ANNO NONO

GEORGII IV. REGIS.

Cap. cxix.

An Act for supplying with Water the Town of *Pembroke* and the Neighbourhood thereof, within the County of *Pembroke*. [15th *July* 1828.]

WHEREAS a sufficient and constant Supply of good and wholesome Water for domestic, manufacturing, and other Purposes, would be of great Advantage to the Inhabitants of the Town of *Pembroke* and the Neighbourhood thereof, within the several Parishes of *Saint Mary* in *Pembroke*, *Saint Michael* in *Pembroke*, and *Monkton* otherwise *Saint Nicholas* in or adjoining to the said Town, all in the County of *Pembroke*: And whereas such Supply of Water may be obtained from certain Springs and Watercourses situate upon Lands of Sir *John Owen* Baronet, and of *John Harcourt Powell* Esquire, at or near to a certain Place called *Grove*, within the said Parish of *Saint Michael*; and it is expedient, for the Purposes of such Supply, that Power should be granted for the making, erecting, and maintaining of Waterworks and other Works and Conveniences within the said Town of *Pembroke*, and the said several Parishes of *Saint Mary* in *Pembroke*, *Saint Michael* in *Pembroke*, and *Monkton* otherwise *Saint Nicholas*, or one of them: And whereas the Mayor, Bailiffs, and Burgesses of the said Town and Borough are willing and desirous, by and out certain Funds now in hand belonging to them in their Corporate Capacity, to make, erect, and maintain such Waterworks and other Works for the Purposes of such Supply of Water; and it is expedient that such Waterworks and other Works should be vested in and be placed under the Controul and Manage-

ment of the Mayor and Common Council of the said Town and Borough for the Time being: And whereas the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Mayor and Common Council of the Town and Borough of *Pembroke* for the Time being, by themselves, their Managers, Servants, Agents, Workmen, and Assistants, to make and maintain Reservoirs, Aqueducts, Waterworks, Steam Engines, or other Engines and Machinery, Buildings, Erections, and other Works and Conveniences, at or near to the said Town of *Pembroke*; and to supply with Water, by means of such Waterworks, the Town and Neighbourhood of *Pembroke* aforesaid, from certain Springs and Watercourses situate upon Lands of Sir *John Owen* Baronet, and *John Harcourt Powell* Esquire, at or near to a certain Place called *Grove*, situate respectively within the said Parish of *Saint Michael* in *Pembroke* in the said County; and to supply the said Waterworks during the Time that the same shall be making, and at all Times for ever after the same shall be made, with Water from the said Springs, Watercourses, Pools, or Ponds, and also from any Brooks, Streams, Springs, Watercourses, or other Sources of Water which may be found in making the said Waterworks; and for the Purposes of this Act to make, erect, and set up Feeders, Tunnels, Shafts, Sluices, Weirs, Steam Engines or other Engines, and other Machinery and Conveniences, and to dig and break up the Soil of any Lands or Hereditaments which they are hereby empowered to take or use (subject to the Provisions and Directions of this Act), and also to dig and break up the Soil and Pavements of any of the Highways, Streets, public Passages or Places within the Limits of this Act, and to lay Mains, Pipes, Trunks, and other Conveniences, and to put Stopcocks or Plugs or Branches from such Mains, Pipes, Trunks, and other Conveniences, and to do all such Acts, Matters, and Things as they the said Mayor and Common Council shall from Time to Time think necessary and expedient for making, repairing, using, and maintaining the Works hereby authorized, according to the true Intent and Meaning of this Act; and also from Time to Time to alter, widen, enlarge, improve, amend, or discontinue the Works hereby authorized, or any of them, they the said Mayor and Common Council, their Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the Powers hereby granted, and making full Compensation in manner herein-after mentioned, to the Owners of and Persons interested in any Lands or Premises which may be taken or injuriously affected, for any Damage which shall be sustained by such Owners or other Persons as aforesaid; and this Act shall be sufficient to indemnify the said Mayor and Common Council, their Servants, Agents, and Workmen, and all other Persons acting under their Authority, for what they shall do by virtue of the Powers hereby granted.

Mayor and Common Council of Pembroke empowered to make Water works.

Furnaces of Steam Engines to

II. Provided always, and be it further enacted, That the Furnace of every Steam Engine which shall be erected by virtue of this Act shall

shall be constructed upon the Principle of consuming or regulating its own Smoke, so as to prevent the same from occasioning any Nuisance; and if the said Mayor and Common Council, or any Person employed by them in the Execution of this Act, shall erect or use any Steam Engine which shall not consume its Smoke upon the Principle aforesaid, they or he shall forfeit and pay for every Neglect or Offence therein the Sum of Five Pounds, to be recovered, with full Costs of Suit, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, and such Steam Engine may be abated as a Nuisance.

consume their own Smoke.

III. And be it further enacted, That the said Mayor and Common Council shall have full Power and Authority to treat, contract, and agree with any Person, Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation, whether Aggregate or Sole, Tenant for Life or in Fee Tail, General or Special, or other the Owner or Proprietor of, or with any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or Party whomsoever, interested in any Manner in any Lands, Tenements, or Hereditaments within the Limits of this Act, for the absolute Purchase of such Lands, Tenements, or Hereditaments, or any of them, or for the Damage to be done thereto respectively, in the Execution or for the Purposes of this Act; and it shall be lawful for the said Mayor, Bailiffs, and Burgesses to hold any such Lands, Tenements, or Hereditaments so to be purchased by the said Mayor and Common Council, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and it shall be lawful for the said Mayor and Common Council at any Time or Times thereafter to sell and dispose of the said Lands, Tenements, or Hereditaments, or any of them, or any Part or Parts thereof, and from Time to Time to purchase any other Lands, Tenements, or Hereditaments more suitable or convenient for the Purposes of this Act, and again to sell the same in like Manner.

Empowering Corporation to purchase Land for the Purposes of the Act.

IV. And whereas a Map or Plan, describing the Lands or Grounds whereon the Reservoirs and Aqueducts herein-before mentioned are to be erected or made, together with a Book of Reference, containing a List of the Names of the Owners or reputed Owners and Occupiers respectively of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Pembroke*; be it therefore enacted, That such Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and all Persons interested therein shall, at all reasonable Times, have Liberty to inspect and peruse the same, and to have a Copy thereof, or of any Part thereof, paying to the said Clerk of the Peace or his Deputy the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts: Provided always, that the said Mayor and Common Council shall not, in carrying into Execution any of the Purposes of this Act, deviate more than One hundred Yards from the Situation or Course described and delineated in such Map or Plan, nor

Map and Book of Reference to remain with Clerk of the Peace, and be open to Inspection.

nor make any Reservoir in any other Lands, Grounds, or Situations, than in those therein described.

Misnomers or wrong Descriptions in Schedule not to prevent Execution of Act.

V. Provided always, and be it further enacted, That the said Mayor and Common Council shall and may make the Works by this Act authorized upon, in, through, and over the Lands or Grounds of any Person or Body Politic, Corporate, or Collegiate, if it shall appear to the Satisfaction of any Two or more Justices of the Peace for the County of *Pembroke* (and be by them certified in Writing under their Hands) that the Name, Title, or Designation of such Person or Body shall have been by Mistake omitted in the said Book of Reference, or that instead thereof the Name, Title, or Designation of some other Person or Body to whom such Land or Ground doth not belong shall have been by Mistake inserted therein; any thing herein contained to the contrary thereof in anywise notwithstanding.

Houses, Gardens, &c. not to be injured, except those mentioned in the Schedule to this Act.

VI. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Mayor and Common Council, or any Persons acting under or by their Authority, to enter, take, use, injure, or damage, in the making the said Waterworks and other Works, or for any other of the Purposes of this Act, any Dwelling House or other Building which shall have been erected or built on or before the passing of this Act, or any Land or Ground which on or before that Time shall have been set apart and used as and for a Yard, Garden, Orchard, Park, Paddock, Lawn, Shrubbery, Pleasure Ground, planted Work or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent of the Owner or Owners thereof for the Time being, other than and except such as are mentioned in the Schedule to this Act annexed.

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

VII. Provided also, and be it further enacted, That if the said Mayor and Common Council shall not within the Space of Three Years, to be computed from the passing of this Act, agree for, or cause to be valued and paid for, as in this Act is mentioned, the Lands, Tenements, or Hereditaments which they are by this Act empowered to take upon Compulsion, or so much thereof as shall be deemed necessary or proper, then and from thenceforth the Powers which are hereby granted to them for such Purpose only shall cease, determine, and be utterly null and void.

Deficiencies in Land Tax to be compensated by Corporation.

VIII. And whereas by reason of the Exercise of the Powers of this Act there may be Deficiencies in the Assessments for Land Tax within the Limits of this Act; be it therefore enacted, That the said Mayor and Common Council shall, from and after that they shall become seised and possessed, by virtue of the Powers of this Act, of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless they shall think fit to redeem the same under the Powers of the several Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good to or in aid of the District comprised within the Limits of this Act, out of the Monies

Monies to arise by virtue of this Act, all such Sum and Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said Limits, by reason or means of taking down, using, or cutting through or over, for the Purposes of this Act, any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Assessments.

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

IX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and to and for all Tenants for Life and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf their Cestuique Trust, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in any Lands, Tenements, and Hereditaments which shall be thought necessary by the said Mayor and Common Council to be purchased, had, or taken for the Purposes of this Act, to contract for and sell and convey the same, and every or any Part thereof, and all Right and Interest therein, to the said Mayor and Common Council, for the Purposes of this Act; and all Bargains, Sales, and Conveyances which shall be so made by virtue or in pursuance of this Act, shall, without any Fine, Recovery, or other Conveyance or Assurance in the Law whatsoever, and without Inrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons so conveying, but also to convey the Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several Cestuique Trust, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries could do if levied or suffered by the proper Parties in Form of Law, any Law, Statute, or Usage, or other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all such Contracts, Sales, Conveyances, and Assurances shall be made at the Expence of the said Mayor and Common Council; and such Sales and Conveyances shall be made according to the following Form, or as near thereto as the Number of the Parties, and the Circumstances of the Case will admit; (that is to say,)

Form of Conveyance.

'I of in consideration of the Sum of to me paid by the Mayor and Common Council of 'the Town and Borough of *Pembroke*, do hereby grant and release 'to the said Mayor and Common Council all [*describing the Premises*

'*to be conveyed*,] together with all Ways, Rights, and Appurtenances 'thereunto belonging, and all my Estate, Right, Title, and Interest 'in and to the same and every Part thereof; to hold to the said 'Mayor and Common Council, and their Successors for ever, during 'all the Remainder of my Term, Estate, or Interest in the said Pre-'mises. In witness whereof I have hereunto set my Hand and 'Seal, the Day of in the Year of 'our Lord .'

And all such Conveyances and Assurances as aforesaid shall be good, valid, and effectual in the Law, to all Intents and Purposes, and shall operate and be as a Merger of all outstanding Terms of Years, and be a complete and effectual Bar to all Estates Tail, and other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever.

Satisfaction to be made for Lands taken for the Purposes of this Act.

X. And be it further enacted, That all Bodies Politic, Corporate, or Collegiate, Trustees, or other Persons herein-before capacitated or enabled to sell and convey Lands, Tenements, and Hereditaments, and the Owner and Owners, and Occupier and Occupiers of any such Lands, Tenements, or Hereditaments, may accept and receive Satisfaction for the Value of such Lands, Tenements, and Hereditaments, and also Compensation for or on account of any Detriment, Injury, Damage, Loss, or Inconvenience which may be sustained by such Bodies, Trustees, or other Persons, in the Execution of the Purposes of this Act, in such gross Sums as shall be agreed upon between the said Owners or Occupiers respectively, or any of them, and the said Mayor and Common Council; and in case the several Parties cannot or do not agree as to the Amount or Value of such Satisfaction and Compensation, the same shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after directed.

Disputes as to the Value of Property taken for the Purposes of the Water-works, to be settled by a Jury.

XI. And for settling all Differences which may arise between the said Mayor and Common Council and the several Parties interested in any Lands, Tenements, or Hereditaments which shall or may be taken, used, damaged, or affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Body Politic, Corporate, or Collegiate, Trustee, or any other Person so interested, entitled, or capable to sell as aforesaid, for and on behalf of himself or herself, or for or on behalf of his or her Cestuique Trusts, or of the Person or Persons entitled in Remainder or Reversion after him or her as aforesaid, or of any other incapacitated Person as aforesaid, shall not agree with the said Mayor and Common Council as to the Amount of such Purchase Money, Recompence, or other Compensation, and such Amount cannot be adjusted and settled by and between such Parties and the said Mayor and Common Council; or if any such Parties shall refuse to accept such Purchase Money, Recompence, or other Compensation as shall be offered by the said Mayor and Common Council, and shall give Notice thereof in Writing to the said Mayor and Common Council within Twenty-one Days next after such Offer shall have been made, and the Party or Parties giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury; or if any Body Politic, Corporate or Collegiate, Trustee, or other

Person interested, entitled, or capacitated to sell as aforesaid, shall (for the Space of Twenty-one Days next after Notice in Writing shall have been given to the Principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Trustee or Person respectively, or left at the last or usual Place or Places of his or her Abode, or with the Tenant or Tenants, Occupier or Occupiers, of any Lands, Tenements, or Hereditaments required for the Purposes of this Act) neglect or refuse to treat, or shall not agree with the said Mayor and Common Council for the Sale and Conveyance of their respective Estates and Interests therein, or shall by reason of Absence be prevented from treating, or shall by reason of Nonage or any other Impediment or Disability not provided for by this Act be incapable of treating or making such Agreement as shall be expedient for enabling the said Mayor and Common Council to proceed in making the said Works, or shall not produce and fully disclose the State of the Title to the Premises they may be in Possession of, or to the Interest they shall claim therein; then and in every such Case the said Mayor and Common Council may and shall and they are hereby empowered and required from Time to Time to issue a Warrant, under the Common Seal of the said Corporation, to the Sheriff of the County in which the Lands and Hereditaments in question shall be situate, or the Matter in dispute shall arise, or in case such Sheriff or his Under Sheriff shall be One of the said Corporation, or enjoy any Office of Trust or Profit under them, or shall be in anywise interested in the Matter in question, then to any of the Coroners of such County not interested as aforesaid, or if all the Coroners shall be so interested, then to the Person then in being who last filled the Office of Sheriff or Coroner of the said County, not interested as aforesaid, commanding such Sheriff or Coroner or other Person to impannel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster* or Great Sessions in *Wales*; and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person, at such Time and Place as in such Warrant shall be directed or appointed, and to attend from Day to Day until discharged; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, or Coroner, or some Person to be by him appointed, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* or Great Sessions in *Wales* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, or other Person shall return other Men of the Standers-by, or of others that can be speedily procured to attend that Service, (being so qualified as aforesaid,) to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required so summon before him all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matters in question, and may order and authorize the said

said Jury, or any Six or more of them, to view the Place or Matter in question; and such Jury shall upon their Oaths, or being of the Society of Persons called *Quakers*, upon their solemn Affirmation, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations of such Persons as shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands, Tenements, and Hereditaments, and also the separate and distinct Sum or Sums of Money to be paid by way of Recompence or Compensation either for the Damages which shall or may before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or any recurring Damage which shall have been so occasioned as aforesaid, and the Cause or Occasion of which shall have been in part only removed by the said Mayor and Common Council, and which cannot or will not be further obviated, remedied, or repaired; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Recompence, or Compensation as shall be assessed by such Jury; which said Verdict, and the Judgment thereupon to be pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes upon all Parties whomsoever: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury shall be so required to be returned shall be given by the said Mayor and Common Council to the Party or Parties with whom any such Controversy shall arise, by leaving such Notice at the Dwelling House of such Party or Parties, or of the Clerk or Agent or Head Officer of any such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises intended to be valued, or respecting which any such Question shall arise.

Value of Lands and Damages to be ascertained separately.

XII. Provided also, and be it further enacted, That the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Mayor and Common Council for any Damages which shall or may at any Time hereafter be sustained by any Party or Parties interested in any Lands, Tenements, or Hereditaments, for or by reason of the severing or dividing the same from other Lands, Tenements, or Hereditaments belonging to such Party or Parties as aforesaid, and for or on account of the Detriment, Injury, Loss, and Damage, or Prejudice, which shall or may accrue to or be sustained by such Party or Parties interested in such Lands, Tenements, or Hereditaments, or any of them, by reason of the making, using, repairing, or maintaining any of the Works or Conveniences, or by reason or means of the executing any of the Powers given to the said Mayor and Common Council for supplying Water as aforesaid.

Compensation Money to be apportioned.

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

XIV. And

Verdicts to be recorded.

XIV. And be it further enacted, That all the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person present at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the County in which the Matter of Dispute shall have arisen among the Records of the Quarter Sessions for such County, and shall be deemed Records to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and also to have Copies thereof, paying for every Copy after the Rate of Sixpence for every One hundred Words.

Penalty upon Sheriffs, &c. neglecting their Duty.

XV. And be it further enacted, That if such Sheriff or his Deputy, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make Default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so to be summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, (or being of the Society of Persons called *Quakers*, to make his solemn Affirmation,) or to give his Verdict, or shall in any Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so to be summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn, examined, or to give Evidence; then and in every such Case every Person so offending, having no reasonable Excuse, (such Excuse to be judged of and determined by the Sheriff, Under Sheriff, Coroner, or other Person as aforesaid,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall be summoned, any Sum not exceeding Ten Pounds, to be levied by virtue of a Warrant under the Hand and Seal of some Justice of the Peace for the County in which the said Lands, Tenements, or Hereditaments shall be situated, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him or her the Overplus of the Money thereby produced, after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

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

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

Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

Expences of Juries how to be paid.

XVII. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been previously offered or tendered by the said Mayor and Common Council, for the Purchase of any Lands, Tenements, or Hereditaments to be used or taken by them, or as Compensation or Recompence for any Damage, Loss, or Injury which may happen or arise in the Execution of any of the Powers hereby granted, for the Purposes of such supplying with Water as aforesaid, all the Costs of summoning such Jury, and the Expence of Witnesses, shall be defrayed by the said Mayor and Common Council, and such Costs and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels of the said Mayor, Bailiffs, and Burgesses, in their Corporate Capacity, or their Treasurer, (unless such Mayor and Common Council shall pay such Costs and Expences out of any Money received by them by virtue of this Act, and which they are hereby authorized to do,) under a Warrant to be issued for that Purpose by some Justice of the Peace of the County of *Pembroke*, which Warrant any such Justice is hereby authorized and required to issue, under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; but if the Verdict of the Jury shall not be given for a greater Sum than shall have been previously offered or tendered by or on behalf of the said Mayor and Common Council, then and in every such Case one Moiety of such Costs and Expences shall be defrayed by the Person or Persons with whom the said Mayor and Common Council shall have such Dispute, and the other Moiety thereof shall be defrayed by the said Mayor and Common Council; and all such Costs and Expences, having been ascertained and settled in manner herein-before described, shall and may be deducted out of the Money to be determined or adjudged to be paid to such Person or Persons as aforesaid, as so much Money advanced to and for his, her, or their Use; and the Payment or Tender of the Remainder of the Money so to be determined or adjudged shall be deemed and taken, to all Intents and Purposes whatsoever, to be a good Payment or Tender in Satisfaction of the whole thereof: Provided always, that in all Cases where by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Mayor and Common Council.

Persons requesting Juries to enter into Bonds to prosecute their

XVIII. And be it further enacted, That all Persons with whom the said Mayor and Common Council shall have any such Controversy or Dispute, shall, before the said Mayor and Common Council shall be obliged to issue out their Warrant for the summoning of such Jury, enter

enter into a Bond, with Two sufficient Sureties, to the Town Clerk or Clerk of the said Mayor and Common Council, in a Penalty of One hundred Pounds, to prosecute his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning and returning such Jury, and taking such Verdict, and of the summoning and of the Attendance of Witnesses, in case any Part of such Costs and Expences shall fall upon him, her, or them, to be paid, according to the true Intent and Meaning of this Act.

Complaint and pay Expences.

XIX. And be it further enacted, That the said Mayor and Common Council shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, to receive or take notice of any Complaint to be made by any Person for any Injury or Damage by him or her sustained or supposed to be sustained by virtue or in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, stating the Particulars of such Injury or Damage, and the Amount of the Compensation claimed in respect thereof, shall have been given by or on behalf of such Person to the said Mayor and Common Council, Ten Days at the least before such Complaint shall be made to them, and within the Space of Six Calendar Months after the Time of such supposed Injury or Damage having been sustained, or the doing or committing thereof shall have ceased.

Notice of Injury to be given to Corporation, before Complaint made.

XX. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been agreed upon between the Parties, or assessed by any Jury in manner aforesaid, for the Purchase of any Lands, Tenements, or Hereditaments, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages as herein-before mentioned, to the Proprietor or Proprietors of any such Lands, Tenements, or Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation respectively, within One Calendar Month after the same shall be so agreed for, determined, or assessed, or if the Person or Persons so entitled or interested as aforesaid, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then, upon Payment of the said Sum or Sums of Money into the Bank of *England* as herein-after directed, for the Use of the Person or Persons entitled thereto, it shall be lawful for the said Mayor and Common Council, and their Agents, Workmen, and Servants, immediately to enter upon such Lands and Hereditaments respectively, and thereupon such Lands, Tenements, and Hereditaments, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Mayor and Common Council, to and for the Purposes of this Act; and such Payment, Tender, or Investment shall not only bar all the Right, Title, Interest, Claim, and Demand of such Person or Persons as aforesaid, and operate as a Merger of all outstanding Terms of Years, but also shall extend to and be deemed and construed to bar the

Lands, &c. to vest in Corporation, on Payment or Tender of Purchase Money.

the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion or Remainder, or otherwise, of his, her, or their Issue, and of every other Person whomsoever therein; Provided nevertheless, that before such Payment, Tender, or Investment as aforesaid, it shall not be lawful for the said Mayor and Common Council, or any Person acting under their Authority, to bore under, dig, or cut into such Lands, Tenements, or Hereditaments, for the Purpose of executing Works hereby authorized to be made, without the Leave of the respective Owners or Occupiers thereof in Writing made under their respective Hands; and in case any Person shall enter upon any such Premises for any of the Purposes of this Act, before such Payment, Tender, or Investment as aforesaid, every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds for every Day he shall remain on the said Premises.

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

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

Interest of such Tenants to be settled by a Jury.

XXII. Provided also, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Premises so occupied by him, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Mayor and Common Council shall and they are hereby directed to make or tender unto such Tenant or Lessee, before they shall issue their Precept to the Sheriff to give Possession of the Lands and Premises in the Occupation of such Tenant or Lessee as herein-before mentioned, Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises; which Satis-

faction or Compensation, in case of Difference, shall be settled and ascertained in the same Manner as any other Satisfaction or Compensation for any Lands, Tenements, or Hereditaments taken or made use of for the Purposes of this Act is in and by this Act provided for and directed to be made and assessed.

If Amount of Compensation for Damages be alleged to be under 20*l.* a Justice may settle the same.

XXIII. Provided always, and be it further enacted, That in any Case where the Amount of the Compensation for any Damage done or occasioned in the Exercise of any of the Powers by this Act granted shall be disputed, and be alleged to amount to any Sum under Twenty Pounds, then the Amount of the Compensation for such Damage shall or may be ascertained and settled by some Justice of the Peace for the said County, and shall and may be levied and recovered by Warrant under the Hand and Seal of any such Justice, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justice, by Distress and Sale of the Goods and Chattels of the said Mayor and Common Council, in their Corporate Capacity, unless the said Mayor and Common Council shall pay and discharge the same, which they are hereby authorized and empowered to do, out of any Monies received by them by virtue of this Act.

Enabling the Corporation to sell Land not wanted.

XXIV. And be it further enacted, That it shall be lawful for the said Mayor and Common Council to sell and dispose of any Portion of such Lands, Tenements, or Hereditaments, either together or in Parcels, by public Auction or private Contract, as they may find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same; and such Conveyances from the said Mayor and Common Council shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary thereof notwithstanding: Provided always, that the said Mayor and Common Council, before they shall sell or dispose of any such Lands, Tenements, or Hereditaments, shall first offer to sell the same to the Person or Persons whose Lands, Tenements, or Hereditaments shall immediately adjoin the Lands, Tenements, or Hereditaments so proposed to be sold as aforesaid; and such Person or Persons, in case he, she, or they shall be desirous of purchasing the same, shall signify such his, her, or their Desire to the said Mayor and Common Council, within Fifteen Days after such Offer of Sale shall have been made; and in case such Person or Persons shall refuse or decline to avail himself, herself, or themselves of such Offer, or shall neglect or omit to signify his, her, or their Desire to purchase such Lands, Tenements, or Hereditaments, for the Space of Fifteen Days, then and in every such Case an Affidavit made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before any of His Majesty's Justices of the Peace for the said County, by some Person or Persons not interested in the Premises, stating that such Offer was made, and that such Offer was not accepted by the Person or Persons to whom the same was made, within the Space of Fifteen Days from the Day or Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was not accepted

within the Time aforesaid, by the Person or Persons to whom such Offer was made; and in case the Person or Persons to whom such Offer is required to be made shall be desirous of purchasing the same, and he, she, or they, and the said Mayor and Common Council, shall not agree with respect to the Price thereof, then and in such Case the Price thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Premises to be purchased in pursuance thereof; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in and by this Act is directed with respect to Purchases made by the said Mayor and Common Council, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Mayor and Council, of such Lands, Tenements, and Hereditaments as aforesaid, shall be applied to the general Purposes of this Act.

Treasurer, upon Payment of Money, to give Receipts.

XXV. Provided always, and be it further enacted, That upon Payment of the Money which shall arise from the Sale of such Lands, Tenements, or Hereditaments, or any Part thereof, it shall be lawful for the Town Clerk, or Clerk of the said Mayor and Common Council for the Time being, to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person for the Purchase Money for such Lands, Tenements, or Hereditaments as shall be sold, or for so much thereof as in such Receipts respectively shall be expressed to be received; and such Person shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

The Word "grant," &c. to operate as certain Covenants.

XXVI. And be it further enacted, That in all Conveyances to be made by the said Mayor and Common Council, under or by virtue of the several Powers and Authorities by this Act granted, the Word "grant" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or other Purchasers, his, her, or their Heirs, Executors, Administrators, and Assigns, from the said Mayor and Common Council, for themselves and their Successors, that they the said Mayor and Common Council, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted of an indefeasible Estate of Inheritance in Fee Simple free from all Incumbrances, and that the Purchaser or Purchasers thereof, his, her, or their Heirs and Assigns, shall quietly enjoy the same against the said Mayor and Common Council, their Successors and Assigns, and all claiming under them, and be indemnified and saved harmless by the said Mayor and Common Council and their Successors from all Incumbrances committed by the said Mayor and Common Council; and such Purchasers or Grantees, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may in any Actions to be brought assign a Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyance; and if the Premises are Leasehold for Years, they shall be assigned by a Form answerable to the above, substituting Words applicable to the Assign-

ment of a Chattel, and the Word "grant" being held to be a Covenant only commensurate with the Estate of the said Mayor and Common Council in the Premises assigned.

Corporation may grant Releases to Witnesses.

XXVII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act, or otherwise, for any Claim or Compensation against or for or on behalf of the said Mayor and Common Council, and also in all Prosecutions commenced and instituted by or on behalf of the said Mayor and Common Council, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Action, Suit, or Proceeding, it shall be lawful for the Clerk of the said Mayor and Common Council for the Time being, with the Approbation of the said Mayor and Common Council, in his own Name, for and on behalf of the said Corporation, to make, sign, seal, execute, and deliver all and every such general or other Release or Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging all and every or any Person or Persons who may be produced as a Witness or Witnesses in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding as aforesaid, from all or any Claims or Demands which may be necessary to be released by the said Mayor and Common Council, to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding aforesaid, and also, with the Approbation aforesaid, to do any other Act, Matter, or Thing, in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding, which any Plaintiff or Defendant may do in any Action, Suit, Prosecution, Arbritration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing respectively, shall be as valid and effectual, in all respects, and to all Intents and Purposes whatsoever, as if the same were made under the Corporate Seal of the said Mayor, Bailiffs, and Burgesses.

Application of Compensation Money when amounting to 200*l.*

XXVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Mayor and Common Council of the Town and Borough of *Pembroke* aforesaid, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer* 1 G. 4. c. 35.

Exchequer at Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out and invested in a summary Way, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and the annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so purchased, taken, or used.

When less than 200*l.* and exceeding 20*l.*

XXIX. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in such Case the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy or other Incapacity, with the Approbation of the said Mayor and Common Council, to be signified in Writing under the Common Seal of the said Corporation, be paid into the Bank of *England* in the Name and with

with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons for the Time entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, such Nomination to be approved of by the said Mayor and Common Council, and such Nomination and Approbation to be signified in Writing, under the Hands of the Parties nominating such Trustees, and under the Common Seal of the said Corporation; and the Money so paid to such Trustees, and the Dividends and Produce arising therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England*, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

When less than 20*l.*

XXX. Provided also, and be it further enacted, That where such Money so agreed to be paid as last mentioned shall be less than the Sum of Twenty Pounds, then and in such Cases the same shall be applied to the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, for his, her, or their own Use and Benefit, or in case of Infancy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

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

XXXI. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money ought to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Mayor and Common Council to order the said Sum or Sums of Money so to be paid as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends according to the respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose

Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

Where Questions shall arise touching the Right to such Money.

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

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

XXXIII. Provided always, and be it further enacted, That when by reason of any Disability or Incapacity of the Person or Persons, or Corporation, interested in any Lands, Tenements, or Hereditaments purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Mayor and Common Council out of the Monies to be received by virtue of this Act; and the said Mayor and Common Council shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Works may be contracted for.

XXXIV. And be it further enacted, That the said Mayor and Common Council may and they are hereby empowered from Time to Time, if they shall think proper, to contract with any Person for the doing or performing all or any of the Works by this Act authorized or directed to be by them done or performed, or for the supplying any of the Materials for the same; which Contract or Contracts so to be entered into shall be reduced into Writing, and shall specify

the several Works to be done, and the Prices to be paid for the same, and the Time or Times within which the same Works shall be done or completed, and the Penalties in case of Nonperformance thereof, and the same shall be sealed with the Common Seal of the said Corporation, and be signed by the Person or Persons contracting to perform such Works respectively; and all such Contracts, or Copies thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Mayor and Common Council; and the said Mayor and Common Council shall and they are hereby required to take Security from every such Contractor for the due Performance of his or her Contract.

Appointment of Officers.

XXXV. And be it further enacted, That the said Mayor and Common Council shall and may and they are hereby empowered from Time to Time to elect and appoint a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Monies to be raised or paid under or by virtue of this Act, and all such other Officers and Servants as the said Mayor and Common Council shall think proper for carrying into Execution and Effect the Purposes of this Act; and the said Mayor and Common Council shall and may and they are hereby empowered from Time to Time to remove such Treasurer, Clerk, and Collector or Collectors, and other Officers so to be appointed, or any of them, and to appoint any other Person or Persons in the Room of such of them as shall be removed, or shall die, or relinquish such Office, and out of the Money to be received by virtue of this Act to make or pay such Salaries, Wages, or Allowances to the said Officers, and to any other Persons to be employed in the Execution of this Act, as they the said Mayor and Common Council shall think reasonable; and the said Mayor and Common Council shall and they are hereby required to take such Security from every such Treasurer, Collector, or other Person, as they shall think reasonable.

Office of Clerk and Treasurer not to be held by the same Person.

XXXVI. Provided always, and be it further enacted, That it shall not be lawful for the said Mayor and Common Council to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of the Partner of such Treasurer, to be the Clerk to the said Mayor and Common Council; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, shall act as Treasurer or as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold

any

any Place or Office of Profit or Trust under the said Mayor and Common Council other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Accounts to be kept by Clerk.

XXXVII. And be it further enacted, That the Clerk for the Time being to the said Mayor and Common Council shall and he is hereby required to keep regular and clear Entries, in a Book or Books to be for that Purpose provided by the said Mayor and Common Council, of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Mayor and Common Council, and of every Mortgagee or Creditor under this Act, without Fee or Reward; and the said Mayor and Common Council, Mortgagees, and Creditors aforesaid, or any of them, may take Copies or Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Mayor and Common Council, Mortgagees, or Creditors, to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds for each Offence.

Officers to account, &c.

XXXVIII. And be it further enacted, That all such Officers so to be appointed shall under their respective Hands (at such Time and in such Manner as the said Mayor and Common Council shall direct) deliver to such Mayor and Common Council, or to such other Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers respectively, by virtue or for the Purposes of this Act, specifying how much thereof hath been paid or disbursed, and for what Purpose, together with the proper Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Mayor and Common Council, or to such Persons as they shall appoint, whose Receipt shall be a sufficient Discharge to such Officer for the same; and if any such Officer shall refuse or wilfully neglect to make and render such Accounts, or to produce and deliver up the Vouchers and Receipts relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to such Persons as the said Mayor and Common Council shall for that Purpose appoint, within Seven Days after being thereunto required by the said Mayor and Common Council, or by their Clerk by their Order, to be given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Information and Satisfaction to the said Mayor and Common Council respecting the same, it shall be lawful for the said Mayor and Common Council, and they are hereby authorized

authorized and empowered, to bring or cause to be brought any Action in any of His Majesty's Courts of Record at *Westminster* or Great Sessions in *Wales*, against the Officer making such Default as aforesaid, or against his Surety or Sureties, in order to recover the Monies which shall be in the Hands of such Officer, with full Costs of Suit; or if Complaint shall be made by the said Mayor and Common Council, or by any Person whom they may appoint for that Purpose, of any such Default as aforesaid, to any Justice of the Peace for the County or Place wherein such Officer so making Default shall be or reside, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer to be brought before him, and upon his appearing, or having been summoned and not appearing (except from some reasonable Cause, to be judged of and allowed or disallowed, as the Case may require, by such Justice), or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness upon Oath, it shall appear to such Justice that any of the Money which shall have been collected and raised by virtue of this Act shall be in the Hands of such Officer, or be unaccounted for, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer, together with the Costs and Charges of making such Complaint, and of such Distress and Sale; and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Money and the Charges as aforesaid, or if it shall appear to such Justice that such Officer shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer, and that he shall refuse or wilfully neglect to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Officer to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize until he shall have given and made a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Mayor and Common Council for such Money, and have paid such Composition in such Manner as they shall appoint, (which Composition the said Mayor and Common Council are hereby empowered to make and receive,) and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Mayor and Common Council: Provided always, that no Person who shall be so committed by virtue of this Act, on account of his not having sufficient Goods or Chattels only, shall be detained in Prison, by virtue of this Act, for any longer Term than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer, the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety or Sureties, but such Officer and his Surety or Sureties shall remain liable to the Payment thereof in the same Manner as if such Officer had not been committed to Prison.

On Death of Officers, Executors to account.

XXXIX. And be it further enacted, That if any Collector or Receiver or other Person employed by the said Mayor and Common Council, who shall have received any Sum of Money by virtue or for the Purposes of this Act, shall die before he shall have paid and satisfied all the Monies so received by him, then and in every such Case the Executors or Administrators, Executrixes or Administratrixes, or other Person or Persons possessing the Estate and Effects of every such Person so dying, shall be liable to pay and satisfy the same out of such Estate and Effects in the regular Course of Administration, and the same shall be recoverable by Action of Debt or Suit in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators, Executrixes or Administratrixes, Person or Persons as aforesaid.

Openings to be made in Pavements for amending or laying Pipes.

XL. And be it further enacted, That whenever it shall be found necessary for the said Mayor and Common Council to open the Ground, or dig or break up the Soil or Pavements in or under any Part of the Highways, Streets, public Passages or Places within the Limits of this Act, for the Purpose of amending or laying any Pipes or Plugs, or for any of the Purposes of this Act, the same shall be done, and the Ground filled and rammed in, and the Road, Highway, Footway, Street, Lane, Alley, Passage or public Place, made good within the Space of Seven Days; and in case the said Mayor and Common Council shall neglect, for the Space of Seven Days next after such Pipes or Plugs shall have been laid down or repaired as aforesaid, to commence filling in and repairing the Ground, and making good the Highway, Footway, Street, Passage, or Place, in manner aforesaid, the Surveyor, Surveyors, or Trustees or Commissioners of the said Highways, Streets, Passages, or Places respectively, is and are hereby empowered to cause the same to be done, and the Expence thereof shall be paid by the said Mayor and Common Council to the said Surveyor or Surveyors, or Trustees or Commissioners; and so long as the Ground shall remain so opened as aforesaid, the said Mayor and Common Council shall secure the same by a Fence or Rail, and maintain and keep up sufficient Light thereupon from Sunset to Sunrise, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Mayor and Common Council shall make Default in any of the Matters aforesaid, they shall forfeit and pay any Sum not exceeding Five Pounds nor less than Five Shillings for every Hour that the Ground shall remain open or not secured in manner aforesaid; and whenever it shall happen that by the bursting, breaking, or running of any such Pipes or Plugs the Water belonging to the said Mayor and Common Council shall overflow any Part of the said Highways, Streets, Passages, or Places, so as to occasion any Danger or Inconvenience to Passengers, Cattle, or Carriages, or Injury to the Highways, Streets, Passages, or Places, then, in case the said Mayor and Common Council shall after One clear Day's Notice thereof neglect to do what shall be necessary to remedy the Danger and Inconvenience arising therefrom, it shall be lawful for the said Surveyor or Surveyors, Trustees or Commissioners respectively, to do what he or they shall judge requisite to drain off the Water, and to prevent any Danger or Inconvenience therefrom in future, the Expence whereof shall be reim-

bursed to such Surveyor or Surveyors by the said Mayor and Common Council; all which respective Forfeitures and Sums shall and may from Time to Time be recovered in such Manner as other Penalties and Forfeitures incurred by the said Mayor and Common Council are by this Act directed to be recovered, and when so recovered shall from Time to Time be paid to the said Surveyor or Surveyors, Trustees, or Commissioners respectively, and shall be applied for and towards amending the said Highways, Streets, Passages, or Places respectively.

Water Pipes to be laid Two Feet Six Inches deep.

XLI. And be it further enacted, That all and every the Pipes or Conduits to be laid or used for the Conveyance of Water, by virtue of this Act, shall be laid at the Depth of Two Feet Six Inches at least below the Surface of the Soil of every Highway, Street, Passage or Place in or through which such Water shall be so conveyed.

Public Sewers not to be injured.

XLII. Provided always, and be it further enacted, That the Course or Direction of the present or any future public Sewer or Drain within the Limits of this Act shall not be altered or changed, or otherwise interfered with, unless Three Days previous Notice in Writing shall have been given to the Surveyor of the said Highways, Streets, Passages, or Places respectively, or left at his Dwelling House; and the said Mayor and Common Council shall replace and make good such Sewers and Drains as soon as conveniently may be.

Mayor and Common Council to provide Fire Plugs, and to deliver Keys to Engine Keepers.

XLIII. And be it further enacted, That the said Mayor and Common Council shall and they are hereby required, upon laying down any Main Pipe in any Square, Street, Yard, Court, Close, Lane, Passage, or Place, within the Limits of this Act, for the supplying the same with Water, to fix and place, at the Time of laying down such Main Pipe, all proper and necessary Fire Plugs, and to deliver the Key of every such Fire Plug to every Person having the Care of a Fire Engine within the Limits of this Act, and to cause another Key to be hung up in the Watch-house of the said Town of *Pembroke*; and it shall be lawful for the said Mayor and Common Council to paint or affix, upon the Wall of any House or Building opposite to such Fire Plug, Marks or Figures indicating the particular Situation of each such Fire Plug.

For regulating Stand Cocks during Frost.

XLIV. And be it further enacted, That it shall not be lawful for any Person to place or set up, or to cause or suffer to be placed or set up, any Stand Cock, Font, or other Instrument, Machine, or Thing for the Supply of Water in Times of Frost or otherwise, in any of the said Highways, Streets, Passages and Places, or any of them, or any Part thereof, which shall be furnished with any other than a Metal Cock and Spout, to the Satisfaction of the said Mayor and Common Council; and if any Person shall set up, or cause or suffer to be set up, any Stand Cock, Font, or other Instrument, Machine, or Thing, with any other than a Metal Cock and Spout which shall not be to the Satisfaction of the said Mayor and Common Council, such Person shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

XLV. And

Inhabitants may lay Pipes to those of Mayor and Common Council, after giving Notice.

XLV. And be it further enacted, That such of the Inhabitants within the Limits of this Act as shall be desirous of having Water from the said Waterworks laid into their Houses, Buildings, or other Premises, may and are hereby authorized and empowered, at their own Expence, (having Fourteen Days previous Notice in Writing of his or her Intention so to do to the said Mayor and Common Council, and with the Consent of the Owners of the Premises through which the Pipes shall be so conveyed,) to open the Ground between the Main Pipes belonging to the said Mayor and Common Council, and the respective Houses, Buildings, or other Premises of such Inhabitants, and to lay any Leaden or other Pipe or Pipes, the Bore thereof to be ascertained and fixed (so that the same be not less than Three Fourths of an Inch in Diameter) by the said Mayor and Common Council, from such respective Houses, Buildings, or other Premises, to communicate with the said Main Pipes; such respective Inhabitants paying to the said Mayor and Common Council such Sums of Money, not exceeding the Rates herein mentioned, as shall be agreed upon between the said Mayor and Common Council and such Persons; and in case of Default of Payment of such Sums of Money so to be paid, it shall be lawful for the said Mayor and Common Council to cause the Pipe or Pipes belonging to the Person or Persons making such Default, and communicating with the Main Pipes belonging to the said Mayor and Common Council, to be separated from the said Main Pipes, and to cause the Water to be stopped from issuing or running into the said Houses, Buildings, and other Premises of every Person making such Default; and the Sum or Sums of Money which shall be due and in arrear from such Person or Persons, to the said Mayor and Common Council, shall and may be recovered by the said Mayor and Common Council by Distress and Sale of the Goods and Chattels of the Person so liable to pay the same: Provided always, that all and every Person and Persons who shall have laid any Pipes as aforesaid shall be at liberty to remove and take away any such Pipe or Pipes, and the Cock or Cocks to such Pipe or Pipes belonging.

Rates at which Water is to be supplied.

XLVI. And be it further enacted, That the said Mayor and Common Council shall and they are hereby required and obliged to supply with Water such of the Inhabitants or Occupiers of any Premises, in every Street, Passage, or Place within the Limits of this Act, in or over which any Main Pipes of the said Mayor and Common Council may be laid, as shall be desirous of having the same, and as shall agree to pay the Expences of providing, laying, and affixing the necessary Service Pipes to communicate with such Main Pipes, together with the necessary Valves and Cocks, and to pay the Water Rents herein-after mentioned; and it shall be lawful for the said Mayor and Common Council, or for such Person or Persons as they shall from Time to Time appoint for that Purpose, and they are hereby empowered, to ask, demand, receive, and take, of and from every Inhabitant or Occupier of any Premises within the Limits of this Act, such Sum or Sums of Money, to be paid yearly or otherwise, as and for a Water Rent, as the said Mayor and Common Council shall from Time to Time by Writing under their Hands appoint; nor shall the said Mayor and Common Council be at liberty to

to charge or to receive any greater or higher Rent for the Supply of such Water than as is herein-after mentioned and prescribed; (that is to say,) where the annual Rack Rent or Value of the Premises to be supplied with Water shall not exceed Ten Pounds, at and after the Rate of Twenty Shillings *per* Year; and where the annual Rack Rent or Value shall be above Ten Pounds, and shall not exceed Twenty Pounds, at and after the Rate of Two Pounds *per* Year; where the annual Rack Rent or Value shall be above Twenty Pounds, and shall not exceed Thirty Pounds, at and after the Rate of Two Pounds Sixteen Shillings *per* Year; where the annual Rack Rent or Value shall be above Thirty Pounds, and shall not exceed Forty Pounds, at and after the Rate of Three Pounds Fifteen Shillings *per* Year; where the annual Rack Rent or Value shall be above Forty Pounds, and shall not exceed Sixty Pounds, at and after the Rate of Five Pounds *per* Year; where the annual Rack Rent or Value shall be above Sixty Pounds, and shall not exceed Eighty Pounds, at and after the Rate of Five Pounds Twelve Shillings *per* Year; where the annual Rack Rent or Value shall be above Eighty Pounds, and shall not exceed One hundred Pounds, at and after the Rate of Six Pounds Five Shillings *per* Year; and where the annual Rack Rent or Value shall be above One hundred Pounds, at and after the Rate of Seven Pounds *per* Year; and every such Rate shall be payable according to the actual Amount of the Rent, where the same can be ascertained, and where the same cannot be ascertained, according to such Rent as such Inhabitants shall be assessed for towards the House Tax: Provided nevertheless, that the said Mayor and Common Council shall not be entitled to receive from any such Inhabitant or Occupier more than the Sum of Ten Pounds in any One Year for such Supply, nor shall such Mayor and Common Council be obliged to furnish such Supply to any Inhabitant or Occupier for less than Twelve Shillings in any One Year; provided also, that in the Cases of Cloth Dressers, Dyers, Hatters, Woolcombers, Distillers, Colour Manufacturers, Printers, Brewers, Innkeepers, Maltsters, Alehouse Keepers, Vintners, or other Persons requiring a Supply of Water for other Purposes than those of their own Families Consumption, or of Persons requiring a Supply of Water for Public Baths, or for the Purposes of any Trade or Business whatsoever, or for Service above the Height of Six Feet above the Level of the Pavement of the Street within which the Premises so supplied are situate, such Supply shall be furnished by the Mayor and Common Council, at such Rate as shall be settled by and between the said Mayor and Common Council and such Persons respectively.

Penalty for not supplying Water to Inhabitants.

XLVII. And be it further enacted, That in case the said Mayor and Common Council shall wilfully neglect or refuse to supply any of the said Inhabitants occupying any private Dwelling House in any Square, Street, Close, or Lane where the Pipes of the said Mayor and Common Council hereafter shall be laid, with Water for the Use of his or her own Family, at the Rate sforesaid, for the Space of Seven Days after Demand in Writing shall have been made by such Inhabitant to the said Mayor and Common Council for such Supply of Water, and Tender made of the Amount of the Rate for One Year for such Supply, the said Mayor and Common Council shall forfeit

forfeit and pay to such Inhabitant Treble the Amount of the Rate so tendered, (in case the said Mayor and Common Council, at the Time of such Demand and Tender being made, can grant such Supply of Water without lessening the Supply to the other Tenants of the said Mayor and Common Council, but not otherwise,) to be levied and recovered, by virtue of a Warrant under the Hands and Seals of any of His Majesty's Justices of the Peace acting for the said County of *Pembroke*, by Distress and Sale of the Goods and Chattels of the said Mayor, Bailiffs, and Burgesses, in their Corporate Capacity, or their Treasurer, and also the further Sum of Twenty Shillings for every Day the said Mayor and Common Council shall continue to neglect or refuse such Supply, to be recovered as the above-mentioned Penalty is herein-before directed to be recovered.

Where several Houses are supplied by One Common Branch Pipe, each Occupier to be liable to Rates.

XLVIII. And be it further enacted, That where several Messuages, Dwelling Houses, or Tenements in the Occupation of several Persons shall be supplied by One Common Branch Pipe communicating with the Waterworks of the said Mayor and Common Council, the several Owners or Occupiers of such Messuages, Dwelling Houses, or Tenements shall be respectively liable to pay for such Supply of Water at and after the same Rate as they respectively would be liable to pay for the same if each of such several Messuages, Dwelling Houses, or Tenements was separately supplied with Water by a distinct Branch Pipe from the Works of the said Mayor and Common Council; such Rents, in case of Nonpayment, to be recovered as in this Act is mentioned.

For preventing Annoyances to the Water.

XLIX. And in order to preserve the Water clean and wholesome, be it further enacted, That if any Person shall bathe in any Reservoir, Aqueduct, Waterway, Feeder, or Pond made or maintained by virtue of this Act, or wash any Dog or other Animal therein, or throw any Dog or other Animal, or any Filth, Dirt, or other noisome or offensive Thing, or wash or cleanse any Cloth, or any Wool or Leather, or the Skins of Sheep, Lambs, or other Animals, in any such Reservoir, Aqueduct, Waterway, Feeder, or Pond, or cause or suffer the Water of any Sink, Sewer, or Drain to run or be conveyed into any such Reservoir, Aqueduct, Waterway, Feeder, or Pond, or cause any other Annoyance to be done to the Water contained in any such Reservoir, Aqueduct, Waterway, Feeder, or Pond, or to any Water which shall flow into such Waterworks, or which shall be collected or used by the said Mayor and Common Council for the Purposes of this Act, whereby or by means whereof the said Water or any Part thereof shall or may be fouled or corrupted, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; and if any Person shall wantonly or unnecessarily open or cause to be opened any Lock, Paddle, Valve, or Clough belonging to the said Waterworks, or shall leave any of the Valves or Cloughs open and running belonging to the same, or shall draw or cause to be drawn any Paddle, Valve, or Clough in any of the Locks, Stop or Clew Gates in the said Waterworks, so as to misspend or waste the Water thereof, its Courses or Feeders, every Person so offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty for damaging Waterworks.

L. And be it further enacted, That if any Person shall wantonly or maliciously break, throw down, damage, or destroy any Banks or other Works erected, made, or maintained by virtue of this Act, every Person so offending shall be adjudged guilty of Felony; and the Court by and before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be transported beyond the Seas for the Term of Seven Years, or, in mitigation of such Punishment, such Court may award Sentence as the Law directs in Cases of Petit Larceny.

Persons supplied with Water not to supply other Persons not renting Water of the Corporation, except in Cases of Fire.

LI. And be it further enacted, That if any Person supplied with Water by virtue of this Act shall, without the previous Consent of the said Mayor and Common Council, supply any other Person with any such Water; or if any Person shall take or use any Water from or out of any inclosed Reservoir or Conduit belonging to the said Mayor and Common Council, without the Consent of the said Mayor and Common Council; or if any Person shall wilfully let off or cause to run to waste any Water from such Reservoir or Aqueduct; every Person so offending shall for every such Offence forfeit and pay to the said Mayor and Common Council any Sum not exceeding Five Pounds; and it shall be lawful for the said Mayor and Common Council, if they shall think fit, to take or cut off the Water so supplied by the said Mayor and Common Council, any thing herein contained to the contrary notwithstanding: Provided always, that nothing herein contained shall extend or be construed to extend to subject any Person supplied with Water by virtue of this Act to any Penalty or Forfeiture for supplying any Person with any Quantity of such Water in case of Fire, or for supplying any Person actually supplied with Water by the said Mayor and Common Council, during any Time that the Pipe or Pipes, Cock or Cocks belonging to such Person shall or may happen to be out of repair, such Pipe or Pipes, Cock or Cocks, nevertheless being repaired as soon as may be after any Damage shall happen thereto.

Cisterns to be provided to prevent waste.

LII. And be it further enacted, That in order to prevent as much as possible the wilful and negligent Waste of Water, every Person supplied with Water by the said Mayor and Common Council shall, if required by the said Mayor and Common Council, provide and keep in repair a proper Cistern or Cisterns, to receive and hold such Quantity of Water as shall be by him or her deemed sufficient for his, her, or their Consumption, and he or she is hereby required to provide and keep in repair a Ball and Stop Cock, and to affix the same to the Pipe conducting the Water from the Main or Service Pipe to such Cistern or Cisterns, for the Purpose of preventing the Water flowing into such Cistern or Cisterns from running to waste when the same shall be full; and in case any Person supplied with Water by the said Mayor and Common Council, and being thereto required as aforesaid, shall neglect to provide and keep in repair such Cistern or Cisterns, and Balls or Stop Cocks, and to affix the same in the Manner aforesaid, it shall be lawful for the said Mayor and Common Council, or any Person acting under their Authority, to cut off the Water from the Premises of such Person, by such Ways and Means as to them or

him

him shall seem right or proper, until such Cistern or Cisterns, Balls or Stop Cocks, shall be provided or repaired as aforesaid.

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

LIII. And be it further enacted, That it shall be lawful for the said Mayor and Common Council, or for any Person acting under their Authority, at any Time or Times in the Day-time, between the Hours of Ten in the Forenoon and Four in the Afternoon, giving Twenty-four Hours previous Notice of their Intention so to do, to enter into any Premises supplied with Water by the said Mayor and Common Council, in order to examine whether there be any Waste or improper Appropriation of such Water, and whether the Pipes and Cocks be in proper Repair; and if the said Mayor and Common Council, or other Person as aforesaid, shall be refused Admittance or Entrance into any such Premises, for the Purpose of making such Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Examination, then and in every such Case it shall be lawful for the said Mayor and Common Council to cut off the Water from the Premises of the Person or Persons so offending.

Power of Recovery of Water Rents.

LIV. And be it further enacted, That if any Person who shall contract with the said Mayor and Common Council, or otherwise agree to take, or shall use or enjoy the Benefit of the said Water, shall neglect or refuse, for the Space of Seven Days after Demand thereof made by the said Mayor and Common Council, or by any Person under their Authority, to pay the Sum or Sums then due for the same, according to the Terms and Stipulations of the said Mayor and Common Council, it shall be lawful for the said Mayor and Common Council, or for their Clerk or Collector, or for any Person acting by or under their Authority, by Warrant under the Hand and Seal of some Justice of the Peace for the County or Place wherein the Defaulter shall reside, to levy such Sum or Sums of Money by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after the necessary Charges of making such Distress and Sale shall have been first deducted; and in case sufficient Goods and Chattels belonging to such Person or Persons, to make Payment of such Rents and such Costs and Charges as aforesaid, cannot be found, and the same or any Part thereof shall remain unpaid, then and in every such Case it shall be lawful for the said Mayor and Common Council to recover any such Rents by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster* or Great Sessions in *Wales*, wherein no Essoign, Protection, Wager of Law, or any more than One Imparlance, shall be allowed.

Water Rents may be demanded in advance.

LV. And be it further enacted, That in order to avoid the Loss which might happen by Persons who may have contracted with the said Mayor and Common Council for a Supply of Water to their respective Premises removing from the same before the Day on which the Water Rents charged on such Premises shall become due and payable, it shall be lawful for the Collector or Collectors to the said Mayor

Mayor and Common Council, Twenty-eight Days before every such Day of Payment, or at any other subsequent Time before such Day of Payment, to demand and receive the respective Rents charged by virtue of this Act, and which would be due and payable on such Day of Payment as aforesaid, and in case of Nonpayment thereof to enforce the Payment of such Rents in the same Manner and with the same Powers as in case of Nonpayment of such Rents upon or after the Day on which the same would have become due and payable.

How to recover Water Rents from Persons beginning to move their Goods.

LVI. And be it further enacted, That if any Person liable to pay any of the said Water Rents shall at any Time begin to remove his or her Goods or Furniture from the House or Premises in his or her Occupation within the Limits of this Act, or to sell or dispose of the same, without paying all Arrears then due in respect of such Water Rents by virtue of this Act, in which the current Quarter or Half Year (as the Case may be) shall be considered as due, then and in any of the said Cases it shall be lawful for the Clerk or Collector for the Time being to the said Mayor and Common Council to collect and levy such Rents, and all Arrears due thereon, (the Rent for such Quarter or Half Year, as the Case may be, within which such Removal or Sale shall begin to be made as aforesaid, to be considered as due, although previous to the Time for Payment of the Rent of such Quarter or Half Year, as the Case may be,) by Distress and Sale of the Goods and Chattels of the Party so beginning to remove, or sell or dispose of such Goods or Furniture; and if, within Five Days next after such Distress shall be made, the said Rents, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rents, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

For recovering Rates from Persons who have quitted their Premises.

LVII. And be it further enacted, That in case any Person who may be liable to the Payment of any of the said Water Rents shall quit his or her Premises before he or she shall have paid such Rents, then and in every such Case it shall be lawful for any Person appointed to collect or receive such Rents, (Oath or Affirmation being made by him that he doth suspect that such Person hath removed his or her Goods and Chattels,) by Warrant under the Hand and Seal of any of His Majesty's Justices of the Peace for the said County of *Pembroke*, to distrain and appraise and sell the Goods and Chattels of the Person who shall have so quitted the said Premises before he or she shall have paid such Rents, for the Sum or Sums of Money due from any such Person by virtue of such Rents, or any of them, or any Part thereof, and for all Costs, Charges, and Expences occasioned by such Warrant of Distress, Appraisement, and Sale, in any County, City, or Place, to which such Person shall have removed, in such and the same Manner as if such Person had continued within the Limits of this Act.

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

LVIII. And be it further enacted, That all and every the Pipes and other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Highway, Street, or other Passage or Place, within the Limits of this Act, shall be laid at the greatest practicable Distance (and whenever the Width of the Carriageway will allow thereof, at the Distance of Three Feet at least,) from the nearest Part of any Water Pipe, Sough, or Watercourse already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Highways, Streets, or other Passages or Places within the Limits of this Act, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, Soughs, Watercourses, in which Case the said Gas Pipes shall be laid over the said Water Pipes, Soughs, or Watercourses, at the greatest practicable Distance therefrom, and shall form a Right Angle therewith; and the Gas Pipes so crossing the said Water Pipes, Soughs, and Watercourses shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes, Soughs, or Watercourses than Four Feet at least; and in laying down the said Gas Pipes, the Contractor, or other Persons to whom the same shall belong, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench form the Jointing with the other Pipes which may be added thereto, with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in every respect prevent the Gas from escaping therefrom, upon pain of forfeiting the Sum of Five Pounds for every such Offence, to be paid to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction takes place, shall have sustained any Annoyance or Injury or Damage by any such Act so done or committed.

For preventing the Escape of Gas.

LIX. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by any such Body Politic or Corporate or other Persons as aforesaid, such Body Politic or Corporate or other Persons shall at their own Expence, immediately after Notice of any such Escape of Gas given to them or him, by Parole or in Writing, from any Person whomsoever, stop and prevent such Gas from further escaping; and in case the said Contractors or Persons shall not within Twenty-four Hours next after such Notice given, so far as may be possible, stop and prevent any further Escape, and thereby remove the Cause of Complaint, then and in every such Case the said Body Politic or Corporate or Persons as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of some credible Witness, by Information, to be laid before some Justice of the Peace

for the County or Place within which such Offence shall be committed, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of such Contractors or Persons as aforesaid.

Penalty for conveying Washings of Gas into any River, Stream, &c.

LX. And be it further enacted, That if any Body Politic or Corporate, or any Contractor or Contractors, or any other Person or Persons whosoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town and Neighbourhood, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other Waste Liquids, Substances, or Things whatsoever which shall arise or be produced in or by the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or Running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or other Thing to the Water contained in such River, Brook, or Running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Spring Head, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, then and in each and every such Case such Body Politic or Corporate, Contractor or Contractors, or other Person or Persons, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or Great Sessions in *Wales*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and the whole of such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased or determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or Running Stream, Canal or Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to such Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, and they or he shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted,

ducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case such Body Politic or Corporate, Contractor or Contractors, or Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done as aforesaid; and such last-mentioned Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered, levied, and applied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage, by such Act so done or committed.

To prevent the Contamination of Water.

LXI. And be it further enacted, That whenever the Water of the Mayor and Common Council shall be contaminated or affected by the Gas of any Body Politic or Corporate, Contractor or Contractors, or Person or Persons making, furnishing, or supplying Gas as aforesaid, such Body Politic or Corporate, or Contractor or Contractors, or Person or Persons so offending, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Mayor and Common Council and Individuals affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, that then and in every such Case the Body Politic or Corporate, Contractor or Contractors, or any Person or Persons, making, furnishing, or supplying such Gas, shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Clerk for the Time being of the said Mayor and Common Council, to be left at the usual Office or Place of transacting Business of the Body Politic or Corporate, Contractor or Contractors, or Person or Persons so offending, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from the Works, Mains, or Pipes, or contaminating or affecting such Water; and in case such Body Politic or Corporate, Contractor or Contractors, or Person or Persons, shall not, within Twenty-four Hours after each and every such Notice so left as last aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then and in every such Case the said Body Politic or Corporate, Contractor or Contractors, or Person or Persons, making, furnishing, or supplying such Gas, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being of the said Mayor and Common Council so affected, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Shillings for each and every Day during which the Water of the said Mayor and Common Council shall be and remain contaminated, tainted, or affected by such Gas; and in default of Payment thereof as

as aforesaid, such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath or Affirmation of One credible Witness, by and in the Name of the Clerk of the said Mayor and Common Council, before any Justice of the Peace for the said County of *Pembroke*, with Costs, to be assessed by such Justice, and to be levied and recovered as any other Penalty is by the said Act directed to be levied and recovered; and such Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer for the Time being of the said Mayor and Common Council.

For ascertaining if the Water is contaminated.

LXII. And whereas it may become a Matter of question, upon such Complaint as aforesaid, whether such Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for the said Mayor and Common Council, or for the Party or Parties using such Water, to dig to and about and to search and examine the Mains, Pipes, Conduits, and Apparatus of the Body or Bodies Politic or Corporate, or other Persons, supplying Gas as aforesaid, for the Purpose of ascertaining whether such Contamination be occasioned by the Gas of the said Body or Bodies Politic or Corporate, or other Persons as aforesaid; and if it appear that such Contamination is occasioned by the Gas of the said Body or Bodies Politic or Corporate, or other Persons as aforesaid, the Costs and Expences of such Examination, and of the Repair of the Pavement which shall be taken up or disturbed, shall be borne and paid by the said Body or Bodies Politic or Corporate, or other Persons as aforesaid (as the Case may be); which Costs and Expences shall be ascertained and determined (if necessary) by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not proceeded from any Gas of the said Body or Bodies Politic or Corporate, or other Persons as aforesaid, then and in such Case the said Mayor and Common Council, or the Party or Parties making Complaint of such Contamination as aforesaid, shall bear and pay all the Costs and Expences of such Examination and Repair, and shall also make good to the said Body or Bodies Politic or Corporate, or other Persons producing or supplying Gas as aforesaid, any Loss, Injury, or Damage which may be occasioned to the Works of the said Body or Bodies Politic or Corporate, or other Persons as aforesaid, in and by such Examination, and shall also make good any Loss, Injury, or Damage which may have been occasioned in or by such Examination to the Pavements of the Streets and other Places so broken up or disturbed as aforesaid; the Amount of such Injury, Loss, or Damage to be ascertained and determined (if necessary) by some Justice as aforesaid.

Corporation may raise Money by Mortgage of Works and Water Rents.

LXIII. And be it further enacted, That it shall be lawful for the said Mayor and Common Council, and they are hereby empowered, from Time to Time when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the whole the Sum of Two thousand Pounds, upon the Credit of the Works belonging to or vested in them by virtue of this Act, and of the Water Rents by this Act authorized to be collected, or of any or either

either of them, and by Writing under the Common Seal of the said Corporation to mortgage or assign all or any of the said Works or Rents to the Person or Persons who shall advance and lend such Money, or to his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and the Charges and Expences of such Mortgages or Assignments shall be paid by the said Mayor and Common Council out of the Money so advanced; and every such Mortgage or Assignment may be in the Words or to the Effect following; (*videlicet*),

Form of Mortgage.

'BY virtue of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*], We, the Mayor and Common Council of the Town and Borough of *Pembroke*, in consideration of the Sum of advanced and lent by *A. B.* [*insert the Name, Place of Abode, and other necessary Addition*] to us upon the Credit and for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, [*or* to his *or* her Trustee or Trustees], such Proportion of the Works belonging to us, and of the Rents arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed or become due and owing or charged upon the Credit of the said Act; to be had and holden from this Day until the said Sum of with Interest at the Rate of *per Centum per Annum* for the same, to be paid shall be repaid and satisfied. Given under the Common Seal of the Corporation of the said Town and Borough, this Day of in the Year of our Lord .'

And every such Mortgage or Assignment shall be numbered, commencing with Number One, and so proceding in Arithmetical Progression ascending, whereof the common Excess or Difference shall always be One; and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be granted, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profit and Advantage arising therefrom, according to the true Intent and Meaning of this Act.

Money may be raised by way of Annuity.

LXIV. Provided always, and be it further enacted, That in case the said Mayor and Common Council shall think it advisable to raise all or any Part of the said Sum of Two thousand Pounds by the granting of Annuities for the Life or Lives of any Person or Persons, it shall be lawful for the said Mayor and Common Council, and they are hereby authorized and empowered, by any Writing under the Common Seal of the said Corporation, to grant any Annuity out of the said Works and Rents, or any of them, to any Person who shall contribute, advance, and pay to the said Mayor or Common Council any Sum or Sums of Money for the absolute Purchase of any such Annuity, to be paid and payable during the natural Life of every such Contributor, or the natural Life of every such Person as shall be nominated by or on the Behalf of such Contributor at the Time of the Payment of his, her, or their Contribution or Purchase Money, and either with or without Benefit of Survivorship; and the Expence

of any such Grant of Annuity shall be defrayed by the said Mayor and Common Council out of the Money so advanced; and the Grant of such Annuity shall be in the Words or to the Effect following:

Form of Grant of Annuity.

'WE, the Mayor and Common Council of the Town and Borough of *Pembroke*, in consideration of the Sum of paid to us by *A. B.* for the Purposes of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act,*] do hereby grant unto the said *A. B.*, his Executors, Administrators, and Assigns, [*or if by Survivorship,* unto and the Survivors and Survivor of them,] an Annuity or yearly Sum of out of the Works belonging to us, or of the Rents arising by virtue of the said Act; which Annuity or yearly Sum of shall be paid to the said his Executors, Administrators, or Assigns, on the Day of in every Year during his natural Life [*or if by Survivorship,* unto and amongst them the said and the Survivor and Survivors of them,] and the first Payment thereof shall be made on the Day of next ensuing the Date hereof. Given under the Common Seal of the Corporation of the said Town and Borough, the Day of in the Year of our Lord .'

Restrictions as to grants of Annuities.

LXV. And for preventing any improvident Grant of Annuities under this Act, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts of Parliament, the one passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled *An Act for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities,* and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and every such Grant shall be a good, valid, and effectual Security in Law for the Payment of such Annuity; and all Mortgages or Assignments, and all Annuities, so to be granted as aforesaid, shall be and the same are hereby charged upon, and shall be payable and be paid, free from all Charges and Deductions, out of such of the said Premises, or out of the Rents by this Act granted or authorized to be collected, as in such Grant of Annuity shall be mentioned.

48G.3.c.142.

52G.3.c.129.

Securities may be transferred.

LXVI. And be it further enacted, That it shall be lawful for the Persons entitled to any such Security for Money borrowed, or for any such Annuity granted as aforesaid, by Writing under their Hands to transfer the same respectively to any Person or Persons according to the Form following, or in any other Form of Words to the like Purport and Effect, (as the Case may be); *videlicet,*

Form of Transfer of Securities.

'I *A. B.* being entitled to the Sum of [*or* Annuity of *as the Case may be*] by virtue of an Assignment [*or* Grant of Annuity] bearing Date the

'Day

‘ Day of under the Common Seal of the Corporation of
‘ the Town and Borough of *Pembroke*, upon the Credit of the Water-
‘ works vested in the Mayor and Common Council of the said Town
‘ and Borough, do hereby transfer all my Right, Title, and Interest
‘ in and to the said Sum [*or* Annuity], and all Interest and other
‘ Money now due and owing thereon, and all Benefit and Advantage
‘ to be had or made thereby, to *C. D.*, his Executors, Administrators,
‘ and Assigns. Dated the Day of in the Year
‘ of our Lord .’

Securities to be entered in a Book.

LXVII. And be it further enacted, That a Book shall be provided by the said Mayor and Common Council, and be kept by the Clerk of the said Mayor and Common Council, to be appointed under or by virtue of this Act, in which Book Entries or Memorials of all Mortgages or Assignments, and of all Grants of Annuities which may be made in pursuance of this Act, and of all Transfers thereof, shall be entered, expressing in Words at Length the Names and Places of Abode, and other necessary Descriptions of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest, or to the Annuities thereby respectively secured, and the Dates of such Securities, and the Sums thereby secured; to which Book or Books any Person interested shall at all reasonable Times have Access, and free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer or Assignment the said Clerk shall be paid, by the Person or Persons to whom such Transfer or Assignment shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer or Assignment, after such Entry as aforesaid, and not till then, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security or Grant thereby transferred, and it shall not be in the Power of the Person or Persons who shall have made such Transfer to make void, release, or discharge the same, or any Money due thereon; and all Persons to whom such Mortgages, Assignments, or Grants of Annuity shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Waterworks and Rents equally one with another, without any Preference in respect of the Priority of advancing such Monies, or the Dates of such Mortgages, Assignments, or Grants of Annuities respectively.

Money may be borrowed at lower to discharge Securities at higher Interest.

LXVIII. And be it further enacted, That in case the said Mayor and Common Council can at any Time borrow or take up any Sum of Money at a lower Rate of Interest than the Mortgages, Assignments, or Securities which shall be then in force shall bear, it shall be lawful for the said Mayor and Common Council from Time to Time to charge the said Waterworks and Water Rents in manner aforesaid with such Sum or Sums of Money as they shall think proper, and the Interest thereof, at such lower Rate as aforesaid, and pay off and discharge the Mortgages, Assignments, or Securities bearing a higher Rate of Interest.

Application of Monies raised.

LXIX. And be it further enacted, That all Monies to be raised or collected by virtue or under the Authority of this Act shall be and the

the same are hereby vested in the said Mayor and Common Council, and out of the Monies in hand, or out of the first Monies which shall be collected or received by virtue of this Act, the said Mayor and Common Council shall in the first place pay and discharge all the Expences attending the obtaining and passing this Act, or incident thereto, and shall apply the Remainder of such Monies for or towards the purchasing of Lands, Tenements, and Hereditaments, and the making and maintaining the said Waterworks and other Works, and for or towards the other Purposes of this Act.

Recovery and Application of Forfeitures.

LXX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not hereby particularly directed), may, in case of Nonpayment thereof, be recovered in a summary Way, by the Order and Adjudication of some Justice of the Peace for the County of *Pembroke*, on Complaint to him for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, by Warrant under the Hand and Seal of some Justice of the said County, who is hereby authorized and required to summon and examine any Witness upon Oath of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be tendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the Treasurer for the Time being of the said Mayor and Common Council, to be applied for the general Purposes of this Act, unless such Penalties shall be incurred by the said Mayor and Common Council, in which Case the same shall be paid to the Overseers of the Poor of the Township or Place within which the Offence shall be committed; and it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before the said Justice, or before some other Justice for the said County, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Eight Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalty, Costs, and Expences can be levied if a Warrant of Distress should be issued, such Justice shall not be required to issue such Warrant of Distress; but it shall be lawful for such Justice, and he is hereby required and empowered, by

Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Pembroke*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty, and all Costs and Charges attending such Proceedings as aforesaid, (to be ascertained by such Justice,) or until he shall otherwise be discharged by due Course of Law: Provided always, that it shall be lawful for the said Mayor and Common Council, when and so often as they shall think fit, to give all or any of the Penalties or Forfeitures which shall be incurred, by reason of any Offence or Offences against this Act, to the Informer or Informers of such Offender or Offenders.

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

LXXI. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be ascertained and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence; and such Justice or Justices is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels, in manner hereby directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

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

Penalties to be sued for within Six Months.

LXXIII. Provided always, and be it further enacted, That no Person or Persons shall be subject or liable to the Payment of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence against this Act, unless Information be given of such Offence or Offences within Six Calendar Months next after the Offence committed.

Form of Conviction.

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

' to wit. } BE it remembered, That on [*Time of Conviction*,] at [*Place of Conviction*], *A. B.* [*Name and Addition of Offender*], was convicted before me [*or* us], [*Name and Style of convicting Justice or Justices*], for that the said *A. B.* on at did [*here state the Offence against this Act, according to the Fact*], contrary to an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], and I [*or* we] do therefore declare and adjudge that the said *A. B.* has forfeited for the said Offence the Sum of [*Fine*], or shall be committed to [*Place of Imprisonment*] for the Space of [*Time of Imprisonment*]. Given under my Hand and Seal [*or* our Hands and Seals], the Day and Year first above written.'

In case of Nonpayment of Compensation for Damages, &c. the same to be levied by Distress of the Goods of the Mayor and Common Council.

LXXV. And be it further enacted, That when any Sum of Money shall be directed or ordered to be paid by any Justice of the Peace in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Mayor and Common Council, or by any Person acting by or under their Authority, and such Money shall not be paid by the said Mayor and Common Council to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made to the said Mayor and Common Council, in pursuance of the Directions or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels belonging to the Mayor, Bailiffs, and Burgesses of the said Town and Borough, in their Corporate Capacity, or of the Goods and Chattels vested in the said Mayor and Common Council by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, (unless such Treasurer shall pay such Money out of any Money belonging to the said Mayor and Common Council in his Hands, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Money; and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Mayor and Common Council, or to their Treasurer for the Time being, as the Case may require: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive, belonging to the said Mayor and Common Council, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Appeal to Quarter Sessions.

LXXVI. Provided always, and be it further enacted, That if any Body Politic, Corporate or Collegiate, or any Person or Persons whomsoever, shall think himself, herself, or themselves aggrieved by any Rule

Rule or Regulation made by the said Mayor and Common Council, or by any Order or Judgment of the said Mayor and Common Council, or by the Order or Determination of any Justice of the Peace in pursuance of this Act, such Body Politic, Corporate, or Collegiate, or Person or Persons respectively, may appeal to the Justices at any General or Quarter Sessions of the Peace to be holden for the said County of *Pembroke* within Four Calendar Months next after the Cause of Complaint shall have arisen, the Person or Persons appealing having first given at least Ten clear Days Notice in Writing of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Town Clerk or Clerk to the said Mayor and Common Council, as the Case may be, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint, and shall and may, upon the Determination of the said Appeal, award such Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Distress not to be deemed unlawful for Want of Form.

LXXVII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers (*ab initio*) on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining; but the Person or Persons so aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action of Trespass upon the Case: Provided always, that no Plaintiff shall recover in any such Action for such Irregularity, or for any Trespass or other wrongful Proceeding, unless Notice in Writing shall be given to the Defendant or Defendants, Ten Days at least before such Action shall be commenced, of such intended Action, signed by the Attorney for such Plaintiff, specifying the Cause of such Action; nor shall such Plaintiff recover in any such Action if Tender of sufficient Amends shall have been made to him or her, or to his or her Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the said Defendant or Defendants in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

LXXVIII. And

Proceedings not to be quashed for Want of Form.

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

Limitation of Actions.

LXXIX. And be it further enacted, That no Action or Suit, nor any Information or other Proceeding of what Nature soever, shall be commenced against any Person for any thing done in pursuance of this Act, or in relation to the Matters herein contained, unless Fourteen Days Notice shall have been previously given by the Person or Persons intending to commence and prosecute such Action, Suit, or Information, to the Defendant or Defendants, nor after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Three Calendar Months next after the doing or committing such Damage shall have ceased, (except in Cases of disputed Value of Premises taken or used for the Purposes of the said Waterworks, which are directed to be settled and determined by a Jury in manner herein-before mentioned); and such Action, Suit, Information, or other Proceeding shall be laid and brought in the County or Place where such Matter in dispute or Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action, Suit, or Information shall have been brought or commenced before or after the respective Times so limited for bringing or commencing the same, or in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared, or if the Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants, then the Plaintiff or Plaintiffs, Defendant or Defendants, shall have Double Costs, and shall have such Remedy for the same as any Plaintiff or Plaintiffs, Defendant or Defendants, hath or have for recovering Costs of Suit in any other Case by Law.

Persons paying Rent, &c. not incompetent Witnesses.

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

Power to use Corporation Seal.

LXXXI. And be it further enacted, That all Orders, Notices, Papers, and Writings, requiring the Sanction and Authority of the said Mayor and Common Council, or their Successors, by virtue or in pursuance of this Act, shall be valid and effectual to all Intents and Purposes whatsoever, by having the Corporate Seal of the Mayor, Bailiffs, and Burgesses of the said Town and Borough affixed thereto, without any further sealing or signing the same; and it shall be lawful for the said Mayor and Common Council, and they are hereby authorized and empowered, to use the Corporate Seal of the said Corporation for the Purposes aforesaid.

Directing what shall be good Service of Notice on the Corporation.

LXXXII. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Party to serve any Summons, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Mayor and Common Council, Service thereof respectively upon the Clerk to the said Corporation for the Time being, or left at his usual Place of Abode, or at his Office, or if the same be not known or discovered, then Service upon any of the said Mayor and Common Council, or left at his last or usual Place of Abode, or upon any Agent or other Officer employed by the said Mayor and Common Council, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same on the said Mayor and Common Council and their Successors.

Time limited for completing Works.

LXXXIII. And be it further enacted, That in case the said Waterworks by this Act authorized to be executed shall not be completed, so as to answer the Purposes for which they are designed, within Three Years from the passing of this Act, all the Powers and Authorities herein contained relative thereto shall cease and determine, save only as to such and so much of them as shall have then been completed.

Public Act.

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

SCHE-

SCHEDULE to which the foregoing Act refers.

No. on Plan.	Description of Property.	Names of Owners.	Names of Occupiers.
a. to b.	Garden - -	John Harcourt Powell, Esq.	Mr. John Roach.
e. to g.	Garden - -	Sir John Owen, Baronet -	Mr. William Millard.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1828.