or Place which shall have been so removed, shall be borne and paid by the Person or Corporation herein-before mentioned; and such Expences shall be ascertained and determined (if necessary) by the Justice before whom the Complaint shall be made, and be recovered in the same Manner as any other Penalty may be recovered under this Act: Provided always, that if upon such Examination it shall appear that the Water hath not been so contaminated as herein-before mentioned, the said Commissioners shall bear and pay the Expences of such Examination and Repair, and also shall make good to the Person or Corporation supplying such Gas as aforesaid any Loss or Damage which may have been occasioned to the Pipes or other Works of such Person or Corporation in and by such Examination as aforesaid; and the Amount of such Loss or Damage shall be ascertained and determined (if necessary) by such Justice of the Peace as aforesaid, and be recovered in the same Manner as any other Penalty may be recovered under this Act.

LVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prevent any Person from proceeding by Indictment or otherwise against any Person or Corporation making or supplying Gas within the Limits of this Act, in respect of any of their Gas Works, or of the Means which shall be employed by them in making the said Gas, or in furnishing such Gas, as a public or private Nuisance, or from bringing any Action against such Person or Corporation, or against any of their Servants or Workmen, for any Injury sustained by reason of any such Works, or of the Method of supplying the same, whether such Injury shall proceed from the Preparation or the Use of such Gas, or the Method of lighting therewith, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Persons supplying Gas liable to be indicted for a Nuisance.

LVIII. And be it further enacted, That it shall be lawful for the Mayor and Common Council of the Town and County of *Haverfordwest*, and they are hereby empowered, by and out of any Funds belonging to them in their Corporate Capacity, to bear, defray, and pay all the Costs, Charges, and Expences attending the preparing, applying for, and obtaining this Act, and all Expences attending the Construction of the Waterworks and other Works by this Act authorized, and the supplying of the Water to the said Town in manner herein-before mentioned.

Corporation of Haverfordwest to defray the Expence of Act, and of constructing Waterworks.

LIX. And be it further enacted, That it shall be lawful for the said Commissioners to nominate and appoint such Committees as they shall think proper (every such Committee to consist of Five or more Persons) out of the said Commissioners, to investigate and manage particular Departments of Business; and all such Committees shall have full Power and Authority to execute and perform all Matters and Things whatsoever which

Empowering Commissioners to appoint Committees.

which the said Commissioners shall from Time to Time entrust to the Management of such Committees; and such Committees shall meet at such Times and Places within the said Town as they shall think proper, and at every such Meeting every such Committee shall appoint a Chairman to preside thereat; and in case of an Equality of Votes such Chairman shall have a casting Vote in addition to his Vote as a Member of the Committee; and all Powers which shall be vested in the said Committees shall be exercised by Three of them present at their respective Meetings; and such Committees shall from Time to Time make Reports of their Proceedings to the said Commissioners; and such Committees may be discontinued when and as the said Commissioners shall from Time to Time order or direct.

Empowering
Commis-
sioners to ap-
point Officers.

LX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to elect a Treasurer and Clerk, and also all such other Officers as they shall think proper, to transact the Business of the said Commissioners; and it shall also be lawful for the said Commissioners at any subsequent Time to remove and displace any of the before-mentioned Officers, and elect in manner aforesaid some other Person to act in the Place of such of the said Officers as shall die, or resign, or be removed from their respective Offices; and it shall be lawful for the said Commissioners to allow such Salaries or other Emoluments to the said Officers respectively as they shall from Time to Time think proper: Provided always, that the said Commissioners shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Commissioners, and from every Collector, Receiver, or Officer of the said Commissioners who shall have the Custody or Controul of any Money received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

No Person to
hold the
Offices of
Clerk and
Treasurer at
the same
Time.

LXI. Provided also, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk of the said Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

LXII. And be it further enacted, That the said Commissioners shall cause a Book or Books to be kept by some Person who shall be expressly appointed by the said Commissioners for that Purpose, and who shall enter or cause to be entered in the said Book or Books true and regular Accounts of all Sums of Money received and expended for or on account of the said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the said Commissioners, of the respective Creditors for Money advanced paid for the Purposes of this Act, without Fee or Reward; and the said Commissioners and Creditors may take Copies of or Extracts from the said Book or Books without paying any thing for the same; and in case the Person keeping such Book or Books shall refuse to permit or shall not permit such Commissioners and Creditors, or any of them, to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, he shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Commissioners to cause Accounts to be kept.

LXIII. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the said Commissioners, make out and deliver to the said Commissioners, or to such Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under his Hand of all Monies which shall have been by him received by virtue of this Act, and such Account shall state how, and to whom, and for what Purpose the same shall have been disposed of, together with Vouchers and Receipts for such Payments, and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him to the Treasurer of the said Commissioners, or to such Persons as the said Commissioners shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipt relating to the same, or to pay the Balance thereof, when thereunto required, in manner aforesaid, or shall refuse or neglect to deliver up to the said Commissioners, or to such Persons as they shall appoint, within Three Days after being thereunto required by the said Commissioners, or by such other Persons as last aforesaid, all Books, Papers, and Writings in his Possession or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Commissioners, or by any other Person on their Behalf, to any Justice of the Peace for the Town and County of *Haverfordwest*, such Justice may and he is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Commissioners might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, or by the solemn Affirmation of any Person being a Quaker, it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered,

Officers to account.

Proceedings in case of Default.

powered, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or, if appearing, shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby required, by Warrant under his Hand and Seal, to commit such Officer or Person to some Common Gaol or House of Correction of the said Town and County of *Haverfordwest*, there to remain without Bail or Mainprize until he shall have made out and delivered such Account, and have delivered up the Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he shall have compounded with the said Commissioners for such Money and Charges, and have paid the Composition Money to the said Commissioners (and which Composition the said Commissioners are hereby empowered to make), or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings to the said Commissioners: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

Damages and Charges, in case of Dispute, to be settled by Two Justices.

LXIV. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Two or more Justices of the Peace for the County, Liberty, or Place wherein such Damages or Charges shall be incurred; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

In case of Nonpayment of Compensation for Damages, &c. the same to be levied by

LXV. And be it further enacted, That whenever any Money shall by any Justice of the Peace be ordered to be paid, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage or Injury of any Nature or Kind soever, done or committed by the said Commissioners, or by any Person acting by or under their Authority, and such Money shall not be paid by the said Commissioners

Commissioners to the Party entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made upon the said Commissioners in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Money; and in case any Overplus shall remain, after Payment of such Money and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then such Overplus shall be returned, on Demand, to the Treasurer of the said Commissioners, for the Use and Benefit of the said Commissioners or Treasurer, as the Case may require: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive under or by virtue of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or have been put unto by virtue of any such Warrant as aforesaid.

Distress of the Goods of the Commissioners or of their Treasurer.

LXVI. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Rule, or Order made in pursuance thereof, (the Manner of levying and recovering whereof is not herein otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way, by the Order and Adjudication of some One or more Justice or Justices of the Peace for the said Town and County of *Haverfordwest*, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures not herein directed to be otherwise applied shall be paid, One Moiety to the Informer, and the Remainder to the Treasurer of the said Commissioners, for the Use and Benefit of the said Commissioners, unless such Penalties or Forfeitures shall be incurred by the said Commissioners, in which Case the same shall be paid, One Moiety to the Informer, and the Remainder to the Overseers of the Poor of the Parish, Township, or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish, Township, or Place; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justices of the Peace for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for

Recovery and Application of Penalties.

for the Return of such Warrant of Distress (such Time being not more than Seven Days from the taking of such Security), and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but they are hereby required, by Warrant under their Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons in the Recovery of Penalties.

LXVII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

For securing Offenders whose Names and Residences are unknown.

LXVIII. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Commissioners, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent who shall commit any Offence against this Act, and to convey him before some Justice for the County, Liberty, or Place within which such Offence shall be committed, without any other Warrant or Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Form of Conviction.

LXIX. And be it further enacted, That all Justices of the Peace before whom any Person shall be convicted for or in respect of any Offence against this Act may cause the Conviction to be drawn up according to the following Form, or any other Form to the same Effect, as the Case may require; (that is to say,)

‘ to wit. { **BE** it remembered, That on the _____ Day of _____
 ‘ *A. B.* is convicted before me *C. D.*, One of His Majesty’s Justices of the _____
 ‘ the _____

‘ the Peace for the County of [here describe the Offence,
 ‘ and the Time and Place when and where committed], contrary to an Act
 ‘ passed in the Third Year of the Reign of His Majesty King William
 ‘ the Fourth, intituled [here insert the Title of this Act]. Given under
 ‘ my Hand and Seal the Day and Year first above written.

C. D.’

LXX. And be it further enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the Affirmation of any Person before he shall be examined by or before such Justice.

General
Power to
Justices to
administer
Oaths.

LXXI. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his Costs and Expences, without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath, or in the Case of a Quaker on Affirmation, to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

For com-
pelling Wit-
nesses to
attend.

LXXII. And be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Order or Judgment made or given in pursuance of any Order of the said Commissioners, and also the said Commissioners and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County of *Pembroke*, first giving Fourteen Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party or Parties against whom such Complaint is intended to be made, or to the said Commissioners, as the Case may be, and forthwith after such Notice entering into Recognizance before some Justice of the Peace for the said County of *Pembroke*, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions for the said County of *Pembroke*, or, if they think proper, may adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for the said County of *Pembroke*; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Rule, Order, or Determination, and may

Persons ag-
grieved may
appeal to
Quarter Ses-
sions.

[Local.]

25 F

also

also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

Persons paying Rent, &c. not incompetent Witnesses.

LXXIII. And be it further enacted, That in all Actions, Prosecutions, Informations, Appeals, and Proceedings whatsoever relating to the Execution of this Act, no Person shall be disqualified from giving Evidence by reason of such Person being charged with or being liable to pay any of the said Water Rents, or of being a Mortgagee or Creditor under this Act.

Declaring what shall be good Service of Notice on the Commissioners.

LXXIV. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ, or other Proceeding at Law or in Equity, upon the said Commissioners, personal Service thereof respectively upon any One of the said Commissioners, or at his last or usual Place of Abode, or upon the Clerk or Treasurer of the said Commissioners, or leaving the same at the Office of such Clerk or Treasurer, or delivering the same to some Inmate of the last or usual Place of Abode of such Clerk or Treasurer, or leaving a Copy thereof at the principal Office of the said Commissioners, or in case the same respectively shall not be found or known, then personal Service thereof upon any other Agent or Officer employed by the said Commissioners, or delivering the same to some Inmate of the last or usual Place of Abode of such Agent or Officer, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Declaring what shall be good Service of Notice by the Commissioners.

LXXV. And be it further enacted, That in all Cases in which it may be necessary for the said Commissioners to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Person or Corporation, under the Provisions of this Act, personal Service thereof respectively upon such Person, or upon some Member, or upon the Clerk or other Officer of such Corporation, or delivering the same to some Inmate of the last or usual Place of Abode of such Person, or of such Member, Clerk, or other Officer of such Corporation, or at the Office of such Clerk or other Officer, shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Commissioners, may be signed by the Clerk or Treasurer for the Time being of the said Commissioners, or by the Mayor of the Town and County of *Haverfordwest* on behalf of the said Commissioners, and may be in Writing or in Print, or partly in Writing and partly in Print.

Commissioners, &c. empowered to grant Releases to Witnesses.

LXXVI. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, against or by or on behalf of the said Commissioners, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the said Commissioners to make, sign, seal, execute, and deliver

liver such general or other Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall or may be produced as Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Commissioners so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Seal of the said Commissioners.

LXXVII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action upon the Case.

Distress not unlawful for Want of Form.

LXXVIII. And be it further enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari or by any other Writ or Proceeding whatsoever, in any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form.

LXXIX. And be it further enacted, That no Action, Suit, or Information, nor any other Proceeding of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Powers or Authorities or any of the Orders made, given, or directed in, by, or under this Act, unless Fourteen Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, Information, or other Proceeding, to the intended Defendant, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damage then within Three Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action, Suit, or Information shall be laid and brought in the County or Place where the Matter in dispute or Cause of Action shall arise; and the Defendant in such Action, Suit, Information, or other Proceeding may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Acts were done or omitted to be done in pursuance of or by the Authority of this Act; and if they shall appear to have been so done, or to have been so omitted to be done, or if it shall appear that such Action, Suit, Information,

Limitation of Actions.

or

or other Proceeding shall have been brought otherwise than as hereinbefore directed, then and in every such Case the Jury shall find for the Defendant; upon which Verdict, or if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, Information, or other Proceeding after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff therein, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall have his Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in other Cases.

Plaintiff not
to recover
after Tender
of Amends.

LXXX. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Provision for
Deficiencies
of Land Tax.

LXXXI. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments for Land Tax in the several Parishes or Townships through or in which the several Works hereby authorized may pass or be situate; be it therefore enacted, That the said Commissioners shall, from and after they shall have become seised and possessed by virtue of this Act of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, unless the said Commissioners shall think fit to redeem the same under the Powers of the Acts for the Redemption of Land Tax, be subject and liable from Time to Time to pay and make good to or in aid of such several Parishes or Townships as aforesaid, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes or Townships by reason of taking down or using for the Purposes of this Act any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of passing this Act; and the Treasurer or Collector or Receiver to be appointed under this Act is hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments.

Treasurer
upon Pay-
ment of
Money to
give Receipts.

LXXXII. And be it further enacted, That upon Payment of the Money which shall arise from the Sale of any Lands or of any Interest therein belonging to the said Commissioners which shall be sold by the said Commissioners under the Authority of this Act, or upon Payment of any Money under this Act, it shall be lawful for the Treasurer (or for the Mayor of the said Town and County of *Haverfordwest* on behalf of the said Commissioners) for the Time being to

the said Commissioners to sign and give a Receipt for the Money so paid, which Receipt shall be a sufficient Discharge to all Persons for the Purchase Money for such Lands or Interests as shall be sold, or for such other Money as in such Receipt shall be expressed to be received; and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or other Money, or of any Part thereof.

LXXXIII. And be it further enacted, That in all Conveyances to be made by the said Commissioners under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Commissioners, for themselves and their Successors, that they the said Commissioners, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised or possessed of the Lands or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them, that the Purchaser thereof, his Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the said Commissioners and their Successors, and all claiming under them, and be indemnified and saved harmless by the said Commissioners and their Successors from all Incumbrances committed by the said Commissioners, and also for further Assurance of such Lands and Premises by the said Commissioners or their Successors, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be conveyed; shall and may, in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

The Word "grant" in Conveyances from the Commissioners to amount to certain Covenants.

LXXXIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow and take up at Interest any Sum of Money not exceeding in the whole the Sum of Two thousand Pounds on the Credit of the Water Rents by this Act granted; and the said Commissioners are hereby empowered to mortgage, assign, and charge the Property of the said Commissioners, and the Water Rents arising or to arise by virtue of this Act, or any Part thereof, (the Costs and Charges of assigning the same to be paid out of such Water Rents,) as a Security for any such Money to be borrowed as aforesaid, with Interest to or for the Benefit of the Party who shall advance the same, or to his Trustee; and all such Mortgages, Assignments, and Charges shall be in the Words or to the Effect following, or with such Variation therein as the Circumstances of the Loan may render necessary; (that is to say,)

Proprietors to borrow Money on the Security of the Water Rents.

[Local.]

25 G—H

⁶ Haverfordwest

Form of
Mortgage.‘ *Haverfordwest* Waterworks.

‘ Number

‘ **B**Y virtue of an Act passed in the Third Year of the Reign of His
 ‘ Majesty King *William* the Fourth, intituled [*here set forth the Title of*
 ‘ *this Act*], we, the Commissioners of the *Haverfordwest* Waterworks,
 ‘ constituted by and under the said Act, in consideration of the Sum of
 ‘ to us in hand paid by *A. B.* of
 ‘ do assign unto the said *A. B.*, his Executors, Administrators, and Assigns,
 ‘ the said Works, and all and singular the Water Rents arising by virtue
 ‘ of the said Act, and all the Estate, Right, Title, and Interest of the said
 ‘ Commissioners in and to the same, to hold unto the said *A. B.*,
 ‘ his Executors, Administrators, and Assigns, until the said Sum of
 ‘ together with Interest for the same after the Rate
 ‘ of for every One hundred Pounds for a Year, shall
 ‘ be fully paid and satisfied. Dated this Day of
 ‘ in the Year of our Lord ,’

And the respective Parties to whom such Mortgages or Assignments shall be made shall be entitled, one with the other, to their respective Proportions of the said Water Rents and Premises according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of Priority of the Date of such Mortgage or Assignment, or on any other Account whatsoever; and an Entry or Memorial of such respective Mortgages or Assignments, containing the Numbers and Dates thereof, and the Names of the Parties, with their proper Additions, to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon respectively, shall within Fourteen Days next after the Date thereof be entered in some Book to be kept by the Clerk of the said Commissioners, which said Book may be perused at all reasonable Times by any of the said Commissioners, or of the Mortgagees of the said Undertaking, or other Persons interested therein, without Fee or Reward; and all Parties to whom any such Mortgage or Assignment shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights and Interests therein to any other Person; and every Transfer thereof may be in the Words or to the Effect following; (that is to say,)

Form of
Transfer of
Mortgage.

‘ **I** *A. B.* in consideration of the Sum of
 ‘ paid by *C. D.* of do hereby transfer to the said
 ‘ *C. D.*, his Executors, Administrators, and Assigns, a certain Mortgage,
 ‘ Number made by the Commissioners of the *Haverfordwest*
 ‘ Waterworks to bearing Date the Day
 ‘ of for securing the Sum of and Interest,
 ‘ and all my Right, Estate, and Interest in and to the Money thereby
 ‘ secured, and in and to the Water Rents and Property thereby assigned.
 ‘ Dated this Day of in the Year of
 ‘ our Lord ,’

And every such Transfer shall within Twenty-eight Days after the Date thereof if executed in *England*, or otherwise within Twenty-eight Days next after the Arrival thereof in *England* if executed elsewhere, be produced to the Clerk of the said Commissioners, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the
 5 original

original Mortgage or Assignment, for which the said Clerk shall be paid the Sum of Two Shillings and Sixpence; and after such Entry or Memorial made every Transfer shall entitle such Assignee, or his Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the Mortgage so transferred, or any Money thereon due or thereby secured, or any Part thereof.

LXXXV. And be it further enacted, That in case the said Commissioners shall raise the Whole or any Part of the said Sum of Two thousand Pounds by Mortgage, Assignment, or Charge as aforesaid, and shall afterwards pay off all or any Part of the Principal Sum so secured upon Mortgage, Assignment, or Charge as aforesaid, then and in every such Case it shall be lawful for the said Commissioners immediately or at any Time thereafter again to raise, in lieu of the Principal Money so paid off by them, such Sum of Money as they shall from Time to Time have paid off, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Commissioners shall not in any Event borrow, upon Mortgage, Assignment, or Charge as aforesaid, in such Manner or to such Extent as that more than the Sum of Two thousand Pounds in the whole shall be owing at any one Time on Mortgage or Assignment of or as a Charge upon the said Undertaking.

In case Mortgages are paid off, the Company may raise the Amount again

LXXXVI. And be it further enacted, That unless the said Commissioners shall within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take or use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purposes of making the said Waterworks and other Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for the compulsory taking or using of such Lands shall cease and be utterly void.

If Land not contracted for within Three Years, Power to take Property to cease.

LXXXVII. And be it further enacted, That in case the said Waterworks and other Works shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Seven Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Seven Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said Works as shall be declared and certified to have been completed within the said Term by the Justices of the Peace of the said Town and County of *Haverfordwest* assembled at any General or Quarter Sessions of the Peace to be held in and for the said County at any Time before the Expiration of the said Term of Seven Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of Two or more Witnesses upon Oath, or, in the Case of Quakers, Affirmation to be produced before such Justices for that Purpose.

If Works not completed in Seven Years, Powers of Act to cease, except as to such Part, if any, as shall be completed.

LXXXVIII. And be it further enacted, That if the said Waterworks or any Part thereof shall at any Time hereafter be abandoned or given up by the said Commissioners, or after the same shall have been completed shall

If Waterworks are abandoned, Land to revert shall

to original
Owners.

shall for the Space of Twelve Calendar Months cease to be used and employed as such Waterworks, then and in such Case the Lands so purchased or taken by the said Commissioners for the Purposes of this Act, or otherwise the Parts upon or over which such Works or any Part of such Works which shall be so abandoned or given up by the said Commissioners shall be situated or shall pass, shall vest in the Owners for the Time being of the Land adjoining that which shall be so abandoned or given up in manner following; that is to say, One Moiety thereof in the Owners of the Land on the one Side, and the Remainder thereof in the Owners of the Land on the other Side thereof.

Public Act.

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

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