ANNO SEXTO

VICTORIÆ REGINÆ.

****

Cap. xi.

An Act for better supplying with Water the Town and Parish of *Chepstow*, and the Parish of *Saint Arvans* adjoining thereto, all in the County of *Monmouth*. [11th *April* 1843.]

WHEREAS the Town and Neighbourhood of *Chepstow* in the County of *Monmouth* has for some Years last past been supplied with Water from certain Springs called the *Moat Spring*, the *Middle Lodge Piece Springs*, and the *Ox Leaze Spring*, issuing in the Parish of *Newchurch East* in the said County of *Monmouth*, by means of certain Reservoirs, Tanks, Pipes, Conduits, Drains, Cuts, and other Works constructed at the Cost of Two thousand eight hundred and fifty-six Pounds, the whole of which Sum has been paid and discharged by the several Persons herein-after mentioned in certain Shares: And whereas it would be desirable to provide more effectually for maintaining the present Waterworks by the Establishment of a Company with adequate Powers for that Purpose, and under due Regulations; but the same cannot be done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Company incorporated. That *Joseph Davies*, *John Jones*, *Edward Pinfold Westley*, *Rees Davis*, *Oliver Chapman*, *James Davis*, *George Mereweather*, *Robert Taylor*, *William Cullyford*, *George Waters* the elder, *George Waters* the younger, *James Proctor*, *Amelia Kirby*, *James Geeves*, *Sophia Howell*, *Robert Fisk*, and *James Davis*, and all other Parties who have already subscribed or shall hereafter subscribe to the said Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purposes herein-after mentioned, and for such Purposes shall be incorporated by the Name of "The *Chepstow* Water Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase, take on Lease, and hold Lands and Springs of Water, within the Restrictions herein-after contained, for the Purposes of the said Undertaking.

Name of the Company.

Purposes of the Company. II. And be it enacted, That the said Company shall be established for the Purpose of continuing, completing, or maintaining the existing Reservoirs, Tanks, Pipes, Conduits, Drains, Aqueducts, and Cisterns, and for laying down Pipes and maintaining and executing all other necessary and convenient Works for supplying the Inhabitants of the Town and Parish of *Chepstow* and the adjoining Parish of *Saint Arvans* with Water from the said Springs called the *Moat Spring*, the *Middle Lodge Piece Springs*, and the *Ox Leaze Spring*, or some of them, in and through the several Parishes, extra-parochial and other Places of *Newchurch East*, *Saint Arvans Grange*, *Saint Arvans*, *Howick*, *Itton*, *Saint Lawrence*, *Hardwick*, and *Chepstow*, or some of them, in the said County of *Monmouth*, and for that Purpose to take the Water of the said Springs, or some of them.

Capital. III. And be it enacted, That Two thousand eight hundred and fifty-six Pounds shall be the Capital of the said Company.

Shares. IV. And be it enacted, That the said Capital shall be divided into Four hundred and eight Shares, each of the Amount of Seven Pounds; and such Shares shall be numbered in arithmetical Progression, beginning with Number One, and every such Share shall be distinguished by its appropriate Number.

Shares to be Personal Estate. V. And be it enacted, That all Shares in the Undertaking shall be Personal Estate, and transmissible as such, and shall not be of the Nature of Real Estate.

Shareholders. VI. And be it enacted, That every Person who shall have subscribed or shall subscribe the Sum of Seven Pounds or upwards to the Capital of the Company shall be deemed a Shareholder of the Company, and shall be entitled to have One Share therein allotted to him in respect of every Sum of Seven Pounds so subscribed by him.

Registry of Shareholders. VII. And be it enacted, That the Company shall keep a Book to be called the "Register Book of Shareholders;" and in such Book shall be fairly and distinctly entered from Time to Time the Names of the several Corporations, and the Names and Additions of the

several Persons being Shareholders of the Company, the Number of Shares to which such Shareholders shall be respectively entitled, distinguishing each Share by its Number, and the Amount of Subscriptions paid on such Shares; and such Book shall be authenticated by the Common Seal of the Company being affixed thereto, and such Authentication shall take place at the first Ordinary Meeting or at some subsequent Meeting of the Company.

Addresses of Shareholders.

VIII. And be it enacted, That, in addition to the said Register of Shareholders, the Company shall provide a proper Book, to be called the "Shareholders Address Book," in which the Secretary shall from Time to Time enter the Places of Abode of the several Shareholders of the Company; and every Shareholder, or if such Shareholder be a Corporation the Clerk or Agent of such Corporation, may at all convenient Times peruse such Books *gratis*, and may require a Copy thereof, or of any Part thereof; and for every Hundred Words so required to be copied the Company may demand a Sum not exceeding Sixpence.

Certificates of Shares.

IX. And be it enacted, That on Demand of the Holder of any Share the Company shall cause a Certificate of the Proprietorship of such Share to be delivered to such Shareholder, and such Certificate shall have the Common Seal of the Company affixed thereto, and such Certificate shall specify the Share in the Undertaking to which such Shareholder is entitled, and the same may be according to the Form in the Schedule (A.) to this Act annexed, or to the like Effect; and for such Certificate the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Certificate to be Evidence.

X. And be it enacted, That such Certificate shall be admitted in all Courts as *primâ facie* Evidence of the Title of such Shareholder, his Executors, Administrators, Successors, or Assigns, to the Share therein specified; nevertheless, the Want of such Certificate shall not prevent the Holder of any Share from disposing thereof.

Certificate to be renewed when destroyed.

XI. And be it enacted, That if any such Certificate be worn out or damaged, then, upon the same being produced at some Meeting of the Directors, such Directors may order the same to be cancelled, and thereupon another similar Certificate shall be given to the Party in whom the Property of such Certificate and of the Share therein mentioned shall be at the Time vested; or if such Certificate be lost or destroyed, then, upon Proof thereof, a similar Certificate shall be given to the Party entitled to the Certificate so lost or destroyed; and in either Case a due Entry of the substituted Certificate shall be made by the Secretary in the Register of Shareholders; and for every such Certificate so given or exchanged the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Transfers of Shares to be registered, &c.

XII. And be it enacted, That, subject to the Regulations herein contained, every Shareholder may sell and transfer his Shares in the said Undertaking by Deed duly stamped, in which the Consideration shall be truly stated, and such Deed may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect, and the

the same (when duly executed) shall be delivered to the Secretary, and be kept by him, and the Secretary shall enter a Memorial thereof in a Book to be called the "Register of Transfers," and shall endorse such Entry on the Deed of Transfer, and for every such Entry and Endorsement the Company may demand any Sum not exceeding Two Shillings and Sixpence; and on the Request of the Purchaser of any Share an Endorsement of such Transfer shall be made on the Certificate of such Share, instead of a new Certificate being granted, and for such Endorsement the Company may demand any Sum not exceeding One Shilling; and such Endorsement, being signed by the Secretary, shall be considered in every respect the same as a new Certificate; and until such Transfers have been so delivered to the Secretary as aforesaid the Purchaser of the Share shall not be entitled to receive any Share of the Profits of the said Undertaking, or to vote in respect of such Share.

Closing of Transfer Books.

XIII. And be it enacted, That the Directors may close the Register of Transfers for a Period not exceeding Fourteen Days previous to each Ordinary Meeting, and may fix a Day for the closing of the same, of which Seven Days Notice shall be given by Advertisement in some Newspaper as after mentioned; and any Transfer made during the Time when the Transfer Books are so closed shall, as between the Company and the Party claiming under the same, but not otherwise, be considered as made subsequently to such Ordinary Meeting.

Transmission of Shares by other Means than Transfer to be authenticated by a Declaration.

XIV. And with respect to the Registration of Shares the Interest in which may have become transmitted in consequence of the Death or Bankruptcy or Insolvency of any Shareholder, or in consequence of the Marriage of a Female Shareholder, or by any other legal Means than by a Transfer according to the Provisions of this Act, be it enacted, That no Person claiming by virtue of any such Transmission shall be entitled to receive any Share of the Profits of the said Undertaking, or to vote in respect of any such Share as the Holder thereof, until such Transmission have been authenticated by a Declaration in Writing as herein-after mentioned, or in such other Manner as the Directors shall require; and every such Declaration shall state the Manner in which and the Party to whom such Share shall have been so transmitted, and shall be made and signed by some credible Person before a Justice, or before a Master or Master Extraordinary in the High Court of Chancery; and such Declaration shall be left with the Secretary, and thereupon he shall enter the Name of the Person entitled under such Transmission in the Register Book of Shareholders of the Company; and for every such Entry the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Proof of Transmission by Marriage, Will, &c.

XV. And be it enacted, That if such Transmission be by virtue of the Marriage of a Female Shareholder, the said Declaration shall contain a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, and shall declare the Identity of the Wife with the Holder of such Share; and if such Transmission have taken place by virtue of any testamentary Instrument, or by Intestacy;

Intestacy, the Probate of the Will or Letters of Administration, or an official Extract therefrom, shall, together with such Declaration, be produced to the Secretary, and upon such Production in either of the Cases aforesaid the Secretary shall make an Entry of the Declaration in the said Register of Transfers.

Notices to Joint Proprietors of Shares.

XVI. And be it enacted, That with respect to any Share to which several Persons may be jointly entitled all Notices directed to be given to the Shareholders shall be given to such of the said Persons whose Name shall stand first in the Register of Shareholders, and Notice so given shall be sufficient Notice to all the Proprietors of such Share.

Receipts for Money payable to Minors, &c.

XVII. And be it enacted, That if any Money be payable to any Shareholder, being a Minor, Idiot, or Lunatic, the Receipt of the Guardian of such Minor, or the Receipt of the Committee of such Idiot or Lunatic, shall be a sufficient Discharge to the Company for the same.

Company not bound to regard Trusts.

XVIII. And be it enacted, That the Company shall not be bound to see to the Execution of any Trust, whether express, implied, or constructive, to which any of the said Shares may be subject; and the Receipt of the Party in whose Name any such Share shall stand in the Books of the Company shall from Time to Time be a sufficient Discharge to the Company for any Dividend or other Sum of Money payable in respect of such Share, notwithstanding any Trusts to which such Share may then be subject, and whether or not the Company have had Notice of such Trusts, and the Company shall not be bound to see to the Application of the Money paid upon such Receipt.

Proof of Proprietorship.

XIX. And be it enacted, That the Production of the Register Book of Shareholders of the Company shall be *primâ facie* Evidence of such Defendant being a Shareholder, and of the Number and Amount of his Shares.

Power to borrow Money.

XX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Company, not exceeding in the whole the Sum of Nine hundred and forty-eight Pounds, and for securing the Repayment of the Money so borrowed, with Interest, to mortgage the Undertaking, or to give Bonds, in manner herein-after mentioned.

Reborrowing.

XXI. And be it enacted, That if after having borrowed any Part of the Money so authorized to be borrowed on Mortgage or Bond the Company pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; but such Power of reborrowing shall not be exercised without the Authority of a General Meeting of the Company, unless the Money be so reborrowed in order to pay off any existing Mortgage or Bond.

Evidence of Authority for borrowing.

XXII. And be it enacted, That a Copy of the Order of a General Meeting of the Company, authorizing the borrowing or reborrowing of any Money, certified by One of the Directors or by the Secretary to be a true Copy, shall be sufficient Evidence of the Order for borrowing or reborrowing Money having been made.

Mortgages and Bonds to be under Seal, and stamped, &c.

XXIII. And be it enacted, That every Mortgage and Bond for securing Money borrowed by the Company shall be by Deed, under the Common Seal of the Company, duly stamped, and wherein the Consideration shall be truly stated; and every such Mortgage Deed or Bond may be according to the Form in the Schedule (C.) or (D.) to this Act annexed, or to the like Effect.

Rights of Mortgagees.

XXIV. And be it enacted, That the respective Mortgagees shall be entitled one with another to their respective Proportions of the Rates, Rents, Sums, and Premises comprised in such Mortgage, according to the respective Sums in such Mortgages mentioned to be advanced by such Mortgagees respectively, and to be repaid the Sums so advanced, with Interest, without any Preference one above another, or above the Bond Creditors of the Company, by reason of Priority of the Date of any such Mortgage, or of the Meeting at which the same was authorized, or on any other Account whatsoever.

Rights of Obligees.

XXV. And be it enacted, That the respective Obligees in such Bonds shall, proportionally according to the Amount of the Monies secured thereby, be entitled to be paid out of the Rates, Rents, or other Property or Effects of the Company the respective Sums in such Bonds mentioned and thereby intended to be secured, without any Preference one above another, or above the Mortgagees of the Company, by reason of the Priority of Date of any such Bond, or of the Meeting at which the same was authorized, or otherwise however.

Registry of Mortgagees and Bonds.

XXVI. And be it enacted, That a Register of Mortgages and Bonds shall be kept by the Secretary, and within Fourteen Days after the Date of any such Mortgage or Bond an Entry or Memorial specifying the Number and Date of such Mortgage or Bond, and the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any of the Shareholders, or by any Mortgagee or Bond Creditor of the Undertaking, or by any Person interested in any such Mortgage or Bond, without Fee or Reward.

Transfer of Mortgages and Bonds.

XXVII. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Bond may transfer his Right and Interest therein to any other Person, by Deed duly stamped, wherein the Consideration shall be truly stated; and every such Transfer may be according to the Form in the Schedule (E.) to this Act annexed, or to the like Effect.

Entry of Transfers of Mortgages and Bonds.

XXVIII. And be it enacted, That within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the

the United Kingdom, it shall be produced to the Secretary, and thereupon the Secretary shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Bond; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Bond in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Bond so transferred, or any Money thereby secured; and for such Entry the Company may demand a Sum not exceeding the Amount of Two Shillings and Sixpence.

Payment of Interest on Loans.

XXIX. And be it enacted, That the Interest of the Money borrowed upon any such Mortgage or Bond shall be payable and paid half-yearly to the several Parties entitled thereto, and in preference to any Dividends payable to the Shareholders of the Company.

Transfers of Interest to be stamped.

XXX. And be it enacted, That the Interest on any such Mortgage or Bond shall not be transferable, except by Deed duly stamped.

Repayment of Money borrowed at a Time fixed.

XXXI. And be it enacted, That the Company may, if they think proper, fix a Period for the Repayment of the Principal Money so borrowed, with the Interest thereof, and in such Case the Company shall cause such Period to be inserted in the Mortgage Deed or Bond; and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall be paid to the Party entitled to such Mortgage or Bond.

Repayment of Money borrowed where no Time fixed.

XXXII. And be it enacted, That if no Time be fixed in the Mortgage Deed or Bond for the Repayment of the Money so borrowed, the Party entitled to the Mortgage or Bond may, at the Expiration or at any Time after the Expiration of Twelve Months from the Date of such Mortgage or Bond, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and the Company may at all Times pay off the Money borrowed, or any Part thereof, on giving the like Notice; and such Notice, if given by a Mortgagee or Bond Creditor, shall be by Writing delivered to the Secretary, and if given by the Company shall be by Writing, given either personally to such Mortgagee or Bond Creditor, or if such Mortgagee or Bond Creditor be unknown or cannot be found, such Notice shall be given by Advertisement in the *London Gazette* and in some Newspaper as after mentioned; and at the Expiration of the said Notice, when given by the Company, Interest shall cease to be payable on the Money secured by such Mortgage or Bond, unless, on Demand of such Money, the Company fail to pay the same pursuant to such Notice.

For enforcing Payment of Arrears of Interest, &c. on Mortgage and Bonds.

XXXIII. And in order to provide for the Recovery of the Arrears of Interest and Costs, or of the Principal and Interest and Costs, of any such Mortgage or Bond, at the respective Times at which such Interest, or such Principal and Interest, and Costs, become due, be it enacted,

enacted, That if such Interest or any Part thereof shall for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may either sue for the Interest so in arrear, by Action of Debt in any of the Superior Courts, or he may require the Appointment of a Receiver, by an Application to be made as herein-after provided.

Recovery of Principal, Interest, &c. of Money lent on Mortgage or Bond.

XXXIV. And with respect to such Principal Money, Interest, and Costs, be it enacted, That if such Principal Money and Interest be not paid within Six Months after the same has become payable, and after Demand thereof in Writing, the Mortgagee or Bond Creditor may sue for the same in any of the Superior Courts of Law or Equity, or if his Debt amount to the Sum of One hundred Pounds he may alone, or if his Debt does not amount to the Sum of One hundred Pounds he may in conjunction with other Mortgagees or Bond Creditors whose Debts, being so in arrear after Demand as aforesaid, shall, together with his, amount to the Sum of One hundred Pounds, require the Appointment of a Receiver, by an Application, to be made as herein-after provided.

Appointment of Receiver on behalf of Mortgagees or Bond Creditors.

XXXV. And be it enacted, That every such Application for a Receiver in the Cases aforesaid shall be made to Two or more Justices of the County of *Monmouth;* and on any such Application so made, and after hearing the Parties, it shall be lawful for such Justices, by Order in Writing, to appoint some Person to receive the Whole or a competent Part of the Rates, Rents, or Sums liable to the Payment of such Interest, or such Principal and Interest, as the Case may be, until such Interest, or until such Principal and Interest, as the Case may be, together with all Costs, including the Charges of receiving the Rates, Rents, or Sums aforesaid, be fully paid; and upon such Appointment being made all such Rates, Rents, and Sums of Money as aforesaid shall be paid to and received by the Person so to be appointed; and the Money so to be received shall be so much Money received by or to the Use of the Party to whom such Interest, or such Principal and Interest, as the Case may be, shall be then due, and on whose Behalf such Receiver shall have been appointed; and after such Interest and Costs, or such Principal, Interest, and Costs, have been so received, the Power of such Receiver shall cease.

Mortgagees not to vote.

XXXVI. And be it enacted, That no Party shall in right of any Mortgage be deemed a Shareholder, or be capable of acting or voting as such at any Meeting of the Company.

Access to Account Books by Mortgagees.

XXXVII. And be it enacted, That at all seasonable Times the Books of Account of the Company shall be open to the Inspection of the respective Mortgagees and Bond Creditors thereof, with Liberty to take Extracts therefrom, without Fee or Reward.

Application of Monies.

XXXVIII. And be it enacted, That all the Money raised by the Company shall be applied, firstly, in paying the Costs and Expences incurred in obtaining this Act, and all Expences preparatory or relating

relating thereto; and, secondly, in carrying the Purposes of the Company into execution.

Ordinary Meetings to be held half-yearly.

XXXIX. And with respect to General Meetings of the Company, be it enacted, That the First General Meeting of the Shareholders of the Company shall be held within Two Months after the passing of this Act, and the future General Meetings shall be held in the Third Week in *April* and the Third Week in *October* in each Year; and the Meetings so appointed to be held as aforesaid shall be called "Ordinary Meetings;" and all Meetings, whether ordinary or extraordinary, shall be held in the Town of *Chepstow*.

Business at Ordinary Meetings.

XL. And be it enacted, That no Matters, except such as are appointed by this Act to be done at an Ordinary Meeting, shall be transacted at any such Meeting, unless special Notice of such Matters have been given in the Advertisement convening such Meeting.

Extraordinary Meetings.

XLI. And be it enacted, That every Meeting of the Shareholders, other than an Ordinary Meeting, shall be called an "Extraordinary Meeting;" and such Meetings may be convened by the Directors at such Times as they may think fit.

Business at Extraordinary Meetings.

XLII. And be it enacted, That no Extraordinary Meeting shall enter upon any Business not set forth in the Requisition or in the Notice upon which it shall have been convened.

Extraordinary Meetings may be convened by Shareholders.

XLIII. And be it enacted, That it shall be lawful for One or more Shareholders, holding in the aggregate Fifty Shares to the Amount of Three hundred and fifty Pounds, by Writing under his or their Hands, at any Time to require the Directors to call an Extraordinary Meeting of the Company; and such Requisition shall fully express the Object of the Meeting required to be called, and shall be left at the Office of the Company, or given to at least Three Directors, or left at their last or usual Places of Abode; and forthwith upon the Receipt of such Requisition the Directors shall convene a Meeting of the Shareholders; and if, for Twenty-one Days after such Notice, the Directors fail to call such Meeting, the said Number of Shareholders, qualified as aforesaid, may call such Meeting by giving Fourteen Days public Notice thereof.

Notice of Meetings.

XLIV. And be it enacted, That Ten Days public Notice at the least of all Meetings, whether ordinary or extraordinary, shall be given by Advertisement, which shall specify the Place, the Day, and the Hour of Meeting; and every Notice of an Extraordinary Meeting, or of an Ordinary Meeting if any other Business than the Business hereby appointed for Ordinary Meetings is to be done thereat, shall specify the Purpose for which the Meeting is called.

Quorum for a General Meeting.

XLV. And be it enacted, That in order to constitute a Meeting (whether ordinary or extraordinary) there shall be present, either personally or by Proxy, Three or more Shareholders holding in the aggregate Thirty-seven Shares to the Amount of Two hundred and fifty-

fifty-nine Pounds; and the Shareholders present at any such Meeting shall proceed in the Execution of the Powers of the Company with respect to the Matters for which such Meeting shall have been convened, and to those only; and if within One Hour from the Time appointed for such Meeting the said Number of Shareholders, qualified as aforesaid, be not present, no Business shall be transacted at the Meeting, but the same shall be held to be adjourned *sine Die*.

Chairman at General Meetings.

XLVI. And be it enacted, That at every Meeting of the Company one or other of the following Persons shall preside as Chairman; that is to say, the Chairman of the Directors, or in his Absence the Deputy Chairman, or in the Absence of both the Chairman and Deputy Chairman some One of the Directors of the Company to be chosen for that Purpose by the Meeting, or in the Absence of the Chairman and Deputy Chairman and of all the Directors any Shareholder to be chosen for that Purpose at such Meeting.

Adjourned Meetings.

XLVII. And be it enacted, That every Meeting of the Shareholders may be adjourned from Time to Time, and no Business shall be transacted at any adjourned Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place.

Votes of Shareholders.

XLVIII. And be it enacted, That at all General Meetings of the Company every Shareholder shall have One Vote in respect of each Share possessed by him.

Manner of voting.

XLIX. And be it enacted, That such Votes may be given either personally, or by Proxies, being Shareholders authorized by Writing according to the Form in the Schedule (F.) to this Act annexed, or in a Form to the like Effect, under the Hand of the Shareholder nominating such Proxy, or if such Shareholder be a Corporation then under their Common Seal; and every Proposition at any such Meeting shall be determined by the Majority of Votes of the Parties present, including Proxies, the Chairman of the Meeting being entitled to vote not only as a Principal or Proxy, but to have a casting Vote if there be an Equality of Votes.

Regulations as to Proxies.

L. And be it enacted, That no Person shall be entitled to vote as a Proxy unless the Instrument appointing such Proxy have been transmitted to the Secretary of the Company Five Days before the holding of the Meeting at which such Proxy is to be used, and that no Person shall at any One Meeting represent as Proxy more than Ten Shareholders.

Votes of Joint Shareholders.

LI. And be it enacted, That if several Persons be jointly entitled to a Share the Person whose Name stands first in the Register of Shareholders as one of the Holders of such Share shall, for the Purpose of voting at any Meeting, be deemed the sole Proprietor thereof, and on all Occasions the Vote of such first-named Shareholder, either in Person or by Proxy, shall be allowed as the Vote in respect

respect or such Share, without Proof of the Concurrence of the Holders thereof.

Votes of Lunatics and Minors.

LII. And be it enacted, That if any Shareholder be a Lunatic or Idiot such Lunatic or Idiot may vote by his Committee, and if any Shareholder be a Minor he may vote by his Guardian or any One of his Guardians, and every such Vote may be given either in Person or by Proxy.

First Directors.

LIII. And be it enacted, That the Number of Directors shall be Six, and that *Joseph Davies*, *Oliver Chapman*, *Rees Davis*, *John Watkins*, *James Geeves*, and *James Davis* shall be the first Directors of the Company.

Election of future Directors.

LIV. And be it enacted, That the Directors appointed by this Act shall continue in Office until the first Ordinary Meeting to be held in the Year One thousand eight hundred and forty-five; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or may elect a new Body of Directors, the Directors appointed by this Act being eligible as Members of such new Body; and at the first Ordinary Meeting to be held every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions herein-after contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead as herein-after mentioned.

Qualification and Disqualification of Directors.

LV. And be it enacted, That no Person shall be capable of being a Director unless he be a Shareholder possessed of Four Shares; and that no Person holding an Office or Place of Trust or Profit under the Company, or interested in any Contract with the Company, shall be capable of being a Director; and that no Director shall be capable of accepting any other Office or Place of Trust or Profit under the Company, or of being interested in any Contract with the Company, during the Time he shall be a Director.

Failure of Meetings for Election of Directors.

LVI. And in order to provide for the Accident of a sufficient Number of Shareholders not being present at any Meeting at which Directors are to be elected, be it enacted, That if at any Meeting at which an Election of Directors ought to take place Three Shareholders at the least holding in the aggregate Shares to the Amount of Two hundred and fifty-two Pounds shall not be present within One Hour from the Hour appointed for the Meeting, no Election of new Directors or Re-election of existing Directors shall be made, nor shall any Business be transacted, but in such Case, at the Expiration of Fourteen Days from the Day of such intended Meeting, another Meeting shall be held at the same Place; and if at such other Meeting the said Number of Shareholders, so qualified as aforesaid, be not present, personally or by Proxy, within One Hour from the Hour fixed for the Meeting, such Meeting shall stand adjourned to the following Day, at the same Hour and Place; and if at

at the Meeting so adjourned the said Number of Shareholders so qualified as aforesaid be not present within One Hour from the Hour appointed for the Meeting, the existing Directors shall continue to act and retain their Powers until new Directors be appointed at the first Ordinary Meeting of the following Year.

Rotation of Directors first elected.

LVII. And be it enacted, That the Directors appointed by this Act and continued in Office as aforesaid, or the Directors elected to supply their Places as aforesaid, shall retire from Office at the Time and in the Proportions following, the Individuals to retire being determined by Ballot among the Directors; (that is to say,)

At the End of the First Year after the First Election of Directors Two of such Directors shall go out of Office;

At the End of the Second Year Two other of such remaining Directors shall go out of Office;

And at the End of the Third Year the remaining Two of such Directors shall go out of Office:

And in each Instance the Places of the retiring Directors shall be supplied by Shareholders qualified as aforesaid.

Permanent Rotation of Directors.

LVIII. And be it enacted, That at the first Ordinary Meeting in every subsequent Year Two of the Directors, being those who have been longest in Office, shall go out of Office and cease to be Directors, and their Places shall be supplied in like Manner; nevertheless, every Director so retiring from Office may be re-elected immediately or at any future Time, and after such Re-election shall, with reference to the going out by Rotation, be considered as a new Director.

Cases in which Office of Director shall become vacant.

LIX. And be it enacted, That if any of the Directors at any Time subsequently to his Election accept or continue to hold any other Office or Place of Trust or Profit under the Company, or be either directly or indirectly concerned in any Contract with the Company, or participate in any Manner in the Profits of any Work to be done for the Company, or if such Director at any Time cease to be a Holder of Four Shares in the Company, then in any of the Cases aforesaid the Office of such Director shall become vacant, and thenceforth the Person in respect of whom the Office of Director shall so have become vacant shall cease from voting or acting as a Director.

Occasional Vacancies in Office of Directors.

LX. And be it enacted, That if any Director of the Company die or resign, or become disqualified or incompetent to act as a Director, or cease to be a Director by any other Cause than that of going out of Office by Rotation as aforesaid, the remaining Directors, if they think proper so to do, may elect in his Place some other Shareholder, duly qualified, to be a Director; and the Shareholder so elected to fill up any such Vacancy shall continue in Office as a Director so long only as the Person in whose Place he shall have been elected would have been entitled to continue if he had remained in Office.

LXI. And

Powers of the Company to be exercised by the Directors.

LXI. And with respect to the Exercise of the Powers of the Company, be it enacted, That the Directors shall have the Management and Superintendence of the Affairs of the Company, and they may lawfully exercise all the Powers of the Company, except as to such Matters as are directed by this Act to be transacted by a General Meeting of the Company; and amongst other Powers to be exercised by the Directors,

They may appoint and displace any of the Officers of the Company, except the Secretary and the Treasurer;

They may fix the Salaries of all Officers, except the Salaries of themselves and of the Secretary and the Treasurer;

They may enter into Contracts for the Execution of the Works of the Company, and for all other Matters necessary for the Transaction of its Affairs;

They may purchase the Lands authorized to be taken by the Company, and sell such Part thereof as may not be required for the Purposes of the Company;

They may fix the Rents and Sums to be taken by the Company;

And they may make Bye Laws for the Regulation of the Affairs of the Company:

But all the Powers so to be exercised shall be exercised in accordance with and subject to the Provisions of this Act in that Behalf; and the Exercise of all such Powers shall be subject also to the Control and Regulation of any General Meeting specially convened for the Purpose, but not so as to render invalid any Act done by the Directors prior to any Resolution passed by such General Meeting.

Certain Powers of the Company to be exercised at a General Meeting.

LXII. And be it enacted, That the following Powers of the Company (that is to say), the Choice and Removal of Directors and Auditors, the Appointment and Removal of the Treasurer and Secretary, the Determination as to the Remuneration of the Directors and of the Auditors and of the Treasury and Secretary, the Determination as to the borrowing of Money on Mortgage, the Determination as to the Augmentation of Capital, the Determination as to the leasing of Tolls, and the Declaration of Dividends, shall be exercised only at a General Meeting of the Company.

Meetings of Directors.

LXIII. And be it enacted, That the Directors shall hold Meetings at such Times as they shall appoint for the Purpose, and they may meet and adjourn as they think proper from Time to Time and from Place to Place; and at any Time any Two of the Directors may require the Secretary to call a Meeting of the Directors; and in order to constitute a Meeting of Directors there shall be present at the least Three of the Directors, and all Questions, Matters, and Things considered at any such Meeting shall be determined by the Majority of Votes; and no Director, except the Chairman, shall have more than One Vote at any such Meeting, and if there be an equal Division of Votes upon any Subject entertained by such Meeting the Chairman, in addition to his Vote as One of the Directors, shall have a casting Vote as Chairman.

Permanent Chairman of Directors.

LXIV. And be it enacted, That at the first Meeting of Directors held after the passing of this Act, and at the first Meeting of the Directors held after each annual Appointment of Directors, the Directors present at such Meeting shall choose One of the Directors to act as Chairman and another to act as Deputy Chairman of the Directors for the Year following such Choice; and if the Chairman or Deputy Chairman die or resign, or cease to be a Director, or otherwise become disqualified to act, the Directors present at the Meeting next after the Occurrence of such Vacancy shall choose some other of the Directors to fill such Vacancy; and every such Chairman or Deputy Chairman so to be elected as last aforesaid shall continue in Office so long only as the Person in whose Place he may be so elected would have been entitled to continue if such Death, Resignation, Removal, or Disqualification had not happened.

Occasional Chairman of Directors.

LXV. And be it enacted, That if at any Meeting of the Directors neither the Chairman or Deputy Chairman shall be present the Directors present shall choose some One of their Number to be Chairman of such Meeting.

Contracts by Directors.

LXVI. And be it enacted, That the Power of the Directors to make Contracts on behalf of the Company may lawfully be exercised as follows; that is to say,

With respect to any Contract which, if made between any private Persons, would be by Law required to be in Writing and under Seal, the Directors may make such Contract on behalf of the Company in Writing and under the Common Seal of the Company:

With respect to any Contract which, if made between any private Persons, would be by Law required to be in Writing and signed by the Parties to be charged therewith, then the Directors may make such Contract on behalf of the Company in Writing, signed by the Directors or any Three of them, and in the same Manner may vary or discharge the same:

With respect to any Contract which, if made between any private Persons, would by Law be valid although made by Parole only, and not reduced into Writing, the Directors may make such Contract on behalf of the Company by Parole only, without Writing, and in the same Manner may vary or discharge the same:

And all Contracts made according to the Provisions herein contained shall be effectual in Law, and shall be binding upon the Company and their Successors, and all other Parties thereto, their Heirs, Executors, or Administrators, as the Case may be; and on any Default in the Execution of any such Contract, either by the Company or by any other Party thereto, such Actions or Suits may be brought, either by or against the Company, as might be brought had the same Contracts been made between private Persons only.

Contracts.

LXVII. And be it enacted, That all Contracts made with the Company shall specify the Work to be done, the Quality of the

Materials to be used, the Prices to be paid, the Term within which the Contract is to be performed, and the Penalties for Nonperformance thereof, or such other Things as the Company think proper; and the Company may take such Security for the Performance of such Contract as to them shall seem necessary; nevertheless, the Company lawfully may, from Time to Time as they think fit, compound with any Person on account of any Breach or Nonperformance of any such Contract, for any Sum of Money which they think fit, or they may remit any Penalties on account thereof.

Proceedings to be entered in a Book, and to be open for Inspection.

LXVIII. And be it enacted, That the Directors shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by the Directors, and of the Orders and Proceedings of all Meetings, as well ordinary as extraordinary, of the Company and of the Directors, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Directors; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Shareholders or Directors respectively, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of any of the Shareholders.

Informalities in Appointment of Directors not to invalidate Proceedings.

LXIX. And be it enacted, That all Acts done by any Meeting of the Directors, or by any Person acting as a Director, shall, notwithstanding it may be afterwards discovered that there was some Defect or Error in the Appointment of any Person attending such Meeting as a Director, or acting as aforesaid, or that such Person was disqualified, be as valid as if such Person had been duly appointed and was qualified to be a Director.

Indemnity of Directors.

LXX. And be it enacted, That no Director, by being Party to or making, signing, or executing in his Capacity of Director any Contract or other Instrument on behalf of the Company, or otherwise lawfully executing any of the Powers given to the Directors, shall be subject to be sued or prosecuted, either collectively or individually, by any Person whomsoever; and the Bodies or Goods or Lands of the Directors, or any of them, shall not be liable to Execution of any legal Process by reason of any Contract or other Instrument so entered into, signed, or executed by them or any of them, or by reason of any other lawful Act done by them or any of them in the Execution of any of their Powers as Directors; and the Directors, their Heirs, Executors, and Administrators, shall be indemnified out of the Capital of the Company for all Payments made or Liability incurred in respect of any Acts done by them, and for all Losses, Costs, and Damages which they may incur in the Execution of the Powers granted to them; and the Directors for the Time being of the

Company

Company shall apply the existing Funds and Capital of the Company for the Purposes of such Indemnity.

Election of Auditor.

LXXI. And with respect to the Appointment of Auditors, be it enacted, That the Company shall, at the first Ordinary Meeting in each Year, elect an Auditor in like Manner as is provided for the Election of Directors; and the Auditor so elected, being neither removed nor disqualified nor having resigned, shall continue to be an Auditor until another be elected in his Stead.

Qualification of Auditor.

LXXII. And be it enacted, That every Auditor shall have at least the same Number of Shares as shall be required to qualify a Director; and he shall not hold any Office in the Company, nor be in any other Manner interested in its Concerns, except as a Shareholder.

Rotation as to Auditor.

LXXIII. And be it enacted, That the Auditor shall go out of Office at the End of every Year, but the Auditor so going out shall be immediately re-eligible.

Vacancies in Office of Auditor.

LXXIV. And be it enacted, That if any Vacancy take place of the Auditor in the course of the current Year, then at any General Meeting of the Company the Vacancy may, if the Company think fit, be supplied by the Election of the Shareholders.

Failure of Meeting to elect Auditor.

LXXV. And be it enacted, That the Provisions of this Act respecting the Failure of an Ordinary Meeting at which Directors are to be chosen shall apply to any Ordinary Meeting at which an Auditor is to be appointed.

Duty of Auditor.

LXXVI. And be it enacted, That it shall be the Duty of such Auditor to receive from the Directors the half-yearly or other periodical Accounts and Balance Sheet required to be presented to the Shareholders, and to examine the same.

Powers of Auditor.

LXXVII. And be it enacted, That for the above Purposes such Auditor may employ such Accountants and other Persons as he may think proper, at the Expence of the Company, and shall either make a special Report on the said Accounts, or simply confirm the same; and such Report or Confirmation shall be read, together with the Report of the Directors, at the Ordinary Meeting.

Delivery of Balance Sheet, &c. by Directors to Auditor.

LXXVIII. And be it enacted, That the Directors shall deliver to such Auditor the half-yearly or other periodical Accounts and Balance Sheet Fourteen Days at the least before the ensuing Ordinary Meeting at which the same are required to be produced to the Shareholders as herein-after provided.

Remuneration of Directors and Auditor.

LXXIX. And be it enacted, That the Remuneration of the Directors and Auditor shall from Time to Time be fixed by a General Meeting of the Company.

LXXX. And

Company to appoint a Secretary and Treasurer.

LXXX. And be it enacted, That at the first General Meeting after the passing of this Act the Company shall elect a Secretary and a Treasurer, and any subsequent General Meeting may remove from Office any such Secretary or Treasurer; and if such Secretary or Treasurer die or resign, or be so removed, another Secretary or Treasurer shall be elected in his Place at a General Meeting; and from Time to Time any such Meeting may fix the Salary or other Emoluments to be allowed to such Secretary or Treasurer respectively, as they think proper.

Suspension of Secretary or Treasurer.

LXXXI. And be it enacted, That the Directors may at any Time suspend either the Treasurer or the Secretary from his Office, and may appoint some Person temporarily to fill the Office of the Treasurer or Secretary so suspended, or when vacant from any other Cause, with such Salary as they think fit; but in any such Case they shall forthwith call an Extraordinary Meeting of the Company for the Purpose of taking into consideration the Propriety of removing from his Office any Treasurer or Secretary so suspended, and of electing a new Treasurer or Secretary, as the Case may require.

Separation of Offices of Secretary and Treasurer.

Penalty.

LXXXII. And be it enacted, That neither the Person who shall hold the Office of Secretary, nor the Partner of such Secretary, nor any Person in the Service or Employ of such Secretary or of his Partner, shall be eligible to be the Treasurer; and that neither the Person who shall hold the Office of Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Secretary; and if any Person offend in any of the following Cases he shall for every such Offence forfeit One hundred Pounds; (that is to say,)

If any Person accept both the Offices of Secretary and Treasurer:

If any Person, being the Partner of such Secretary, or in the Service or Employ of such Secretary or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Secretary, or act as Deputy of the Secretary, or in any Manner officiate for the Secretary:

If any such Treasurer or Secretary hold any Place of Profit or Trust under the Company other than that of Treasurer or Secretary, as the Case may be:

And any Person may sue for such Penalties by Action of Debt or on the Case in any of the Superior Courts, and shall, on Recovery thereof, be entitled to full Costs of Suit.

Security to be taken from the Officers of the Company.

LXXXIII. And be it enacted, That before any Person intrusted with the Custody or Control of Monies, whether Treasurer, Collector, or other Officer of the Company, shall enter upon his Office, the Directors shall take sufficient Security from him for the faithful Execution of his Office.

Officers to account on demand.

LXXXIV. And be it enacted, That every Officer or Person employed by the Company shall from Time to Time when required by the Directors make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Company; and such Account shall state how, and to whom, and for what Purpose such Monies shall have been disposed of; and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Directors, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Summary Remedy against Parties failing to account.

LXXXV. And be it enacted, That if any such Officer fail to render such Account, or to produce and deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he fail to deliver up to the Directors, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Company, then, on Complaint thereof being made to a Justice, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before Two or more Justices; and upon such Officer being so brought before them, or if such Officer cannot be found, then in his Absence, such Justices may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Company are in the Hands of such Officer, or owing by him to the Company, such Justices may order such Officer to pay the same; and if he fail to pay the Amount it shall be lawful for such Justices or any other Justice to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months; and in any of the following Cases, that is to say,

If any such Officer do not appear before the Justices at the Time and Place appointed for that Purpose; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Justices the several Vouchers and Receipts relating to such Account; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Company;

Such Justices may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

LXXXVI. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Company of any Remedy which they might otherwise have against any Surety of such Officer. Sureties not to be discharged.

LXXXVII. And be it enacted, That full and true Accounts shall be kept of all Sums of Money received or expended on account of the Company by the Directors, and all Persons employed by or under them, and of the Articles, Matters, and Things for which such Sums of Money shall have been received or disbursed and paid. Accounts to be kept.

LXXXVIII. And be it enacted, That the Books of the Company shall be brought to a Balance Fourteen Days at least before each Ordinary Meeting; and forthwith on the Books being so balanced an exact Balance Sheet shall be made up which shall exhibit a true Statement of the Capital Stock, Credits, and Property of every Description belonging to the Company, and the Debts due by the Company at the Date of making such Balance Sheet, and a distinct View of the Profit or Loss which shall have arisen in the Transactions of the Company in the course of the preceding Half Year; and previously to each Ordinary Meeting such Balance Sheet shall be examined and docqueted by the Directors, or any Three of them, and shall be signed by the Chairman or Deputy Chairman of the Directors. Books to be balanced.

LXXXIX. And be it enacted, That the Books so balanced, together with such Balance Sheet as aforesaid, shall, for Fourteen Days previous to each Ordinary Meeting, and for One Month thereafter, be open for the Inspection of the Shareholders at the principal Office or Place of Business of the Company, but the Shareholders shall not be entitled at any Time, except during the aforesaid Period before and after each Ordinary Meeting, to demand the Use or Inspection of such Books, unless in virtue of a written Order signed by Three of the Directors. Inspection of Accounts by Shareholders at stated Times.

XC. And be it enacted, That at such Ordinary Meeting the Directors shall produce to the Shareholders assembled such Balance Sheet as aforesaid, applicable to the Period immediately preceding such Meeting. Balance Sheet to be produced.

XCI. And be it enacted, That a Book-keeper shall be appointed by the Directors, and such Book-keeper shall enter the Accounts aforesaid in Books to be provided for the Purpose; and every such Book-keeper shall permit any Shareholder or any Loan Creditor to inspect such Books at any reasonable Time during One Fortnight before and One Month after every Ordinary Meeting, and if he fail to permit any such Shareholder or Loan Creditor to inspect such Books, or take Copies or Extracts therefrom, during the Periods aforesaid, he shall forfeit for every such Offence a Sum not exceeding Twenty Pounds. Book-keeper to allow Inspection.

XCII. And be it enacted, That the Company shall every Year cause an annual Account in abstract to be prepared, showing the total Annual Account to be made out,

and a Copy transmitted to the Clerk of the Peace.

total Receipts and Expenditure of all Funds levied by virtue of this Act, for the Year ending on the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited, and certified by the Directors or some of them, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Monmouth* on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Company shall omit to prepare or transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Declaration of Dividends.

XCIII. And be it enacted, That previously to every Ordinary Meeting the Directors shall cause a Scheme to be prepared, showing the Profits, if any, of the Company for the Period current since the immediately preceding Ordinary Meeting, and apportioning the same among the Shareholders according to the Shares held by them respectively, and shall exhibit such Scheme at such Ordinary Meeting; and at such Meeting a Dividend may be declared according to such Scheme.

Dividend not to reduce Capital.

XCIV. And be it enacted, That the Company shall not make any Dividend whereby their Capital Stock will be in any degree reduced.

Power to make Bye Laws for the Officers of the Company.

XCV. And with respect to the Power of the Company to make Bye Laws, be it enacted, That it shall be lawful for the Company from Time to Time to make such Bye Laws as they think fit, for the Purpose of regulating the Conduct of the Officers and Servants of the Company, and for providing for the due Management of the Affairs of the Company in all respects whatsoever, and from Time to Time to alter or repeal any such Bye Laws, and make others, provided such Bye Laws be not repugnant to the Laws of that Part of the United Kingdom where the same are to have effect, or to the Provisions of this Act; and such Bye Laws shall be reduced into Writing, and shall have affixed thereto the Common Seal of the Company; and a Copy of such Bye Laws shall be given to every Officer and Servant of the Company.

Fines for Breach of such Bye Laws.

XCVI. And be it enacted, That the Company may impose such reasonable Fines and Forfeitures upon all Persons, being Officers or Servants of the Company, offending against such private Bye Laws, as the Company think fit, not exceeding Five Pounds for any One Offence, and such Fines and Forfeitures may be recovered in the Manner herein-after provided.

Evidence of Bye Laws.

XCVII. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the Company, having the Common Seal of the Company affixed thereto, shall be sufficient Evidence of such last-mentioned Bye Laws in all Cases of Prosecution under the same.

XCVIII. And

Service of Notices upon Company.

XCVIII. And with respect to the Service of Notices upon the Company, be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Company, may be served by the same being given personally to the Secretary of the Company, or being left at the Office of the Company, or being delivered to some Inmate at the Place of Abode of such Secretary, or in case there be no Secretary, or the Place of Abode of the Secretary respectively shall not be found, then by being given to any One Director of the Company, or by being delivered to some Inmate of the Place of Abode of any such Director.

Service by Company on Shareholders.

XCIX. And with respect to any such Notice required to be served by the Company upon the Shareholders, be it enacted, That unless any such Notice be expressly required to be served personally, it shall be sufficient to transmit the same by Post, directed according to the registered Address or other known Address of the Shareholder, within such Period as to admit of its being delivered in the due Course of Delivery within the Period (if any) prescribed for the giving of such Notice; and in proving such Service it shall be sufficient to prove that such Notice was properly directed, and that it was so put into the Post Office.

Notices by Advertisement.

C. And be it enacted, That all Notices required by this Act to be given by Advertisement in a Newspaper shall be advertised in the *Monmouthshire Beacon* Newspaper, or, if such Newspaper cease to be published, in a Newspaper circulating in the District within which the Company's principal Place of Business shall be situated.

Authentication of Notices.

CI. And be it enacted, That every Summons, Demand, or Notice, or other such Document requiring Authentication by the Company, may be signed by One Director, or by the Treasurer or the Secretary of the Company, and need not be under the Common Seal of the Company, and the same may be in Writing or in Print, or partly in Writing and partly in Print.

Releases to Witnesses.

CII. And be it enacted, That in all legal Proceedings under this Act general or other Releases for the Purpose of qualifying any Person in the Service of the Company to give Evidence as a Witness may be granted by any Two or more of the Directors, and every such Release or Discharge under the Hands and Seals of Two of the Directors shall be as effectual for the Purpose aforesaid as if made under the Common Seal of the Company.

Proof of Debts in Bankruptcy.

CIII. And be it enacted, That if any Person against whom the Company shall have any Claim or Demand become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Secretary or Treasurer of the Company, in all Proceedings against the Estate of such Bankrupt or Insolvent, or under any Fiat, Sequestration, or Act of Insolvency against such Bankrupt or Insolvent, to represent the Company, and act in their Behalf in all respects as if such Claim or Demand had been the Claim or Demand of such Secretary or Treasurer, and not of the Company.

Tender of Amends.

CIV. And with respect to Actions brought in respect of any Proceedings under the Provisions of this Act, be it enacted, That if before Action brought any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make Tender of sufficient Amends to the Party injured, such Party shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made, it shall be lawful for the Defendant, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Power to purchase or lease Lands or Springs.

CV. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Company to contract and agree with the Owners of the Lands and Springs of Water specifically mentioned and described on the Plan, and in the Book of Reference herein-after referred to, for the Purchase, for a Consideration in Money, of any such Lands or Springs of Water, or any Part thereof, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting the same, and all commonable or other Rights to which such Lands may be subject, and all other Estates or Interests in such Lands of what Kind soever, or for a Lease or Leases of such Lands or Springs of Water, or any or either of them.

Parties under Disability enabled to sell, convey, and lease.

CVI. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such Lands or Springs of Water, or any such Estate or Interest therein as aforesaid, to sell and dispose and convey or release the same to the Company, or to grant a Lease or Leases thereof to the Company for any Term not exceeding Ninety-nine Years, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in Trust for charitable or other Purposes, Executors and Administrators; and the Power so to sell and convey or lease as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and as to such Married Women as if they were Sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same

same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

Consideration to be a gross Sum.

CVII. And be it enacted, That, except as herein-after mentioned, the Consideration to be paid for the Purchase of any such Lands, or for any Damage done thereto, shall be in a gross Sum.

Acceptance of Compensation for Price of or Damage to Lands.

CVIII. And be it enacted, That the Owners of any such Lands or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey or lease any such Lands, may agree to accept Satisfaction for the Value of such Lands, or any Interest therein to which such Party shall be entitled, either by a Sum in Gross or by an annual Rent; and, in addition to Compensation for the Value of such Lands or of the Interest therein to be so conveyed or leased, such Parties shall be entitled to and may in like Manner accept Compensation for any Damage by them sustained by reason of the severing or dividing of such Lands, or otherwise owing to the Exercise of the Powers of this Act.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

CIX. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey except under the Provisions in this Act contained, be it enacted, That such Consideration Money shall not be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Company, and the other by the other Party, and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not, then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Form of Conveyances.

CX. And be it enacted, That all Conveyances of Lands so to be purchased as aforesaid may be according to the Form in the Schedule (H.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Company, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands comprised in such Conveyances as shall have been purchased or compensated for by the Consideration therein mentioned; but although Terms of Years be thereby merged, they shall in Equity afford the same Protection as if they had been kept on Foot and assigned to a Trustee for the Company to attend the Reversion and Inheritance.

Purchase Money payable to Parties under

CXI. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation which shall have been agreed to be paid by a Sum in Gross in respect of any Lands

Disablity, amounting to 200*l.*, to be deposited in Bank of England.

Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life or for any other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall, under the Powers of this Act, be enabled to convey or dispose of, the same shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there, *ex parte* "The *Chepstow* Water Company," pursuant to the Method prescribed by an Act of the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Indorsements thereon, as likewise Indorsements on* South Sea *Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out upon proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court;* and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

12 G. 1. c. 32.

12 G. 2. c. 24.

Application of Monies deposited.

In the Purchase or Redemption of the Land Tax or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of other Lands to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Chancery shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

Order for Application.

CXII. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited, and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum*

Reduced Bank Annuities, or in Government or Real Securities, and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition.

Purchase Money not amounting to 200*l.* but exceeding 20*l.* to be deposited or invested in Trustees.

CXIII. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England* and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified in Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made unless the Company approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under their Common Seal; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding 20*l.* to be paid to Parties.

CXIV. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit; or in case of the Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Court of Chancery may direct Investment on Payment of Money in respect of Leases for Lives, Years, &c., or Reversions, as it may think just.

CXV. Provided always, and be it enacted, That where any Purchase Money or Compensation paid into the Court of Chancery under the Provisions of this Act shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or of any Reversion dependant on any such Lease or Estate, it shall be lawful for the Court of Chancery, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Party in Possession deemed to be the Owner.

CXVI. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in Possession or Receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands, until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid the Parties so in Possession, and all Parties claiming under them or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Costs in Cases of Money deposited.

CXVII. And with respect to Costs in Cases of Monies deposited in the Bank of *England*, be it enacted, That the Court of Chancery may in all such Cases order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto, to be paid by the Company; (that is to say,) the Costs of the Purchase of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and of the Re-investment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

Lands not wanted to be sold.

CXVIII. And for the Purpose of making Provision respecting the Sale of Lands acquired by the Company under the Provisions of this Act, but which shall not be required for the Purposes thereof, be it enacted, That the Company shall sell all such superfluous Lands in such Manner as they may deem most advantageous, and convey the same to the Purchasers thereof by Deed under the Common Seal of the Company, and a Receipt under such Common Seal shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received; and such Sales and Conveyances shall take place within Ten Years after the passing of this Act.

Lands not so sold to vest in Owners of adjoining Lands.

CXIX. And be it enacted, That if the Company do not sell such superfluous Lands within the Period aforesaid, then such Lands remaining unsold at the Expiration of such Period shall thereupon vest in and become the Property of the Owners of the Lands adjoining thereto, in proportion to the Extent of their Lands respectively adjoining the same.

Lands to be offered to the original or

CXX. Provided always, and be it enacted, That before the Company dispose of any such superfluous Lands they shall first offer to

sell the same to the Person then entitled to the Lands (if any) from which the same were originally severed, or if such Person refuse to purchase the same, or cannot be found, then the like Offer shall be made to the Person or to the several Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, such Persons being capable of entering into a Contract for the Purchase of such Lands; and where more than One such Person shall be entitled to such Right of Pre-emption such Offer shall be made to such Persons in succession one after another in such Order as the Company shall think fit. adjoining Owners.

CXXI. And be it enacted, That if such respective Persons be desirous of purchasing such Lands, then within Sixty Days after such Offer of Sale they shall signify their Desire in that Behalf to the Company, or if they decline such Offer, or if for Sixty Days they neglect to signify their Desire to purchase such Lands, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer shall cease; and thereupon a Declaration in Writing, made before a Justice by some Person not interested in the Matter in question, stating that the Person or all the Persons entitled to the Right of Pre-emption were out of the Country, or could not be found, or were not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made and was refused, or not accepted within Sixty Days from the Time of making the same, shall in all Courts whatsoever be sufficient Evidence of the Facts therein stated. Right of Pre-emption to be claimed within Sixty Days.

CXXII. Provided always, and be it enacted, That in any Case in which the Company shall have purchased or acquired any House or Land within any Town it shall be lawful for the Company absolutely to sell and dispose of all or any Part of such House or Land to such Person and in such Manner as the Company shall think proper, without being required previously to offer to sell the same to the Person whose Lands adjoin thereto. Proviso as to Sale of Lands within a Town.

CXXIII. And be it enacted, That in every Conveyance of Lands to be made by the Company under this Act the Word "grant" shall operate as express Covenants by the Company, for themselves and their Successors, with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, and Assigns of such Grantees, according to the Quality or Nature of such Grants, and of the Estate or Interest therein expressed to be thereby conveyed, as follows, except so far as the same shall be restrained or limited by express Words contained in any such Conveyance; (that is to say,) Effect of Word "grant" in Conveyances.

A Covenant that, notwithstanding any Act or Default done by the Company, they were at the Time of the Execution of such Conveyance seized 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:

A Covenant

A Covenant that the Grantee of such Lands, his Heirs, Successors, Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the Company and their Successors, and all other Persons claiming under them, and be indemnified and saved harmless by the Company and their Successors from all Incumbrances created by the Company:

A Covenant for further Assurance of such Lands, at the Expence of such Grantee, his Heirs, Successors, Executors, Administrators, or Assigns, (as the Case may be,) by the Company or their Successors, and all other Persons claiming under them:

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 in such Conveyance expressed to be conveyed, may in all Actions brought by them assign Breaches of Covenants as they might do if such Covenants were expressly inserted in such Conveyances.

Difference as to Price to be settled by Valuation.

CXXIV. And be it enacted, That if any Person entitled to such Pre-emption shall be desirous of purchasing any such Lands, and such Person and the Company do not agree as to the Price thereof, then such Price shall be ascertained by Two Surveyors, or their Umpire, to be nominated in like Manner as by this Act is directed with respect to the Value of any Lands to be purchased from any Party under Disability or Incapacity; and upon Payment or Tender to the Company of the Purchase Money so agreed upon or determined, they shall convey such Lands to the Party so entitled to purchase the same; and every such Conveyance shall be effectual for vesting the Lands comprised therein in the Purchaser thereof for the Estate which shall have been so purchased by him; and the Money produced by the Sale of such Lands shall be applied by the Company for the Purposes of this Act.

Company may purchase Land not exceeding Twenty Acres for additional Purposes.

CXXV. And be it enacted, That in addition to the Lands authorized to be purchased as aforesaid it shall be lawful for the said Company to contract with any Party willing to sell or lease the same for the Purchase or Lease of any Springs of Water or any other Lands adjoining or near to the said Works, other than what they are herein-before authorized to purchase or take on Lease, not exceeding in Quantity Twenty Acres, for the Purposes of making convenient Roads or Ways, and for any other the Purposes connected with the said Undertaking; and it shall be lawful for all Parties who, under the Provisions herein-before contained, would be enabled to sell, convey, or lease Lands required for the said Undertaking, to sell, convey, and lease Lands required for any such additional Purposes as aforesaid.

Authority to Company to sell Lands and purchase others.

CXXVI. And be it enacted, That it shall be lawful for the Company to sell the Lands which they at any Time shall have absolutely purchased, or any Part thereof, in such Manner, and for such Considerations, and to such Persons as the Company may think fit, and again to purchase other Lands for the Purposes of this Act, and afterwards sell the same, and so from Time to Time; but the total Quantity

Quantity of Land to be held at any one Time by the Company for the Purposes aforesaid shall not exceed Twenty Acres in addition to the Lands occupied by their Pipes, Aqueducts, and Reservoirs.

Restraint on Purchase from incapacitated Persons.

CXXVII. And be it enacted, That the Company shall not purchase more than Twenty Acres from any Party under legal Disability, or who would not be able to sell and convey such Lands except under the Powers of this Act; and if the Company purchase the said Quantity of Land from any Party under such legal Disability, and afterwards sell the Whole or any Part of the Land so purchased, it shall not be lawful for any Party, being under legal Disability, to sell to the Company any other Lands in lieu of the Lands so sold or disposed of by the Company.

Plan and Section deposited to be open to Inspection.

CXXVIII. And whereas a Plan and Section describing the Line and Levels of the Channels, Cuts, and Aqueducts, and the Lands through which the same are carried, and the Situation of the Reservoirs and Works, and a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace of the County of *Monmouth;* be it enacted, That such Plan and Section shall be kept by the Clerk of the Peace for the said County, and such Clerk of the Peace shall permit all Persons to inspect the same at seasonable Times, and shall make out Copies and Extracts therefrom for all Persons requiring the same, on being paid the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words copied.

Power to enter on Lands, and construct Works.

CXXIX. And be it enacted, That it shall be lawful for the Company to enter upon any Lands or Springs of Water mentioned and referred to in the said Plan and Book of Reference which they shall have purchased or taken on Lease as aforesaid, and to take Levels of the same, and to set out such Parts thereof as they shall think necessary for the said Undertaking, and to dig and break up the Soil of such Lands, and to trench and sough the same, and to remove or use all Soil, Trees, or other Things dug or gotten out of the same, they the Company doing as little Damage as may be in the Execution of the Powers hereby granted, and making satisfaction to all Persons interested in any Lands or Water used for the Purposes of this Act, or which may be injured by the Execution of the Powers hereby granted.

Company not to deviate from Plan.

CXXX. And be it enacted, That the Company shall not deviate from the Line or Situation of the said Channels, Cuts, Aqueducts, Reservoirs, Pipes, and Works respectively delineated on the said Plan.

Company empowered to construct Waterworks, &c.

CXXXI. And be it enacted, That it shall be lawful for the Company, subject to the Restrictions herein contained, from Time to Time to maintain or alter the existing or to construct and lay down new Reservoirs, Tanks, Pipes, Conduits, Drains, Aqueducts, Cisterns, Cuts, Conduits, Engines, Waste Gates, Stop Gates, Stopcocks, Sluices, Banks, Bridges, Pipes, Tunnels, Machinery, and other Works

connected with the said Undertaking, upon the Lands and Springs so to be purchased or taken on Lease by the Company, as they shall think proper, for supplying the Inhabitants of the said Town and Parishes of *Chepstow* and *Saint Arvans* with Water.

Power to break up Streets, &c.

CXXXII. And be it enacted, That it shall be lawful for the Company to erect, form, lay down, alter, repair, or remove, in or under any Street or Highway within the said Town and Parishes last aforesaid, any Aqueducts, Conduits, Pumps, Pipes, Tunnels, and other Works, for the Purpose of supplying the Inhabitants within the same with Water, and for that Purpose to break up or open the Pavement or Soil of any such Street or Highway, and any public Sewer or Drain therein, they the Company doing as little Damage as may be in the Execution of the said Powers, and making Compensation for any Damage caused thereby in manner herein mentioned.

Notice to be served before breaking up Streets.

CXXXIII. And be it enacted, That before any Street, Highway, public Sewer or Drain, shall be opened or broken up by the Company, they shall give to the Persons under whose Control or Management such Street, Highway, Sewer, or Drain may be Notice in Writing of their Intention to open or break up the same Four Days before the Commencement of such Operation.

Streets to be broken up under Superintendence.

CXXXIV. And be it enacted, That every such Street, Highway, Sewer, or Drain shall be opened or broken up under the Superintendence of the Persons having the Control or Management of the same, or their Officer, and according to such Plan as shall be agreed upon between such Persons or their Officer and the Company, or in case of any Difference respecting such Plan, then according to such Plan as shall be determined by any Justice; and such Justice is hereby required, on the Application of the Company, to determine the Plan according to which such Street, Highway, Sewer, or Drain shall be opened or broken up, provided that Three Days Notice of the Time and Place at which such Determination is to be made shall be proved to have been served on the Person having the Control or Management of the Street, Highway, Sewer, or Drain proposed to be broken up: Provided always, that if the Person having such Control or Management as aforesaid shall neglect or refuse to superintend the opening of any such Street, Highway, Sewer, or Drain, after having had Notice of the Company's Intention as aforesaid, or shall not propose any Plan for breaking up or opening the same, the Company may perform the Work specified in such Notice without the Superintendence of such Person.

Streets broken up to be reinstated without Delay.

CXXXV. And be it enacted, That when the Pavement or Soil of any Street or Highway, or any Sewer or Drain, shall be opened or broken up by the Company, they shall, with all convenient Speed, complete the Work on account of which the same shall be broken up, and fill in the Ground, and make good the Pavement or Soil, Sewer or Drain, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Pavement or Soil shall be so opened or broken up to be fenced

and guarded, and shall set up and maintain upon or against the Part of the said Pavement or Soil so broken up or opened a sufficient Light during every Night during which such Pavement or Soil shall be continued opened or broken up.

Penalty for Delay in reinstating Streets.

CXXXVI. And be it enacted, That if the Company shall open or break up any Street, Highway, Sewer, or Drain without giving such Notice as aforesaid, or shall break up any Street, Highway, Sewer, or Drain in any other Manner than such as shall be agreed upon or determined as aforesaid, except in the Cases in which the Company are hereby authorized to perform such Work without any Superintendence or Notice, or if the Company shall make any Delay in completing any such Work, or in filling in the Ground, or making good the Pavement or Surface so opened or broken up, or in carrying away the Rubbish so occasioned as aforesaid, or in causing to be fenced, guarded, or lighted the Place where such Pavement or Surface shall have been broken up, they shall forfeit a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Forty Shillings for every Day that any such Delay as aforesaid shall continue after the Expiration of Twenty-four Hours from the Time such Delay shall have commenced.

In case of Delay other Parties may reinstate and recover the Expences.

CXXXVII. And be it enacted, That if any such Delay as aforesaid shall take place it shall be lawful for the Persons having the Control or Management of the Street, Highway, Sewer, or Drain in respect of which such Delay shall take place, to cause the Matter or Thing so delayed to be done; and the Expence of doing the same, together with the Costs of recovering such Expence, shall be recovered from the Company, in the same Manner as any Damages for the Recovery of which no special Provision is made by this Act are hereby directed to be recovered, and the Money so recovered shall be applied by the Persons having the Control and Management of the Street or Highway for the Purposes of the same.

Power to Inhabitants to lay Service Pipes.

CXXXVIII. And be it enacted, That it shall be lawful for such of the Inhabitants within the said Town and Parishes of *Chepstow* and *Saint Arvans* as shall be desirous of having Water from the Waterworks of the Company conveyed into their Premises to open, with the Consent of the Owners and Occupiers thereof, the Ground between the Main and Branch Pipes of the Company and their respective Houses, Buildings, and Premises, and to lay any Leaden or other Service Pipes from such Premises to communicate with the Main or Branch Pipes of the Company: Provided always, that every such Inhabitant shall, before he shall commence laying any Service Pipe to communicate with the Service Pipes of the Company, give to the Company Fourteen Days Notice of his Intention to do so.

Communication to be made under Superintendence of Company's Surveyor.

CXXXIX. And be it enacted, That before any Service Pipe is made to communicate with the Main or Branch Pipes of the Company, the Inhabitant intending to lay such Service Pipe shall give Six Days Notice to the Company of the particular Day and Hour when such Pipe is intended to be made to communicate with the Pipes

Pipes of the Company; and every such Service Pipe shall be so made to communicate under the Superintendence and according to the Directions of the Surveyor or other Officer appointed for that Purpose by the Company, unless such Surveyor or Officer shall not attend at the Time mentioned in the said Notice.

Bore of Service Pipes.

CXL. And be it enacted, That the Bore of any such Service Water Pipe as aforesaid shall not exceed Three Fourths of an Inch, except with the Consent of the Company.

Occupiers not to make Service Pipes to communicate until Water Rent is paid.

CXLI. And be it enacted, That no Owner or Occupier of any Dwelling House or Part of a Dwelling House shall make any Service Pipe for such Dwelling House or Part of a Dwelling House to communicate with the Pipes of the Company, except he shall have paid the Portion of the yearly Rent payable in respect of such Dwelling House hereby directed to be so paid in advance.

Inhabitants not to make Communication before Agreement for Supply of Water.

CXLII. And be it enacted, That no Inhabitant within the said Town and Parishes of *Chepstow* and *Saint Arvans* (except the Owner or Occupier of a Dwelling House or Part of a Dwelling House laying any Service Pipe for the Supply of Water to the same) shall make any Service Pipe to communicate with the Pipes of the Company, except he shall have agreed with the Company for a Supply of Water to his Buildings and Premises.

Removal of Service Pipes.

CXLIII. And be it enacted, That it shall be lawful for any Person who shall have laid down any Pipe, or who shall have become entitled to the same, to remove the same, and the Cocks and other Apparatus belonging thereto, after having first given Fourteen Days Notice in Writing to the Company of his Intention so to do, and of the Time of such proposed Removal; and every such Person shall make Compensation to the Company for any Injury or Damage to their Pipes or Works which may be caused by such Removal.

Power for Inhabitants to break up Pavements.

CXLIV. And for the Purpose of enabling the Inhabitants within the said Town and Parishes of *Chepstow* and *Saint Arvans* to lay down Service Pipes in any Streets and Highways within the same, and to repair, renew, and remove the same, be it enacted, That it shall be lawful for any such Inhabitant to open or break up the Pavement and Soil of any such Street or Highway as shall be between any Main or Branch Pipe of the Company and his House, Building, or Premises, and any Sewer or Drain therein, for any such Purpose as aforesaid, doing as little Damage as may be, and making Compensation for any Damage done in the Execution of any such Work: Provided always, that every such Inhabitant desiring to break up the Pavement or Soil of any Street or Highway, or any Sewer or Drain therein, shall be subject to the same Necessity of giving previous Notice, and be subject to the same Control, Restriction, and Provisions in and during the Time of breaking up the same and for reinstating the same, and to the same Penalties for any Delay in regard thereto, as the Company are subject to by virtue of this Act.

CXLV. And

Rates at which the Company are to supply Water.

CXLV. And be it enacted, That the Company shall, at the Request of the Owner or Occupier, furnish to every Occupier of a private Dwelling House or a Part of a Dwelling House in any Street within the said Town or Parishes of *Chepstow* and *Saint Arvans*, in which or within One hundred Yards of which any Pipe of the Company shall be laid, a sufficient Supply of Water for the domestic Uses of every such Occupier, at the following Rates *per Annum*; (that is to say,)

When the annual Rack Rent or Value of the Premises so supplied with Water shall not exceed Five Pounds *per Annum*, at a Rate *per Annum* not exceeding Five Shillings:

When such Rent or Value shall be above Five Pounds and not exceeding Fifteen Pounds *per Annum*, at a Rate *per Annum* not exceeding Fifteen Shillings:

When such Rent or Value shall be above Fifteen Pounds and not exceeding Twenty-five Pounds *per Annum*, at a Rate *per Annum* not exceeding One Pound and Five Shillings:

When such Rent or Value shall be above Twenty-five Pounds and not exceeding Thirty-five Pounds *per Annum*, at a Rate *per Annum* not exceeding One Pound Fifteen Shillings:

When such Rent or Value shall be above Thirty-five Pounds and not exceeding Fifty Pounds *per Annum*, at a Rate *per Annum* not exceeding Two Pounds and Ten Shillings:

When such Rent or Value shall be above Fifty Pounds and not exceeding Seventy-five Pounds *per Annum*, at a Rate *per Annum* not exceeding Three Pounds and Fifteen Shillings:

When such Rent or Value shall be above Seventy-five Pounds and not exceeding One hundred Pounds *per Annum*, at a Rate *per Annum* not exceeding Five Pounds:

And when such Rent or Value shall be above One hundred Pounds *per Annum*, at a Rate *per Annum* not exceeding Six Pounds:

Provided nevertheless, that the Company shall not be entitled to receive from any such Owner or Occupier more than the Sum of Six Pounds in any One Year for such Supply, nor shall the Company be obliged to furnish such Supply to any Occupier for any less Sum than Five Shillings in any One Year: Provided always, that a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths, Horses, or Cattle, or for washing Carriages.

Valuation to be according to the Assessment to the Poor's Rate.

CXLVI. And be it enacted, That such Water Rates shall be paid by the Owner or Occupier requesting the Supply of Water, and shall be payable according to the annual Value at which the Premises shall be assessed to the Poor's Rate, if the same shall be so assessed, or if not, according to the net annual Value of the Premises.

Where several Houses supplied by One Pipe, each to pay.

CXLVII. And be it enacted, That when several Houses or Parts of Houses in the Occupation of several Persons shall be supplied by One common Pipe, the several Owners or Occupiers of such Houses or Parts of Houses shall be liable to the Payment of the same Rates for the Supply of Water as they would have been liable to if each of such several Houses or Parts of Houses had been separately

supplied with Water from the Works of the Company by a distinct Pipe.

Rates to be paid quarterly.

First Payment.

CXLVIII. And be it enacted, That the Rates payable to the Company for the Supply of Water to any Dwelling House or Part of a Dwelling House shall be paid in advance, by equal quarterly Payments, at the Four usual Feasts in the Year; and the first Payment shall be made at the Time at which the Service Pipe from such Dwelling House or Part of a Dwelling House shall be made to communicate with the Pipes of the Company, or at the Time when any Occupier of a Dwelling House or Part of a Dwelling House shall contract to take Water from the Company; and the Amount of such first Payment shall be such Proportion of a quarterly Payment as the Length of Time that shall intervene between such Day of Payment and the next quarterly Feast shall bear to a Quarter of a Year.

Parties removing to pay to the next Quarter Day.

CXLIX. And be it enacted, That the Occupier of any Dwelling House or Part of a Dwelling House liable to the Payment of any Rate for Water supplied under the Provisions herein-before contained, who shall remove from such Dwelling House or Part of a Dwelling House, or shall give Notice of his Intention to discontinue the Use of the Water supplied by the Company, between any Two Feasts, shall pay the Water Rate in respect of such Dwelling House or Part of a Dwelling House becoming due on the Feast next following his quitting the same or giving such Notice.

Water for other than domestic Purposes to be supplied by Agreement.

CL. And be it enacted, That it shall be lawful for the Company to supply any Person with Water for other than domestic Purposes at such Rent, and upon such Terms and Conditions, as shall be agreed upon between the Company and the Person desirous of having such Supply of Water.

Recovery of Rent.

CLI. And be it enacted, That if any Person supplied with Water by the Company shall neglect to pay any Water Rate or Rent due to them at any of the said Times of Payment thereof, it shall be lawful for the Company or their Lessee to stop the Water from flowing into the Premises of such Person by cutting off the Service Pipe to such Premises, or by such Means as the Company or their Lessee shall think fit, and to recover the Rate or Rent due from such Person, if less than Twenty Pounds, together with the Expence of cutting off the Water, and Costs of recovering the same, by the same Means as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered; or if the Rate or Rent so due shall amount to Twenty Pounds or upwards, it shall be lawful for the Company to recover the same, together with the Expences of cutting off the Water, in any of the Superior Courts, by Action of Debt or on the Case.

Power to lease the Water Rates.

CLII. And be it enacted, That it shall be lawful for the Company to lease the whole or any of the Water Rates or Rents payable to the Company by virtue of this Act, or otherwise, for any Term not exceeding

exceeding Three Years, and upon such Rents, Covenants, and Conditions as the Company shall think fit.

Penalty for refusing a Supply of Water.

CLIII. And be it enacted, That if the Company shall neglect or refuse to furnish a sufficient Supply of Water for domestic Purposes, at the Rates aforesaid, to any Owner or Occupier of any Dwelling House or Part of any Dwelling House in any Street or Place where the Pipes of the Company shall be laid, or within One hundred Yards of any such Pipe, for Seven Days after Demand in Writing made to the Clerk or Surveyor of the Company, and Tender made to such Clerk or Surveyor of the Amount of the Portion of the Rate payable in advance, the Company shall forfeit to the Owner or Occupier making such Demand treble the Amount of the Rate so tendered, and also the further Sum of Twenty Shillings for every Day during which they shall refuse or neglect to furnish such Supply: Provided always, that the Company shall not be obliged to supply any Water to any such Owner or Occupier, or be liable to any Penalty for not supplying the same, if such Supply cannot be made by the Company without lessening the Quantity of Water required by other Owners or Occupiers of Houses and Parts of Houses supplied with Water by the Company previously to the Demand made by such Occupier.

Penalty for Failure of Supply of Water.

CLIV. And be it enacted, That if the Company shall neglect or refuse to furnish a sufficient Supply of Water for domestic Purposes during any Part of the Period for which the Rate for such Supply shall have been paid they shall forfeit to the Person having paid such Rate the Sum of Twenty Shillings for every Day during which such Refusal or Neglect shall continue after Notice shall have been given to the Company of the Want of such Supply, but no Penalty shall be payable by the Company if the Want of such Supply shall arise from Frost or other unavoidable Accident.

Fire Plugs to be provided by the Company.

CLV. And be it enacted, That the Company shall, at the Time of laying down any Main Pipe for supplying any Street, Highway, or Place within the said Town and Parishes of *Chepstow* and *Saint Arvans* with Water, fix, and from Time to Time repair or renew, Fire Plugs in such Street, Highway, or Place, for the Supply of Water in extinguishing Fire; and as soon as any such Fire Plugs shall have been completed the Company shall deposit a Key of such Fire Plug at each Place within the Town of *Chepstow* where any public Engine shall be kept for extinguishing Fire, and affix a public Notice in some conspicuous Place by the Side of the said Street, Highway, or Place to denote the Situation and Distance of such Fire Plug.

Water to be taken to extinguish Fires.

CLVI. And be it enacted, That it shall be lawful for all Persons at all Times to take and use the Water of the Company in extinguishing any Fire which may happen within the said Town and Parishes of *Chepstow* and *Saint Arvans* without making Compensation for such Water.

Persons using the Water to provide Cis-

CLVII. And be it enacted, That every Person supplied with Water under the Provisions of this Act shall, when required by the Company,

terns with Balls and Stopcocks.

Company, provide a proper Cistern to receive and retain the Water with which he shall be so supplied, with a Ball and Stopcock affixed to the Pipe conducting the Water from the Works of the Company to such Cistern, and shall keep such Cistern, Ball, and Stopcock in good Repair, so as effectually to prevent the Water from running to Waste; and in case any such Person shall neglect to provide, when required by the Company, such Cistern, Ball, or Stopcock, or to keep the same in good Repair, it shall be lawful for the Company, or for any Person acting under their Authority, to cut off the Pipe, or turn off the Water from the Premises of such Person, until such Cistern and Ball and Stopcock shall be provided or repaired, as the Case may require.

Penalty for suffering Cisterns, &c. to be out of Repair.

CLVIII. And be it enacted, That if any Person supplied with Water by the Company shall suffer any Cistern, Place for Water, Pipe, or Cock belonging to him to be out of repair, so that the Water supplied to him by the Company shall be wasted, or the Supply thereof improperly increased, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Company may repair and recover the Expences.

CLIX. And be it enacted, That it shall be lawful for the Company to repair any such Cistern, Place for Water, Pipe, or Cock, and the Expences of such Repair shall be payable by the Person so allowing the same to be out of repair, and to be recovered in manner herein provided for Recovery of the Water Rate or Rent.

Power to Company's Surveyor to enter Houses to inspect.

CLX. And be it enacted, That it shall be lawful for the Surveyor, or any other Person acting under the Authority of the Company, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, upon giving Twelve Hours previous Notice of their Intention, to enter into any House, Building, or Premises, supplied with Water by virtue of this Act, in order to inspect and examine if there be any Waste or improper Use of such Water; and if such Surveyor or other Person acting by the Authority of the Company shall at any such Time be refused Admittance into such Dwelling House, Building, or Premises for the Purpose aforesaid, or shall be prevented from making such Inspection and Examination as aforesaid, it shall be lawful for the Company to turn off the Water supplied by the Company from such House, Building, or other Premises.

Penalty for allowing Persons to use the Company's Water.

CLXI. And be it enacted, That every Person supplied with Water under the Provisions of this Act, who shall supply to any other Person or wilfully permit any other Person to take any Water supplied by the Company from any Cistern, Pipe, or Place for Water belonging to him, shall forfeit for every such Offence a Sum not exceeding Five Pounds; Provided always, that the Supply of Water for the Purpose of extinguishing any Fire, or in any sudden Emergency, or to any Person supplied with Water by the Company, during any Time that the Pipes or Cock belonging to such Person may be out of repair, if such Pipe or Cock shall not have been out of repair during a longer Time than was necessary for the Repair thereof,

thereof, shall not be deemed an Offence within the Meaning of this Act.

Penalty for taking the Company's Water without Agreement.

CLXII. And be it enacted, That if any Person not having agreed to be supplied with Water by the Company shall take any Water from any Reservoir or Aqueduct belonging to the Company, or any Pipe affixed or leading to any such Aqueduct or Reservoir, or from any Cistern or other like Place containing Water belonging to the Company, he shall forfeit for every such Offence a Sum not exceeding Two Pounds.

Penalty for destroying Valves, &c.

CLXIII. And be it enacted, That every Person who shall wilfully or carelessly break, injure, or open any Valve, Pipe, or Clow belonging to, or shall flush or draw or the Water of, the Company, or shall do any other wilful Act whereby such Water shall be wasted, shall forfeit for every such Offence a Sum not exceeding Two Pounds.

Penalties for fouling the Water of the Company.

CLXIV. And be it enacted, That every Person who shall commit any of the following Offences shall for every such Offence forfeit a Sum not exceeding Ten Pounds; (that is to say,)

1. Every Person who shall bathe in any Reservoir or Water belonging to the said Company, and also every Person who shall cause any Dog or other Animal to go into any such Reservoir or Water, or shall bathe or wash any such Dog or Animal therein:
2. Every Person who shall throw any Gravel, Stone, Rubbish, Filth, or other offensive Thing into, or wash or cleanse any Cloth, Wool, Leather, or Skin of any Animal, or any Wearing Apparel, or other Thing, in any such Reservoir or Water as aforesaid:
3. Every Person who shall cause or permit the Water of any Sink, Sewer, or Drain, or other filthy Water belonging to him or under his Control, to run or be conveyed into any of the Water belonging to the Company, or into any Spring, Drain, or Watercourse communicating therewith, or shall commit or cause any Act whereby the Water of the Company shall be fouled or corrupted.

Penalty on Gas Makers for corrupting Water within the Limits of this Act.

CLXV. And be it enacted, That if any Person making or supplying Gas within the said Town or Parishes of *Chepstow* and *Saint Arvans* shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water within the said Town or Parishes last aforesaid, or belonging to the Company, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water, whereby the Water therein shall be fouled or corrupted, then such Person shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for in Superior Courts within Twelve Months.

CLXVI. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any of the Superior Courts, by Action of Debt or on the Case, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby: Provided always, that the said Penalty shall not be recoverable unless the same be sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Daily Penalty during the Continuance of the Offence.

CLXVII. And be it enacted, That, in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not), the Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day such Washing, Substance, or Thing shall be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue, after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during Escape of Gas after Notice.

CLXVIII. And be it enacted, That whenever any Gas shall escape from any Pipe which shall be laid down or set up by any Person making or supplying any Gas within the said Town or Parishes of *Chepstow* and *Saint Arvans*, such Person shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case such Person shall not, within Twenty-four Hours next after Service of such Notice, effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, he shall for every such Offence forfeit the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Service of such Notice during which the Gas shall be suffered to escape.

Penalty on Gas Makers if Water contaminated.

CLXIX. And be it enacted, That whenever the Water supplied by the Company, or any other Water within the said Town or Parishes of *Chepstow* and *Saint Arvans*, shall be contaminated by the Gas of any Person making or supplying Gas within the said Town or Parishes last aforesaid, such Person shall forfeit for every such Offence a Sum not exceeding Twenty Pounds to the Person whose Water shall be so contaminated or affected.

Daily Penalty during the Continuance of the Contamination after Notice.

CLXX. And be it enacted, That if the Person so making or supplying Gas shall not, within Twenty-four Hours next after Notice in Writing of any Water being contaminated or affected served on him by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, such Person shall, over and above the before-mentioned Penalty of Twenty Pounds, forfeit for every such Offence to the Person whose Water shall be contaminated or affected a Sum not exceeding Ten

Pounds for each Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

Power to examine Gas Pipes to ascertain Cause of Contamination.

CLXXI. And whereas it may become a Question, upon any such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of any Person making or supplying Gas; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Persons making or supplying Gas within the said Town or Parishes last aforesaid, for the Purpose of ascertaining whether the said Water has been contaminated or affected by the Gas of such Person: Provided always, that before proceeding so to dig and examine Twelve Hours Notice shall be given to the Person making or supplying such Gas of the Time at which such digging and Examination are intended to take place.

The Expences to abide the Result of the Examination.

CLXXII. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by any Gas belonging to such Person, the Expences of the digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the Person making or supplying Gas; but if upon such Examination it shall appear that the Water has not been contaminated or affected by the Gas of such Person, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the said Person any Injury which may be occasioned to the Works of the said Person by such Examination.

The Amount of the Expences to be ascertained and recovered as other Damages.

CLXXIII. And be it enacted, That the Amount of the Expences of every such Examination and Repair, and of any Injury done to the Person making or supplying Gas, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages for the ascertaining and Recovery of which no special Provision is made by this Act are hereby directed to be ascertained and recovered.

Persons supplying Gas to be liable to Indictment for Nuisance.

CLXXIV. Provided always, and be it enacted, That nothing in this Act contained shall prevent any Person making or supplying Gas within the said Town or Parishes last aforesaid from an Indictment for any Nuisance, or any other legal Proceeding to which he may be liable, in consequence of the making or supplying such Gas.

Provision for Damages not otherwise provided for.

CLXXV. And be it enacted, That in all Cases where any Damages or Charges are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by Two or more Justices; and when by this Act any Damages or Charges are directed to be paid in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Non-

payment

payment thereof, or of any Dispute concerning the same, shall be determined by the Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment of the Damages or Charges in any of the Cases aforesaid, on Demand, the same shall be levied by Distress, and any Justice shall issue his Warrant accordingly.

For ascertaining Compensation.

CLXXVI. And for the Purpose of ascertaining and determining any such Compensation, Expences, Charges, or Damages, be it enacted, That any Justice of the Peace may summon any Person liable to pay the same to appear before Two or more Justices at a Time mentioned in such Summons, and at such Time, either on the Appearance or Default of the Party summoned to appear, such Justices shall inquire into any such Compensation, Expences, Charges, or Damages, and determine the same.

Justices to examine Parties and Witnesses.

CLXXVII. And be it enacted, That where in this Act any Question of Compensation or Damages is referred to the Determination of any Justices, it shall be lawful for such Justices to examine the Parties to such Question, and their Witnesses, on Oath, and to administer the Oaths necessary for that Purpose; and the Costs of every such Inquiry shall be in the Discretion of such Justices; and if either Party to any such Question fail to appear at the Time and Place appointed by the Justices for going into any such Question, without reasonable Excuse to the Satisfaction of such Justices, due Notice of such Appointment having been given to such defaulting Party, it shall be lawful for such Justices to proceed *ex parte*.

Distress against the Company.

CLXXVIII. And with respect to any Sum of Money under the Provisions of this Act adjudged by any Justices to be paid by the Company, for which no other Mode of Proceeding is provided by this Act, be it enacted, That if such Money be not paid by the Company to the Party entitled to receive the same within Seven Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount may be recovered by Distress, and the Justices by whom such Sum of Money shall have been ordered to be paid, or any other Justice, on Application, shall issue his or their Warrant accordingly; and if sufficient Goods or Effects of the Company cannot be found whereon to levy such Sum of Money the same may be recovered by Distress of the Goods of the Treasurer of the Company, and the Justices aforesaid, or any other Justice, on Application, shall issue his or their Warrant accordingly, but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, have been given to such Treasurer or left at his Residence.

Distress against the Treasurer.

Reimbursement of the Treasurer.

CLXXIX. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid he may retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Company coming into his Custody or Control, or he may sue for the same against the Company by Process of Law.

CLXXX. And

Publication of Penalties.

CLXXX. And for the Purpose of providing for the due Publication of all Penalties and Forfeitures exigible under this Act, be it enacted, That from Time to Time the Company shall publish the short Particulars of the several Offences for which any such Penalty is imposed by this Act, and of the Amount of every such Penalty, and shall cause such Particulars to be painted on a Board, or printed upon Paper and pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Place of Business of the Company, and, where any such Penalties are of local Application, shall cause such Boards to be affixed in some conspicuous Place in the immediate Neighbourhood to which such Penalties are applicable or have reference; and such Particulars shall be renewed as often as the same, or any Part thereof, is obliterated or destroyed; and no such Penalty shall be recoverable unless it shall have been published and kept published in the Manner herein-before required.

Defacing Boards used for publishing Penalties.

CLXXXI. And be it enacted, That if any Person pull down or break or deface any such Board put up or affixed as required by this Act for the Purpose of publishing any Penalty, or shall obliterate any of the Letters or Figures thereon, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, and he shall also defray the Expences attending the Restoration of such Board and such Expences shall be recoverable as any Penalty by this Act imposed may be recovered.

Penalties to be summarily recovered before Two or more Justices.

CLXXXII. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or any Bye Law made in pursuance thereof, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before Two or more Justices; and on the Complaint being made to any Justice he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party offending it shall be lawful for any Two or more Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any Two or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties to be levied by Distress.

CLXXXIII. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture and of such Costs as aforesaid be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied

levied by Distress, and any Justice shall issue his Warrant of Distress accordingly.

Imprisonment in default of Distress.

CLXXXIV. And be it enacted, That it shall be lawful for the Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if, before issuing such Warrant of Distress, it shall appear to the Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justices shall, by Warrant, cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Application of Penalties.

CLXXXV. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Informer, and the other Half thereof to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish; or if the Place wherein the Offence shall have been committed be extra-parochial, then such Justices shall direct such Half to be applied for the Benefit of the Poor of such extra-parochial Place, or of any adjoining Parish or District, and shall order the same to be paid over to the proper Officer for that Purpose.

Penalties to be sued for within Six Months.

CLXXXVI. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalty on Witnesses making default.

CLXXXVII. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice or Justices shall have Jurisdiction under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before any Justice or Justices touching any Offence committed against this Act, or any Matter in which such Justice or Justices shall have Jurisdiction by the Provisions of this Act, shall, without

reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Justice or Justices, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Transient Offenders.

CLXXXVIII. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Company, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act, and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Form of Conviction.

CLXXXIX. And be it enacted, That the Justice or Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (G.) to this Act annexed.

Informalities.

CXC. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Distress, how to be levied.

CXCI. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress not unlawful for Want of Form.

CXCII. And be it enacted, That no Distress levied by virtue of this Act shall 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 afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Parties may appeal to Quarter Sessions on giving Security.

CXCIII. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice or Justices under the Provisions of this Act he may appeal to the General Quarter Sessions for the County in which the Cause of Appeal

Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

CXCIV. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Costs.

Interpretation of Act.

CXCV. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall extend to Corporation, whether Aggregate or Sole:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of other Persons exempted by Law from the Necessity of taking an Oath:

The Word "Secretary" shall include the Word "Clerk":

The Word "Lands" shall extend to Brooks, Streams, Waters, Springs, Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word "Justice" shall mean Justice of the Peace for the County or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter;

The Expression "the Company" shall mean the Company incorporated by this Act: And

The Expressions "The Directors" and "the Secretary" shall mean the Directors and the Secretary respectively of such Company:

The

The Word "Street" shall include any Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place within the said Town and Neighbourhood.

CXCVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Certificate of Share.

"The Chepstow Water Company."

Number

THIS is to certify, That *A.B.* of is the Proprietor of the Share, Number of "The Chepstow Water Company," subject to the Regulations of the said Company. Given under the Common Seal of the said Company the Day of in the Year of our Lord .

SCHEDULE (B.)

Form of Transfer of Shares.

I of in consideration of the Sum of paid to me by of do hereby transfer to the said Share [*or* Shares] numbered in the Undertaking called "The Chepstow Water Company," to hold unto the said his Executors, Administrators, and Assigns, [*or* Successors and Assigns,] subject to the several Conditions on which I held the same at the Time of the Execution hereof. And I the said do hereby agree to take the said Share [*or* Shares] subject to the same Conditions. As witness our Hands and Seals the Day of .

SCHEDULE (C.)

Form of Mortgage Deed.

"The Chepstow Water Company."

Mortgage, Number £

BY virtue of an Act passed, *&c.*, intituled, *&c.*, we, "The Chepstow Water Company," in consideration of the Sum of Pounds paid to us by *A.B.* of do assign unto the said *A.B.* of his Executors, Administrators, and Assigns, the said Undertaking, and all the Rates and Sums of Money arising by virtue of the said Act, and all the Estate, Right, Title, and Interest of the Company in the same, to hold unto the said *A.B.*, his Executors, Administrators, and Assigns, until the said Sum of Pounds, together with Interest for the same at the Rate of for every One hundred Pounds by the Year, be satisfied; the Principal Sum to be repaid at the End of Years from the Date hereof (*in case any Period be agreed upon for that Purpose*). Given under our Common Seal this Day of in the Year of our Lord .

SCHE-

SCHEDULE (D.)

Form of Bond.

"The Chepstow Water Company."

Bond, Number £

By virtue of an Act passed, *&c.*, intituled, *&c.*, we, "The Chepstow Water Company," in consideration of the Sum of Pounds to us in hand paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above Obligation is such, that if the said Company shall pay to the said *A. B.*, his Executors, Administrators, or Assigns, on the Day of which will be in the Year One thousand eight hundred and the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly on the Day of and Day of then the above written Obligation is to become void, otherwise to remain in full Force. Given under our Common Seal this Day of One thousand eight hundred and .

SCHEDULE (E.)

Form of Transfer of Mortgage or Bond.

I *A. B.* of in consideration of the Sum of paid to me by *G. H.* of do hereby transfer to the said *G. H.*, his Executors, Administrators, and Assigns, a certain Bond [*or* Mortgage] Number made by "The Chepstow Water Company" to bearing Date the Day of for securing the Sum of and Interest, [*or, if such Transfer be by Endorsement,* the within Security,] and all my Right, Estate, and Interest in and to the Money thereby secured [*and if the Transfer be of a Mortgage,* and in and to the Rates, Money, and Property thereby assigned]. In witness whereof I have hereunto set my Hand and Seal this Day of One thousand eight hundred and .

SCHEDULE (F.)

Form of Proxy.

A. B. of one of the Proprietors of "The Chepstow Water Company," doth hereby appoint *C. D.* of to be the Proxy of the said *A. B.*, in his Absence to vote in his Name upon any Matter relating to the Undertaking proposed at the Meeting of the Proprietors of the said Company to be held on the Day of next, in such Manner as he the said *C. D.* doth think proper. In witness whereof the said *A. B.* hath hereunto set his Hand [*or, if a Corporation,* the Common Seal of the Corporation] the Day of One thousand eight hundred and .

SCHE-

SCHEDULE (G.)

Form of Conviction.

to wit.

Be it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before us, *C. D.* and *E. F.*, Two [*or C. D.*, One] of Her Majesty's Justices of the Peace for the County of Monmouth, [*here describe the Offence generally, and the Time, Place when and where committed,*] contrary to the Chepstow Water Act, passed in the Year One thousand eight hundred and forty-three. Given under our Hands and Seals [*or* my Hand and Seal] the Day and Year first above written.

C. D.

SCHEDULE (H.)

Form of Conveyance.

I of in consideration of the Sum of paid to me [*or, as the Case may be*, into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery ex parte "The Chepstow Water Company," (*or* to *A. B.* of and *C. D.* of Two Trustees appointed to receive the same,)] pursuant to an Act passed, *&c.*, intituled, *&c.*, by the Chepstow Water Company incorporated by the said Act, do hereby convey to the said Company, their Successors and Assigns, 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 as I am or shall become seised or possessed of, or am by the said Act empowered to convey, to hold the Premises to the said Company, their Successors and Assigns 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

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