

The New River Company's Act, 1857.

and for the Amendment of the Acts of the New River Company, the East London Waterworks Company, and the said Trustees, and for other Purposes, and called "The River Lee Water Act, 1855:" And whereas the *New River Company* were, by virtue of the said recited Acts or some of them, authorized to raise on Bond the Sum of Seven hundred thousand Pounds: And whereas the whole of the said Sum of Seven hundred thousand Pounds has been raised by the said Company: And whereas it is expedient that the Company should be empowered to raise a further Sum of Money for the Purposes of their Undertaking: And whereas it is expedient that the Company should be authorized to construct other Sewers or Drains in the said Town of *Hertford* as herein-after described: And whereas the estimated Expense of such Sewers or Drains is Two thousand Pounds: And whereas the following Acts have been passed relating more or less directly to the *New River Company*, *videlicet*, the several Acts of the Thirteenth Year of *Elizabeth*, Chapter 18, of the Third Year of *James* the First, Chapter 18, of the Fourth Year of *James* the First, Chapter 12, of the Eleventh Year of *George* the Second, Chapter 14, of the Twelfth Year of *George* the Second, Chapter 32, of the Seventh Year of *George* the Third, Chapter 51, and of the Nineteenth Year of *George* the Third, Chapter 58, and of the several Local or Local and Personal Acts of the Forty-fifth Year of *George* the Third, Chapter 69, of the Third Year of *George* the Fourth, Chapter 109, of the Thirteenth and Fourteenth Years of *Victoria*, Chapter 109, and the Sixteenth and Seventeenth Years of *Victoria*, Chapter 166, respectively: And whereas it is expedient that the Acts relating to the Company should be amended; but the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *New River Company's Act, 1857.*"

Power to borrow further Sums of Money on Bond.

II. In addition to the several Sums of Money which the Company are now authorized to raise, it shall be lawful for the Company to borrow on Bond such further Sums of Money as shall from Time to Time, by any Order of a General Court of the Company, be authorized to be borrowed, not exceeding in the whole the Sum of Three hundred thousand Pounds, and to secure the Repayment thereof with Interest, by Bonds, as herein-after provided.

III. The

The New River Company's Act, 1857.

III. The whole of the several Sections and Provisions of "The *New River Company's Act, 1852*," numbered respectively in the Copies thereof printed by the Printers to the Queen's most Excellent Majesty XVI., XVII., XVIII., XIX., XX., XXI., XXII., XXIII., XXIV., XXV., XXVI., and XLVII., such Sections and Provisions respectively relating "to the reborrowing of Money by the Company" "to the stamping of Bonds for securing Money" "to the Rights of Obligees in such Bonds" "to the Register of such Bonds" "to the Transfers of such Bonds" "to the Register of the Transfer of such Bonds" "to the Payment of Interest on Money borrowed on such Bonds" "to the Transfer of any Interest on such Bonds" "to the fixing of Periods for the Repayment of Money borrowed where no Period is fixed" "to the Cessation of Interest after Notice to pay off such Bonds" and "to the Company not being obliged to see to the Execution of Trusts" and also the Schedules A. and B. annexed thereto, shall extend and apply to the several Objects and Purposes of this Act.

Certain Provisions of 15 & 16 Vict. c. clx. extended to this Act.

IV. All Moneys raised on Bond under the Powers of this Act shall be applicable only to the Purposes of the Undertaking and Works of the Company.

Application of Moneys to be raised by Bond.

V. The Company may, by any Order of a General Court of the Company, from Time to Time create and issue a permanent Stock not exceeding the aggregate Amount of the Bond Debt for the Time being of the Company, and of the further Moneys they may have Power to borrow on Bond, to be called "the *New River Company's Debenture Stock*," and may attach to the Stock so to be created a fixed Dividend not exceeding the Rate of Five Pounds *per Centum per Annum*, payable half-yearly in priority of all other Dividends upon the Shares of the Company, and the Dividends so attached to such Debenture Stock shall thereafter be appropriated and paid thereon accordingly.

Company authorized to create a Debenture Stock in lieu of Bond Debt, &c.

VI. The Company may allot Part of the said Debenture Stock to any Holder of any Bond or other Security of the Company who may be willing to accept the same in full Satisfaction of all or any Part (not being less than the Amount of the Stock so allotted) of the Principal Sum secured by such Bond or other Security, and on his Acceptance of the Stock so allotted, so much of the Amount secured by such Bond or other Security as shall be equal to the Amount of such Stock shall be deemed fully paid and satisfied.

Such Debenture Stock to be allotted in satisfaction of Bond Debt, &c.

VII. Any Part of such Debenture Stock which shall not be allotted to Holders of Bonds or other Securities under the foregoing Clause may be allotted to any Person willing to accept the same upon his paying to the Company the full Amount of the Stock so allotted to him.

As to the Remainder of the Debenture Stock not allotted to Bondholders.

VIII. All

The New River Company's Act, 1857.

Moneys raised by Debenture Stock, how to be applied.

VIII. All Moneys to be raised by such Debenture Stock shall, as far as the same shall extend, be appropriated and applied exclusively for the Purpose of satisfying or liquidating the Bond or other Debts of the Company, and such Part of the same as shall not be immediately payable by reason of the Refusal of the Holders of any Bond or other Security to receive immediate Payment of their respective Claims, shall be invested in Exchequer Bills, and continue so invested until the same can be applied as aforesaid.

Borrowing Powers limited.

IX. To the Extent of the total Amount of the Debenture Stock for the Time being created, the Powers of the Company for borrowing or reborrowing Money shall be extinguished.

Register of Debenture Stock.

X. The Company shall from Time to Time cause the Names of the several Persons who may be interested in any such Stock as aforesaid, with the Amount of the Interest therein possessed by them respectively, to be entered in a Book to be kept for the Purpose, and to be called "the Register of Holders of *New River Company's* Debenture Stock."

Proprietors of Debenture Stock to be entitled to a Certificate, and may transfer Stock.

XI. The several Holders of such Debenture Stock shall each receive a Certificate of the Amount of such Debenture Stock under the Hand of the Clerk and of One at least of the Directors of the Company, and may thenceforth transfer their respective Interests therein, or any Parts of such Interests, by Deed duly stamped, in which the Consideration shall be truly stated; and the Certificate of such holding shall be annexed to such Transfer, and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer, and shall thereupon cancel the old Certificates and issue new Certificates, and for every such Entry they may demand any Sum not exceeding Two Shillings and Sixpence.

Closing of Transfer Books.

XII. The Company may close the Register of Transfers in such Debenture Stock in each Half Year for a Period not exceeding Fourteen Days previous to and including the Thirtieth Day of *June* and Thirty-first Day of *December* in each Year, and they may fix a Day for closing the same, of which Seven Days Notice shall be given by public Advertisement, and any Transfer of Debenture Stock made during the Time when the Transfer Books are so closed, shall, as between the Company and the Party claiming under the same, but not otherwise, be considered as made subsequently to the above-mentioned Dates.

Form of Certificate and Transfer.

XIII. The Certificate of Debenture Stock and Deed of Transfer may be according to the Forms in the Schedule to this Act annexed, or to the like Effect.

XIV. If

The New River Company's Act, 1857.

XIV. If any Interest in such Debenture Stock or in the Bonds or other Securities of the Company have become transmitted in consequence of the Death or Bankruptcy or Insolvency of any Holder, or in consequence of the Marriage of a Female Holder thereof, or by any other lawful Means than by a Transfer according to the Provisions of this Act, such Transmission shall be authenticated by a Declaration in Writing as herein-after mentioned, and every such Declaration shall state the Manner in which and the Party to whom such Interest shall have been so transmitted, and shall be made and signed by some credible Person before a Justice, or before a Commissioner to administer Oaths in Chancery in *England*, and such Declaration shall be left with the Clerk, and thereupon he shall enter the Name of the Person entitled under such Transmission in the proper Register for Holders of Debenture Stock, or of Bonds and other Securities, as the Case may be, and for every such Entry the Company may demand any Sum not exceeding Five Shillings.

Transmission of Bonds or Debenture Stock by other Means than Transfer to be authenticated by a Declaration.

XV. If such Transmission be by virtue of the Marriage of a Female Holder of Debenture Stock or Bonds or other Securities of the Company, the said Declaration shall contain a Copy of the Register of such Marriage or other Particulars of the Celebration thereof, and shall declare the Identity of the Wife with the Holder of such Debenture Stock, Bond, or Security, and if such Transmission have taken Place by virtue of any testamentary Instrument, or by Intestacy, the Probate of the Will or the Letters of Administration, or an official Extract therefrom, shall, together with such Declaration, be produced to the Clerk, and upon such Production in either of the Cases aforesaid the Clerk shall make an Entry of the Declaration in the proper Register for Debenture Stock, Bonds, or other Securities, as the Case may be,

Proof of Transmission by Marriage, Will, &c.

XVI. In all Cases in which the Company are authorized to stop the Water from flowing into any Premises, by cutting off the Pipe to such Premises, or to turn off the Water supplied to any Person under the Provisions of the Acts relating to the Company, or of any Act incorporated therewith, the Company, their Agents or Workmen, after giving Notice to the Owner or Occupier as herein-after provided, may, instead of breaking up the Streets or public Thoroughfares, enter without any Consent into the Area or Yard of any Premises which have an Area or Yard into which the Service Pipe passes, and with Consent of the Owner, Agent, or Occupier of any Premises not having such Area or Yard, into such other Part of such last-mentioned Premises as will give Access to such Service Pipe, between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, for the Purpose of cutting off any Pipe by which the Water of the Company may be supplied to such

Power to enter Premises for the Purpose of stopping Supply of Water in certain Cases.

[*Local.*]

6 Z

Person

The New River Company's Act, 1857.

Person or Premises, and may insert a Stopcock to cut off the Supply of Water with the least Injury to the Premises or the Occupier thereof.

Mode, &c.
of giving
Notice of
Entry.

XVII. The Notice so to be given shall be in Writing, and shall be served in manner following; (that is to say,)

If the Premises intended to be entered be occupied, then by leaving the Notice thereat, or by delivering the same to the Occupier thereof, Four Days at least previously to such Entry:

If such Premises be unoccupied, and the Owner thereof and his usual Place of Abode be in *England* and be known to the Company, then by delivering the Notice to such Owner, or by leaving the same at his usual Place of Abode Twenty-four Hours, or by sending the same by Post sufficiently addressed to him at his usual Place of Abode Six Days at least, previously to such Entry:

If such Premises be unoccupied, and the Owner thereof or his usual Place of Abode be not in *England*, or be not known to the Company, then by affixing the Notice on some conspicuous Part of such Premises Seven Days at least previously to such Entry:

And for the Purposes of this Provision any Person receiving the Rents of any such Premises, either on his own Account or as Agent for any other Person, shall be deemed the Owner of such Premises.

8 & 9 Vict.
c. 18. incor-
porated.

XVIII. "The Lands Clauses Consolidation Act, 1845," shall for the Purposes of this Act be incorporated with this Act.

10 & 11 Vict.
c. 17. incor-
porated.

XIX. The Second and Third Sections of "The Waterworks Clauses Act, 1847," and also the Provisions and Clauses of that Act with respect to the Construction of the Waterworks, with respect to the Construction of Works for the Accommodation of Lands adjoining the Waterworks, with respect to the breaking up Streets for the Purpose of laying Pipes, and with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, and with respect to Access to the Special Act, shall be incorporated with this Act, and shall extend only to the several Works by this Act authorized to be made; and in construing those Sections of that Act in connexion with this Act the Word "Waterworks" shall mean the Drains or Sewers by this Act authorized to be constructed.

Power to
make Works
according to
deposited
Plans.

XX. Whereas a Plan and Section showing the Lines and Levels of the Works herein-after particularly described, and a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands and Streams in

or

The New River Company's Act, 1857.

or through which the said Works are intended to be made or pass, have been deposited with the Clerk of the Peace for the County of *Hertford*: Be it enacted, That, subject to the Provisions of this Act, and subject as to any Sewage or Sewage Water which shall at any Time flow through or from the same Works, to the Provisions in that Behalf contained in the Eighth Section of the "*New River Company's Hertford Sewage Diversion Act, 1854*," the Company may from Time to Time make and maintain the several Works by this Act authorized and herein-after particularly described, in the Line and in and through the Lands delineated in the Plan of such Works, and described in the Book of Reference relating thereto, and may enter upon, take, and use such of the Lands described or mentioned in the Plan of such Works, and in the said Book of Reference relating thereto, as shall be necessary for the Purposes thereof.

XXI. The Works by this Act authorized shall comprise the following :

Works
authorized
by this Act
herein
named.

A Drain or Sewer commencing at a Drain or Sewer authorized by "*The New River Company's (Hertford Sewerage Diversion) Act, 1854*," near to the Stone Sill of the Town Hall, and proceeding thence by the said Town Hall, and thence Westward along *Castle Street* in the Parish of *Saint Andrew's* and Parish of *Brickendon* otherwise Liberty of *Brickendon* in the Parish of *All Saints* in the same County, and thence along *West Street* in the same last-named Parish or Liberty for about Four hundred and fifty Yards, and there terminating with a Branch therefrom, commencing at and passing along the Course of a Footpath called *Water Lane*, leading from *Castle Street* to a Point near to and on the South Side of the River *Lee*, all in the Liberty or Parish of *Brickendon* and Parishes of *All Saints* and *Saint Andrew's* and County of *Hertford*: Provided always, that in constructing the said Sewer down the said Lane called *Water Lane*, the Company shall deposit at the lower Part of the said Lane so much of the Soil and Gravel taken therefrom as shall be necessary to raise the Level of the same at the lower Part thereof Six Feet higher than at present, and shall raise the Foot Bridge now crossing the River *Lee* at the Bottom of the said Lane Six Feet higher than the present Level, and elongate the North End thereof at the same Slope until it reaches the public Footpath on the North Side of the said River.

XXII. Provided always, That nothing in this Act or in "*The Lands Clauses Consolidation Act, 1845*," as incorporated with this Act contained, shall authorize or empower the Company to enter upon, take, or use any Land not dedicated to public Use without the Consent of the Owners, Lessees, and Occupiers thereof.

Company
not to take
or enter upon
private Land
without
Consent.

XXIII. Where

The New River Company's Act, 1857.

Lateral Deviations.

XXIII. Where and so far as the Line of the Works by this Act authorized is shown on the aforesaid Plans as passing along any Road, and no Limits of Deviation are marked on the said Plans, the Company may, in the Construction of such Works, deviate from the Line of Works as laid down on such Plans to the Extent only of the Boundaries of such Road, and in all other Cases the Company may, in constructing the said Works, deviate from the Line thereof laid down on the said Plans to the Extent of the Limits of lateral Deviation shown on the said Plans.

Company to make all necessary Conveniences for Construction and Maintenance of Works.

XXIV. It shall be lawful for the Company to make and maintain all necessary Tunnels, Pipe Tracks, Sluices, Embankments, Aqueducts, Channels of Communication, Filtering Beds, Tanks, Culverts, Engines, Drains, Floodgates, and other Conveniences for the effectual Construction, Use, and Maintenance of the Works by this Act authorized, and to remove any of their existing Works which may interfere therewith.

Company may cross Roads, &c.

XXV. Subject to the Provisions of the several Acts incorporated herewith, it shall be lawful for the Company to cross, break up, or alter all such Turnpike and other Roads, Highways, Footways, Bridges, Streets, Rivers, Streams, and Brooks delineated on the Plans, and all Drains, Pipes, and Sewers within the Places from, in, through, or into which any of the Works will pass or be made, as may be necessary for effecting the Objects and Purposes of the intended Works by this Act authorized.

Certain Provisions of 8 & 9 Vict. c. 20. as to Interference with Roads incorporated. Interpretation of Terms.

XXVI. The Clauses of "The Railways Clauses Consolidation Act, 1845," numbered 53, 54, 55, 56, and 57, relating to the Substitution of other Roads for Roads interfered with, and to the Restoration of Roads interfered with, shall be incorporated with this Act; and in construing those Clauses in connexion with this Act, the Expression "the Company" shall mean the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*; and the Expression "the Railway" shall mean the Works by this Act authorized to be constructed.

Alteration of Gas and Water Pipes.

XXVII. It shall be lawful for the Company, for the Purpose of constructing the Works herein-before mentioned, to raise, sink, or otherwise alter the Position of any of the Watercourses, Water Pipes, or Gas Pipes belonging to any of the Houses adjoining or near to the Works and within the Parishes and Places aforesaid, and also the Mains or Pipes laid down by any Corporation, Company, Society, or Persons who may furnish the Inhabitants of such Houses or Places with Water or Gas, and also to remove all other Obstructions to such Construction, so as the same be respectively done with as little Detriment and Incon-

The New River Company's Act, 1857.

Inconvenience to such Corporation, Company, Society, Persons, or Inhabitants as the Circumstances will admit, and be done under the Superintendence and to the reasonable Satisfaction of the Parties to which such Water Pipes or Gas Pipes belong, and of the several Commissioners or Trustees or Persons having Control of the Pavements, Sewers, Roads, Highways, Streets, Lanes, and other public Passages and Places within the Parish, District, or Place where such Mains, Pipes, or Obstructions shall be situate, or of their Surveyor, if they or he shall think fit to attend after receiving not less than Forty-eight Hours Notice for that Purpose.

XXVIII. Provided always, That it shall not be lawful for the Company to remove or displace any of the Mains or Pipes, Syphons, Plugs, or other Works belonging to such Corporation, Company, Society, or Persons, or to do anything to impede the Passage of Water or Gas into or through such Mains or Pipes, until good and sufficient Mains or Pipes, Syphons, Plugs, and all other Works necessary or proper for continuing the Supply of Water or Gas as sufficiently as the same was supplied by the Mains or Pipes proposed to be removed or displaced, shall at the Expense of the Company have been first made and laid down in lieu thereof, and be ready for Use, in a Position as little varying from that of the Pipes or Mains proposed to be removed or displaced as may be consistent with the Construction of the said Works, and to the Satisfaction of the Surveyor and Engineer of such Corporation, Water or Gas Company, or Society, or in case of Disagreement between such Surveyor or Engineer and the Company, as a Justice shall direct.

Company not to disturb Pipes until they have laid down others.

XXIX. It shall not be lawful for the Company to lay down any such Pipes contrary to the Regulations of any Act of Parliament relating to such Corporation, Water or Gas Company, or Society.

Not to lay Pipes contrary to any Act.

XXX. The Company shall make good all Damage done to the Property of the Corporation, or Water or Gas Company, or Society, by the Disturbance thereof, and shall make full Compensation to all Parties for any Loss or Damage which they may sustain by reason of any Interference with the Mains, Pipes, or Works of such Corporation, Water or Gas Company, or Society, or with the private Service Pipes of any Person supplied by them with Water or Gas.

Company to make full Compensation for all Loss or Damage done.

XXXI. From and after the making and completion of the several new Drains or Sewers herein-before described, it shall be lawful for all Persons resident in the said several Parishes and Places to drain their Houses and Premises, and for all Surveyors and others having the Superintendence of the public Streets, Courts, Lanes, and Highways in the said several Parishes and Places to drain the same, by means

Sewers to be used for the Drainage of Hertford.

[*Local.*]

7 A

of

The New River Company's Act, 1857.

of the Sewers and Drains by this Act authorized to be made, and from Time to Time to make such Openings and Communications into the said intended Sewers or Drains as shall be necessary for that Purpose, and such Openings and Communications may be made after Twenty-four Hours Notice to the Company, and shall be made under the Superintendence and to the Satisfaction of the Engineer or Agent of the Company.

Company may intercept Sewage Water draining into River Lee from Town of Hertford.

XXXII. From and after the making of and completion of the several new Drains or Sewers herein-before described, it shall be lawful for the Company to enter upon any House, Buildings, and Premises to collect and intercept all Sewage Water from all Sewers or Drains leading from Houses, Streets, or other Premises in the said several Parishes or Places, or any of them, and which now discharge into the River *Lee* or other Streams leading into the same, and to divert the said Sewage Water into the Sewers and Drains by this Act authorized to be made by means of proper and sufficient Culverts or Drains to be made by and at the Expense of the Company from the said existing Sewers of the said Houses, Streets, or other Premises, and the same shall be done by the Company accordingly, and such connecting Culverts or Drains shall thereafter be maintained by the Owners or Occupiers of the said Houses and other Premises, and the Surveyors in case of Streets.

Penalty for draining into River Lee.

XXXIII. If any Person after the Completion (so far as regards the Part passing by and furnishing an Outfall to his House, Buildings, or Premises) of the Sewers and Drains by this Act authorized, shall make or carry any new Sewer or Drain from his House, Buildings, or Premises into, or shall continue to use, any Sewer or Drain now discharging its Waters into the said River *Lee* from any such House, Building, or Premises (after such last-mentioned Sewer or Drain shall have been rendered unnecessary by a proper and sufficient Sewer or Drain having been made by the Company in lieu thereof as aforesaid), he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and the Company may remove, stop up, and abate any such Sewer or Drain as a Nuisance, and the Expense of such Removal, Stopping up, and Abatement shall be paid by the Party causing such Nuisance, and may be recovered in the same Manner as Damages not specially provided for are by this Act and the Acts incorporated herewith directed to be recovered.

Period within which Works are to be completed.

XXXIV. The Works hereby authorized shall be completed on or before the Expiration of Two Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Works or otherwise in relation thereto shall cease to be exercised, except as to so much of the Works as are
then

The New River Company's Act, 1857.

then completed, and the necessary Repair and Maintenance of such Works.

XXXV. This Act or anything herein contained shall not take away, alter, abridge, lessen, or prejudicially affect any Property, Right, Remedy, Protection, Power, Authority, Privilege, Toll, Duty, Exemption, or Benefit vested in or now enjoyed or exercised by the Trustees of the River *Lee*; but all such Property, Rights, Remedies, Protection, Powers, Authorities, Privileges, Tolls, Duties, Exemptions, or Benefit (except so far as the same are specially altered by this Act or may be unavoidably interfered with for executing the Works aforesaid), shall be and remain in full Force and Effect, and shall be available for the Benefit of the said Trustees, in the same Manner to all Intents and Purposes as if this Act had not passed.

Saving
Rights of the
Trustees of
the River
Lee.

XXXVI. This Act or anything therein contained shall not extend or be construed to extend to prejudice, diminish, or affect any of the Rights, Powers, or Authorities vested in the Mayor, Aldermen, and Burgesses of the Borough of *Hertford*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Saving
Rights of
Corporation
of *Hertford*.

XXXVII. Nothing herein contained shall be construed to exempt the Company from the Provisions of "The Metropolis Water Act, 1852."

Company
subject to
Provisions of
15 & 16 Vict.
c. 84.

XXXVIII. All the Costs, Charges, and Expenses of and incident to obtaining and passing of this Act shall be paid by the Company.

Expenses of
Act.

XXXIX. In the Construction of this Act and of the Acts incorporated herewith, the Expression "the Company" shall mean "the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*."

"The Com-
pany."

The SCHEDULE referred to in the foregoing Act.

FORM OF CERTIFICATE.

The New River Company.

Certificate of Debenture Stock.

Register No.	£	
This is to certify, that <i>A.B.</i> of		is
registered as the Holder of		Pounds New River
Company's Debenture Stock.		
		} Director
		<i>or</i>
		} Directors.
Clerk of the Company.		

FORM OF TRANSFER.

The New River Company.

Transfer of Debenture Stock.

I	of	£	in consideration
of the Sum of			of
	paid to me by		
	do hereby transfer to the said		
Pounds Debenture Stock of the New River Company, standing (<i>or</i>			
Part of the Stock standing) in my Name in the Books of the Com-			
pany, to hold unto the said		his Executors,	
Administrators, and Assigns, [<i>or</i> Successors and Assigns,] subject			
to the several Conditions on which I held the same at the Time of			
the Execution hereof: And I the said			
do hereby agree to take the said Stock subject to the same Condi-			
tions. As witness our Hands and Seals the			
Day of			

LONDON:

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