



ANNO QUINTO

GULIELMI IV. REGIS.

Cap. vi.

An Act for better supplying with Water the Parish of *Ramsgate*, and the Neighbourhood thereof, in the County of *Kent*.

[12th June 1835.]

WHEREAS the Inhabitants of the Parish of *Ramsgate* and the Neighbourhood thereof, being within the Parishes of *Saint Laurence*, *Saint Peter the Apostle*, and *Minster*, all within the *Isle of Thanet* in the County of *Kent*, are not at present well or conveniently supplied with Water; and the Inhabitants of the said Parish and Neighbourhood, for Want of a sufficient Supply of Water for domestic and other Purposes, are subject to much Inconvenience, and are liable to increased Danger in Cases of Accidents by Fire, which Inconvenience and Danger might be prevented, and the Lives and Property of the Inhabitants of the said Parish and Neighbourhood better preserved and protected, if a constant Supply of Water were provided: And whereas a constant Supply of Water for the Use of such Inhabitants might be obtained from divers Springs and Sources within the said Parishes of *Ramsgate*, *Saint Laurence*, *Saint Peter the Apostle*, and *Minster*, by raising and conducting the Water from such Springs and Sources, or some or one of them, into a proper Reservoir or Reservoirs by means of Engines, Cuts, Drains, Tunnels, Pipes, Conduits, Feeders, and other Aqueducts, and from thence by Pipes to the Houses and Premises of the said Inhabitants: And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to effect the Purposes aforesaid; but the Undertaking cannot be carried fully and completely into execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent

[Local.]

H b

Excellent.

Proprietors
incorporated.

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 *Israel Abrahams, William Archibald Armstrong, Nathaniel Author Austen, George Bailey, Benjamin Barnard, John Barnard, Thomas Bayly, Miles Bland, Brownlow Bourdillon, Thomas Bowles, George Burgess, James Burgess, John Oakley Burgess, Peter Burgess, Joseph Canham, Gilbert Caught, Isaac Blake Clarke, George Clendon, Richard Saurie Cox, Robert Strong Cramp, James Crisford, Frederick Lewis Crow, Evan Jones Cruchley, Charles Berwick Curtis, James Stock Daniel, John Dimsdale, William Pitts Dimsdale, Harry Edgell, James Elvey, Robert Ferrere, Charles Fisher, John Foat, William Fowler, John Holmes Gibson, Richard Grant, Richard Halford, Richard Harvey the younger, George Hinds, Alfred James Hiezcocks, Edward Hodges, Daniel Hooper, William Alexander Hunt, William Hutchinson, James Bourne Judge, John Kelly, Richard Kent, Edward Langley, Thomas Maybew, William Miller the elder, Stephen Norwood, Richard Wilson Page, Robert Page, George Phipps, William Henry Phipps, David Plenderleath, Thomas Rammell, John Rose Surgeon, John Rose Coal Merchant, Samuel Sackett, George Saffery, Henry Saffery, Osmond Saffery, William Sharp, Samuel Sharwood, George Snowden, Thomas Hodges Grove Snowden, John Solly, Thomas Hougham Sparks, Joseph Rogers Templeman, William Thackray the younger, John Boyle Thompson, Charles Thornton, Henry George Thornton, Richard Thomson the elder, Richard Thomson the younger, Robert Townley, Charles Turmine, Jesse Vye, John Ashley Warre, Samuel Watkins, John Watson, James Whatman, Thomas Whitehead, Elvy John Wildish, and John Wilson,* together with all and every other Person or Persons, or Body or Bodies Politic or Corporate, who have subscribed or who shall hereafter subscribe towards the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for making, completing, maintaining, and continuing the Waterworks and other Works by this Act authorized, according to the Provisions and Restrictions herein-after contained, and shall for that Purpose be one Body Politic and Corporate by the Name of "The Company of Proprietors of the *Ramsgate* Waterworks," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm, and shall also have full Power to purchase and become seised and possessed of Lands, Tenements, and Hereditaments, to hold to them, their Successors and Assigns, for the Use of the said Undertaking, and without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

General
Meetings of
the Company
to be holden.

II. And be it further enacted, That for the better managing and conducting the Affairs of the said Company, and the Business of the said Undertaking, it shall and may be lawful for the several and respective Members of the said Company to meet from Time to Time when and where they shall find convenient in the said Parish of *Ramsgate*; and the First General Meeting of the said Company for proceeding in the Execution of this Act shall be held at some convenient Place within the said Parish of *Ramsgate* on the Third *Friday* after the passing of this Act between the Hours of Ten of the Clock in the Forenoon and Two of the Clock

in the Afternoon; and the said Company assembled at such General Meetings shall have Power to adjourn such General Meetings, and order such future General Meetings of the said Company to be holden from Time to Time to and at such Place or Places as shall at such General Meetings be thought proper and convenient; and in case at any Time no Adjournment of any General Meeting shall be made, or in case it shall be necessary to call a Meeting on an earlier Day than the Day to which any General Meeting shall stand adjourned, then it shall be lawful for any Nine or more Members of the said Company, possessed of Five or more Shares each, to call a General or Special Meeting to be held at such Time and Place as they shall think fit within the said Parish of *Ramsgate*, by Notice advertised in One or more Newspaper or Newspapers published in the Eastern Division of the said County of *Kent*, and by Notice posted at some public and convenient Place within the said Parish of *Ramsgate*, mentioning the Time and Place and the Purpose of such intended Meeting if called for a special Purpose; and every Question, Order, Matter, or Thing which shall be proposed, discussed, or considered by the Proprietors or Members of the said Company assembled at any Meeting to be holden by virtue of this Act shall be determined by a Majority of Votes of the Proprietors of Shares in the said Undertaking then present; and on all Occasions every Proprietor of One or Two Share or Shares so present as aforesaid shall be considered as possessed of and entitled to give One Vote, and every Proprietor of Three or Four Shares so present as aforesaid shall be considered as possessed of and entitled to give Two Votes, and every Proprietor of Five, Six, or Seven Shares so present as aforesaid shall be considered as possessed of and entitled to give Three Votes, and every Proprietor of Eight or Nine Shares so present as aforesaid shall be considered as possessed of and entitled to give Four Votes, and every Proprietor of Ten or more Shares so present as aforesaid shall be considered as possessed of and entitled to give Five Votes, but no Proprietor shall be entitled to give more than Five Votes in respect of any Number of Shares he, she, or they may be entitled to, and whether such Shares be the Property of One Individual or of a Plurality of Individuals; and any Proprietor may also vote in right of his or her own Shares, as well as Committee of any Lunatic, Guardian of any Minor, Assignee of any Bankrupt or Insolvent, or Executor or Administrator of any Testator or Intestate, on the same Occasion; and if the Number of such Votes shall be equal, the Chairman presiding at such Meetings shall have the casting Vote as such Chairman, in addition to his Vote or Votes as a Proprietor: Provided always, that no Act shall be done by any General or Special General Meeting of the Proprietors (except the Adjournment of such Meeting) unless Seven at least of such Proprietors be present.

Questions to be decided by a Majority of Votes in Person.

Chairman to have casting Vote.

III. And be it further enacted, That in case any Proprietor or Proprietors entitled to vote at any such Meeting as aforesaid shall be a Lunatic or Lunatics, or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee, or any One of such Committees, and such Minor or Minors shall and may vote by his, her, or their Guardians, or any One of such Guardians.

Lunatics and Minors to vote by their Committees and Guardians.

IV. And be it further enacted, That it shall and may be lawful for the said Company at any General Meeting to nominate, elect, and choose, and

Officers to be appointed at General Meetings.

and under the Common Seal of the said Company to appoint, a Treasurer, Clerk or Clerks, and One or more Auditor or Auditors, as may be deemed necessary for transacting the Business of the said Company; and it shall be lawful for the said Company at any subsequent General Meeting from Time to Time to remove and displace such Treasurer, Clerk, and Auditor, or any of them, or any other Person or Persons who shall be hereafter elected and appointed to such respective Offices, and also from Time to Time to nominate, elect, choose, and appoint in manner aforesaid any other Person or Persons to act as Treasurer, Clerk, or Auditor of the said Company in the Room of such of them as shall happen to die or resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to such Treasurers, Clerks, and Auditors, or any of them, as at any such General Meeting shall from Time to Time be fixed and determined: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed such Treasurer for the faithful Execution of his Office before he shall enter thereupon, and also from all other Officers of the said Company who shall have the Care or Custody of any Money belonging to the said Company.

Security to
be taken
from Trea-
surer.

Same Per-
son not to be
Clerk and
Treasurer.

V. Provided always, and be it further enacted, That it shall not be lawful for the said Company 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 any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ 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 any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Company; and if any Person shall accept both the Office of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons 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.

VI. And

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

General Meetings may make Bye Laws.

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

Proceedings to be entered in Books.

VIII. And be it further enacted, That at the First General Meeting of the said Company to be holden next after the passing of this Act, or at any Adjournment thereof, Thirteen Directors for managing the Affairs of the said Company shall be elected out of the Proprietors of Shares of and in the Capital or Joint Stock of the said Company, and shall continue in Office until others shall be chosen in their Stead, as herein-after is mentioned; provided that no Person shall be capable of being chosen, remaining, or acting as a Director who shall not be possessed of Ten or more Shares of and in the Capital or Joint Stock of the said Company.

Appointment of Directors.

Qualification of Directors.

IX. And be it further enacted, That Four of the said Thirteen Persons so to be elected Directors as aforesaid shall cease to be Directors on the First *Friday* in the Month of *June* in the Year One thousand eight hundred and thirty-six; and that on the First *Friday* in the Month of *June* in the Year One thousand eight hundred and thirty-seven Four others of the said Thirteen Persons so to be elected Directors as aforesaid shall cease to be Directors; and that on the First *Friday* in the Month of

Certain Directors to go out of Office annually.

[Local.]

I i

June

June in the Year One thousand eight hundred and thirty-eight the remaining Five of such Thirteen Persons so elected Directors as aforesaid shall cease to be Directors; and that on the First *Friday* in the Month of *June* in every succeeding Year, except every Third Year, to be computed from the said Year One thousand eight hundred and thirty-eight, Four of the Directors shall cease to be Directors, and that on the First *Friday* in the Month of *June* in every Third Year, to be computed from the said Year One thousand eight hundred and thirty-eight, Five of the Directors shall cease to be Directors; and that the said Persons who shall so cease to be Directors shall be taken in alphabetical Order every Year from the first Thirteen Persons who shall be elected Directors, until all such Thirteen Persons shall have been superseded or shall have been re-elected as herein-after is mentioned, and from and after that Time the Persons who shall annually cease to be Directors shall be taken in rotation in the Order in which they were elected or re-elected.

For filling up Vacancies.

X. And be it further enacted, That a General Annual Meeting of the Members of the said Company shall be holden on the First *Friday* in the Month of *June* in the Year One thousand eight hundred and thirty-six, and in every subsequent Year, at some convenient Place within the said Parish of *Ramsgate*, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, Notice of which shall be posted at some public and convenient Place within the said Parish of *Ramsgate*, at which Annual Meeting, or some Adjournment thereof, the same Number of Directors shall be elected as the Number of those Persons who shall then cease to be Directors as herein-before is mentioned.

Directors contracting for Work to cease to be Directors.

XI. Provided always, and be it further enacted, That if any Person who shall be elected a Director shall take or contract to take or shall participate in any Manner in any Work to be done for the said Company, or in any Profit to be obtained by any such Work, or shall cease to be a Proprietor of Ten or more Shares, every such Person shall thereupon cease to be a Director, and shall be disqualified from being a Director.

Former Directors may be re-elected.

XII. Provided also, and be it further enacted, That at every Annual Election or Appointment of Directors any of the former Directors shall be re-eligible to the Office again immediately, or at any Time or Times afterwards, notwithstanding his Time of Service shall have expired, or notwithstanding his having forfeited the Office by reason of Disqualification in case he shall have again become duly qualified.

Election of Directors in case of Vacancies.

XIII. And be it further enacted, That all Vacancies which may from Time to Time happen among the said Directors by Death, Resignation, or Disqualification shall be filled up by the Members of the said Company at their Annual Meeting to be holden on the First *Friday* in the Month of *June* next after any such Vacancy shall happen, or at some Adjournment thereof; and every Person who shall be chosen to fill any such Vacancy (being duly qualified) shall continue in Office upon the same Terms and only for the same Period as the Person whose Place he shall supply would have continued if his Office had not been vacated before the Time at which he must, according to the Provisions of this Act, have gone out of Office.

XIV. And

XIV. And be it further enacted, That the said Directors shall or may hold their First Meeting within Thirty Days after their being appointed at such Time and Place within the said Parish of *Ramsgate* as they shall think proper, and have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time and from Place to Place within the said Parish of *Ramsgate* as they shall think fit; and the said Directors shall at each Meeting appoint One of the Directors to preside as Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors at any of their Meetings shall be decided and determined by a Majority in Number of the Directors present (the Number present not being less than Three), and each Director having but One Vote; and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Directors Three Directors qualified to vote shall not attend, then and in every such Case the Meeting shall be adjourned till such Time as the Directors or Director then present, or, if none be present, as the Clerk or Clerks of the said Company, or such other Person as shall attend in his or their Place, shall appoint; and any Four or more Directors may at any Time when they shall think fit call a Meeting of the Directors by Notice in Writing, signed by such Four or more Directors, or by the Clerk or Clerks to the said Company, to be sent, by the Post or otherwise, to the Residence or Address of every Director.

Meetings of Directors.

XV. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places in the said Parish of *Ramsgate* of holding General and Special Meetings, and to direct the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out, and disposed of for the Purposes of the said Company, as in contracting for and purchasing Lands, Tenements, and Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and entering into Agreements or Contracts for supplying with Water the Streets, Highways, Squares, Market Places, or Shops, Inns, Manufactories, Warehouses, private Houses, Buildings, or private Places as aforesaid, and in nominating, electing, appointing, placing, or displacing any Officer, Agent, or Servant of the said Company, (not being a Treasurer, Clerk, or Auditor to the said Company, who are to be elected and appointed at a General Meeting of the Company, as in this Act mentioned,) and with Salaries, Gratuities, or other Recompence, as to the said Directors shall seem proper, and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced as aforesaid, and in making, enforcing, rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the same, subject to such Rules, Orders, Bye Laws, and Regulations as shall at any Time be duly made by the said Company in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted; and the said Directors may require such Security to be given to the said Company from any Officer or Officers, (not being a Treasurer,

Powers of Directors.

surer, Clerk, or Auditor of the said Company,) or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable.

Whole of Expences to be subscribed before Work is commenced.

XVI. And whereas the probable Expence of making the said Waterworks hereby authorized to be made and maintained will amount to the Sum of Ten thousand Pounds, and more than Four Fifth Parts thereof has been already subscribed by several Persons under a Contract binding themselves, their Heirs, Executors, and Administrators, for the Payment of the several Sums by them subscribed respectively; be it further enacted, That the whole of the said Sum of Ten thousand Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

Capital to be 10,000*l.* in Shares of 10*l.* each.

XVII. And be it further enacted, That the Capital or Joint Stock of the said Company to be applied and used in establishing and carrying on the Undertaking and Purposes aforesaid shall be Ten thousand Pounds Sterling (unless the Amount thereof shall be increased by virtue of the Provision for that Purpose herein-after contained), and the said Sum of Ten thousand Pounds shall be divided into Shares of Ten Pounds Sterling each; and the Shares in the said Undertaking and in the net Profits and Advantages thereof shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

Shares to be Personal Estate.

Proprietors not to be responsible for more than the Amount of their original Subscriptions.

XVIII. Provided always, and be it further enacted, That no Person or Persons being a Proprietor or Proprietors of any Share or Shares in the Capital or Joint Stock of the said Company, or his, her, or their Estate or Effects, shall, by reason of his, her, or their being such Proprietor or Proprietors, be responsible or liable for or to the Payment of any larger or greater Sum of Money for any of the Purposes of this Act, or in consequence of any Proceedings to be had under or by virtue of the same, than the Amount of the Sum or Sums by him or her or them subscribed for or to be subscribed for, or than was or had been subscribed for by any original Proprietor or Proprietors of the Share or Shares constituting any such Proprietorship; any thing in this Act contained to the contrary notwithstanding.

For enforcing Payment of Subscriptions.

XIX. And be it further enacted, That the several Persons who have subscribed for or agreed to advance or who shall hereafter subscribe for or agree to advance any Money for and towards the said Undertaking, and who shall at any Time or Times hereafter have or hold any Share or Shares in the Capital or Joint Stock of the said Company, or shall be a Proprietor or Proprietors of the said Undertaking, shall, and he, she, and they is and are hereby respectively required to pay the Sum or Sums of Money respectively subscribed and to be subscribed for, and in such Parts, Shares, and Proportions as shall from Time to Time be called for by the said Company, pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner, as shall be ordered and directed by the said Company; and in case any Person or Persons, Body or Bodies Politic or Corporate, shall neglect or refuse to pay any such Sum at such Time or Times and in such Manner as shall be ordered or directed by the said Company, it shall be lawful for the said
Company

Company to sue for and recover the same by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time or Times of Payment, together with full Costs of Suit, from such Person or Persons respectively; and in like Cases of Neglect or Refusal where Two or more Persons shall have jointly subscribed for or be jointly possessed of One or more such Share or Shares, then in like Manner to sue for and recover the same, with full Costs of Suit as aforesaid, from all or any of such joint Subscribers or Proprietors.

XX. And be it further enacted, That all and every Person or Persons, Body and Bodies Politic or Corporate, by or from whom any Subscription or Subscriptions shall be or has or have been made or accepted, or by or for whom any Payment or Payments shall be made, pursuant to the Orders of any Meeting or Meetings to be held for that Purpose, for or towards the raising of the said Capital Sum of Ten thousand Pounds as aforesaid, his, her, or their Executors, Administrators, Successors, and Assigns respectively (no such Subscription being less than the Sum of Ten Pounds), shall have and be entitled to a Share of and in the said Capital or Joint Stock of the said Company in proportion to the Monies which he, she, or they shall have so contributed towards making up the same, and to a proportionable Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors of and in the same.

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

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

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

The Company of Proprietors of the *Ramsgate* Waterworks.
Number

Form of Certificate.

THESE are to certify, That *A. B.* of _____ is a Proprietor of
the Share [or Shares, as the Case may be,] Number _____
or _____ being _____ Share [or Shares, as the Case may be,]
of the Capital or Joint Stock of the *Ramsgate* Waterworks Company,
subject to the Rules, Regulations, and Orders of the said Company, and
[Local.] K k that

• that the said *A. B.*, his [her *or* their] Executors, Administrators [*or*
 • Successors], and Assigns, is and are entitled to the Profits and Advan-
 • tages of such Share [*or* Shares]. Given under the Common Seal of
 • the said Company the Day of in the Year of Our
 • Lord

Company
 may make
 Calls on Sub-
 scribers.

XXII. And be it further enacted, That the said Company shall have full Power, at any General or Special Meeting to be held as aforesaid, to make such Call or Calls upon the several Subscribers to and Proprietors of the said Undertaking, or their respective Executors, Administrators, Successors, or Assigns, for the Amount of the Subscriptions for their respective Shares, by Instalments, as the said Company shall deem requisite or necessary for the Purposes of the said Undertaking, not exceeding Twenty-five Pounds *per Centum* upon each Share at any One Call; and every Order for a Call shall be signed by Seven at least of the Members of the said Company for the Time being present at such Meeting as aforesaid, each such Member possessing not less than Five Shares; and the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers of the said Company for the Time being at such Time and Place as shall be appointed by the said Company, of which Time and Place Fourteen Days Notice shall be given in such Manner as the said Company shall direct or appoint in that Behalf.

In default of
 Payments on
 Calls, Shares
 to be forfeit-
 ed and sold.

XXIII. And be it further enacted, That if any Subscriber, Person or Persons, Body or Bodies Politic or Corporate, or Proprietor or Proprietors of any Share or Shares in the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Part or Portion of the Money to be called for by the said Company as aforesaid by the Time appointed for Payment thereof, or within Twenty-one Days then next after, then and in such Case such Person or Persons, Body or Bodies Politic or Corporate, so neglecting or refusing, shall (whether or not the same shall then have been sued for in any Court of Law or Equity) absolutely forfeit all his, her, or their Part, Share, and Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined at some Meeting of the said Company; and all Shares which shall and may be so forfeited shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the Company; but no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid until after Twenty-one Days Notice shall have been given by the Clerk of the said Company to the Owner or Owners thereof by Notice in Writing left at his, her, or their usual or last Place of Abode, or by Letter sent by the Post; and every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Subscriber or Subscribers, Proprietor or Proprietors, or their Executors, Administrators, Successors, or Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls.

XXIV. Pro-

XXIV. Provided always, and be it further enacted, That in case the Money produced by Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Call as aforesaid, and legal Interest thereon, and the Expences attending such Sale or Sales, the Surplus of such Money shall be paid, on Demand, to the Person or Persons, Body or Bodies Politic or Corporate, to whom such Share or Shares shall have belonged: Provided also, that the said Company shall not by virtue of this Act sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be, at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all and every of such Call or Calls, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person or Persons, Body or Bodies Politic or Corporate, to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

If the Purchase Money of Shares shall be more than sufficient to pay the Arrears of Calls, and Interest and Expences thereon, the Surplus to be paid to the Owner, on Demand.

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

Shares may be transferred.

I [or We] of _____ in consideration paid to me [or us] by _____ do hereby bargain, sell, and transfer to the said Share [or Shares, as the Case may be,] in the Ramsgate Waterworks Company, Number [or Numbers] in the said Undertaking, to hold to the said Executors, Administrators, Successors, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions, as I [or we] held the same Share [or Shares] immediately before the Execution hereof; and I [or we] the said _____ do hereby agree to take and accept the said Share [or Shares], subject to the said Rules, Orders, Restrictions, and Conditions. As witness _____ Hand and Seal this _____ Day of _____ in the _____ Year of our Lord _____

Form of Transfer of Shares.

And every such Transfer shall be produced to the Clerk of the said Company, and shall be registered by him in the Books of the said Company, for which the Sum of Two Shillings and Sixpence shall be paid by the Person so requiring such Transfer to such Clerk, and no more; and the Registry thereof shall specify the Dates, Names of the Parties, and the Number of Shares transferred; and a Copy of such Register, signed by the said Clerk, shall be sufficient Evidence of such Transfer, and be received and admitted as such; and until such Transfer shall be registered in the Books of the said Company no Purchaser or Purchasers of any Share, his, her, or their Executors, Administrators, Successors, or Assigns, shall be deemed a Proprietor, or have any Part of the Profit of the said Undertaking or in the Profits or Advantages thereof, nor shall receive any Interest or Dividends for or in respect of such Share or Shares

Transfers to be registered.

so purchased, nor be entitled to any Vote at any Meeting or Meetings as a Member or Members of the said Undertaking in respect of such Share or Shares, until after such Transfer shall have been registered.

No Share to be sold after a Call till the Money called for is paid.

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

For ascertaining the Proprietorship of Shares in certain Cases.

XXVII. And whereas in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of the said Company, or any Officer acting for the said Company, to know who is or are the Owner or Proprietor or Owners or Proprietors of such Share or Shares; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from any Subscriber or Subscribers or Proprietor or Proprietors thereof to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof in the Manner and Form herein-before specified, an Affidavit shall be made and sworn to before a Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace for the Liberties of the Cinque Ports or for the Town and Port of *Sandwich*, stating the Manner in which such Share or Shares have or hath passed to such Person or Persons, Body or Bodies Politic or Corporate, his, her, or their Executors, Administrators, Successors, or Assigns; and such Affidavit shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors in the said Undertaking, to be kept in the Office of the Clerk to the said Company.

Power for Company to raise among themselves a further Sum, if necessary, not exceeding 5,000*l*.

XXVIII. And be it further enacted, That in case the Money herein-before authorized to be raised shall be found insufficient for the making, completing, and maintaining of the said Reservoirs and Aqueducts, and other the Works hereby authorized to be made, and all necessary Charges and Expences relating thereto, then and in such Case it shall and may be lawful for the said Company of Proprietors to raise and contribute
amongst

ments thereon, and to all Benefit and Advantage arising therefrom; and for the Entry of every such original Grant or Conveyance, and of every such Assignment and Transfer, the said Clerk shall be paid by the Party to whom such Grant, Conveyance, or Transfer shall be made the Sum of Two Shillings and Sixpence, and no more.

XXXIV. And be it further enacted, That it shall be lawful for the said Company, and their Successors and Assigns, by themselves, their Deputies, Agents, Servants, Workmen, and Assistants, to make, construct, erect, complete, maintain, lay down, fix, and keep Waterworks, Waterwheels, Houses, and Buildings, Reservoirs, Cisterns, Tanks, Aqueducts, Cuts, Conduits, Engines, Wastegates, Stopgates, Stopcocks, Sluices, Banks, Bridges, Pumps, Pipes, Tunnels, Works, Machinery, and Conveniences in and through the several Parishes of *Ramsgate, Saint Laurence, Saint Peter the Apostle, and Minster* in the County of *Kent*, and from Time to Time to regulate and conduct, continue, cleanse, open, widen, enlarge, alter, amend, and use the same, and discontinue the same, and make and maintain other Works, as the said Company shall think fit and proper, subject to the Restrictions herein-after contained, and to bore, dig, trench, and sough and remove Earth, Stone, Rubbish, Trees, Roots of Trees, Gravel, Sand, and any other Matter and Thing which may be dug or gotten or met with in and for the making, perfecting, and maintaining of the said Reservoirs, Tanks, Conduits, Cuts, Aqueducts, or the Trenches, Sluices, Drains, Watercourses, or other the Works of the said Company, or which may prevent or obstruct the making, completing, maintaining, and using the same, or any of them respectively; and for effecting the Purposes aforesaid the said Company, and their Officers, Workmen, and Servants, are hereby empowered to go, enter, and pass in, upon, over, under, and through all or any of the Rivers, Brooks, Streams, Waters, Watercourses, Highways, Roads, Waste Lands, Streets, Lanes, Alleys, and Passages, and all other Lands and Places of or belonging to any Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, mentioned and specified in the Plan and Book of Reference herein-after mentioned, save and except as herein-after mentioned, and are also hereby empowered to set out and ascertain such Part or Parts thereof as they the said Company shall think necessary and proper for making, completing, maintaining, improving, and using the said Waterworks, Machinery, Reservoirs, Pipes, Conduits, Cuts, Aqueducts, and all such other Works, Matters, and Conveniences as they shall think necessary for effecting the Purposes aforesaid, and also from Time to Time to dig and break up the Soil and Pavements of any present or future Roads, Highways, Footways, Streets, Alleys, Passages, and public Places within the said several Parishes of *Ramsgate, Saint Laurence, Saint Peter the Apostle, and Minster*, in such Place and in such Manner as shall be necessary for the Purposes aforesaid, and also to construct, erect, do, and perform all other Matters and Things which shall be deemed necessary and convenient for making, completing, improving, and continuing the said Waterworks, and for conveying and bringing a sufficient Supply of Water to and through all and every the several Streets, Lanes, Roads, Footways, Alleys, Passages, Courts, and public Places of and in the said Parish of *Ramsgate* and Parishes adjacent, for the Use of the Inhabitants of the said Parish of *Ramsgate* and Parishes adjacent respectively, and for distributing and conveying such Water to the respective Houses, Factories, Hospitals,

Company
empowered
to make the
Works au-
thorized by
this Act.

Hospitals, Prisons, Baths, Warehouses, Workshops, Offices, and other Buildings and Premises within the Limits of this Act, they the said Company, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in manner herein-after mentioned to the Owners or Proprietors of and all Persons interested in any Lands, Tenements, or other Hereditaments which shall be taken, used, removed, diverted, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Company, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisoes and Restrictions as are herein-after mentioned and contained: Provided also, that it shall not be lawful for the said Company, their Successors or Assigns, by themselves, or their Deputies, Agents, Servants, Workmen, or Assistants, or any or either of them, to make, constitute, complete, maintain, lay down, fix, and keep any Waterworks, Waterwheels, Aqueducts, Cuts, Conduits, Engines, Wastegates, Stopgates, Stopcocks, Sluices, Banks, Bridges, Pumps, Pipes, Tunnels, Works, Machinery, or Conveniences in, through, over, under, or communicating with the River *Stour* in the said County of *Kent*, or any Part thereof, without the Consent of the Mayor and Jurats for the Time being of the Town and Port of *Sandwich*, such Consent to be testified by some Instrument under the Seal of Office of Mayoralty: Provided also, that nothing in this Act contained shall authorize or permit any Interference with a certain Spring called *Cottington Spring*, situate in the said Parish of *Saint Lawrence*, the Property of *Mary Wootton* and *Thomas Rammell*, or any Land belonging to the Estate called *Thorn Farm*, on which the same arises, or the Waters thereof.

Works to be made according to Plan deposited with the Clerk of the Peace.

XXXV. And whereas a Map or Plan and Section describing the Line of the intended Channels, Cuts, Tunnels, or Aqueducts, and the Lands through which the same is or are intended to be carried, and the Situation of the intended Reservoirs and Works, and a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers respectively of such Lands, have been deposited at the Office of the Clerk of the Peace for the said County of *Kent*; be it therefore further enacted, That the said Map or Plan and Section and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the Time being or his Deputy, and all Persons shall at any reasonable Times have Liberty to inspect and peruse the same, and have a Copy thereof or such Part thereof as such Person or Persons shall require, such Copy or Copies to be made by the said Clerk of the Peace or his Deputy, on being paid the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies; and the said Company shall not, in laying and making such Channels, Cuts, Tunnels, Pipes, or Aqueducts of the aforesaid Waterworks, deviate more than One hundred Yards from each Side of the said Line or Course so described in the said Map or Plan, nor make any Reservoirs, Tanks, Works, or Dams in any other Land, Grounds, or Situation than in those therein described, without the Consent in Writing of the Owner or Owners and Occupier or Occupiers of the Lands or Grounds into which they shall so deviate.

XXXVI. Pro-

XXXVI. Provided always, and be it further enacted, That no Advantage shall be taken of or against the said Company, or any Interruption be given to the making of the said Waterworks, Buildings, Reservoirs, Aqueducts, Pipes, Engines, Wheels, and other Machinery and Conveniences hereby authorized to be made, on account of any Error or Omission in the said Map or Plan, Section and Book of Reference, or either of them, in case it shall appear to any Two or more Justices of the Peace acting for the Town and Port of *Sandwich*, or the Liberties of the Cinque Ports, or for the County or Place where the Lands shall be situate, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake only.

Error in Plan or Book of Reference not to prevent the Works being made.

XXXVII. Provided also, and be it further enacted, That nothing herein contained shall extend to authorize and empower the said Company, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purpose of the said Waterworks, Buildings, Reservoirs, Aqueducts, Pipes, Engines, Wheels, and other Machinery and Conveniences hereby authorized to be made, any House or other Building, or any Land or Ground which is now set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted or set apart as a Nursery for Trees, without the Consent in Writing of the Owners or Proprietors thereof and Persons interested therein respectively first had and obtained, other than and except such as are mentioned in the Schedule to this Act annexed.

Houses, &c. not to be injured, or Land taken, without Consent.

XXXVIII. And be it further enacted, That the Boiler or Boilers, Furnace or Furnaces of every Steam Engine to be erected, built, or used by the said Company of Proprietors, or their Successors, Agents, Deputies, or other Persons by them authorized or employed, shall be constructed upon the best and most improved Principle for consuming the Smoke of every such Engine, or that the said Company of Proprietors, their Successors, Agents, Deputies, or other Persons by them authorized or employed, shall at all Times use, burn, or consume in the Fire or Furnace of every Steam Engine to be erected, built, or used by them, Coke, or the Coal commonly called *Welsh* Coal, or other Coal producing the least possible Smoke.

Steam Engines to consume their own Smoke.

XXXIX. Provided always, and be it further enacted, That it shall not be lawful for the said Company to use a Piece or Parcel of Land containing One Acre or thereabouts, described in the Plan as belonging to Mistress *Sarah Sayer*, and being Part of a certain Farm and Lands called *Southwood Farm*, or any Part thereof, for any other Purposes than such as are necessary and proper for completing, amending, repairing, improving, using, and carrying on the Works by this Act authorized to be done and provided, and for the Purpose of erecting thereon a Dwelling House or Dwelling Houses for any Officer or Officers, Agent or Agents of the said Company, with proper Conveniences and Appurtenances thereto, so long as the said Piece or Parcel of Land of One Acre shall be or remain the Property of the said Company.

Not to use Land of Mrs. Sarah Sayer for other Purposes than such as are necessary for the Works hereby authorized to be made.

XL. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate
[Local.] M m or

Persons empowered to sell or convey Lands, &c.

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 of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons, and to and for all Femmes Covert who are or shall be seised, possessed of, or interested in their own Right, and for all and every other Person or Persons whomsoever who is or are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments which shall be thought necessary by the said Company to be purchased for the Purposes of the said Undertaking, to contract, and to lease, sell, and convey the same and every or any Part thereof, and all Right and Interest therein, to the said Company; and all Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act shall, without any Conveyances or Assurances in the Law whatsoever, without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons or Parties so conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowry of such Person, and Persons claiming under them, as effectually as Conveyances or other Assurances duly acknowledged 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, Leases, Sales, and Conveyances shall be made at the Expence of the said Company, which said Leases, Sales, Conveyances, and Assurances shall be kept by the said Company, and their Clerk shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons interested therein requiring the same, and shall have and receive for every One hundred Words of each such attested Copy Sixpence, and so in proportion for any less Number of Words; and every such Conveyance to be made by virtue of this Act in the Manner and Form aforesaid shall be valid and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Form of
Conveyance.

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

‘ I [*or We, as the Case may be,*] of _____
 ‘ in consideration of the Sum of _____ paid to me [*or*
 ‘ us, *or into the Bank of England, as the Case may be,*] by the Company of
 ‘ Proprietors of the *Ramsgate Waterworks*, do hereby grant and release
 ‘ [*or assign, as the Case may be,*] to the said Company all [*here describe*
 ‘ *the Premises to be conveyed*], and all my [*or our*] Right, Title, and
 ‘ Interest

Interest in and to the same and every Part thereof, to hold to the said Company for ever [or, as the Case may be, during all the Remainder of my [or our] Term, Estate, and Interest in the said Premises]. In witness whereof I [or we] have hereunto set my Hand and Seal [or our Hands and Seals] this _____ Day of _____ in the Year of our Lord One thousand eight hundred and _____.

XLII. Provided always, and be it further enacted, That full Compensation and Satisfaction shall be made by the said Company to all and every Body and Bodies Politic, Corporate, or Collegiate, and Tenant and Tenants for Life, and Tenant 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 all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons who is or are or who shall be seised, possessed of, or interested in any Lands, Tenements, and Hereditaments by this Act authorized to be purchased, taken, and used for the same, and for any Injury or Damage to arise from or by or in consequence of the Execution of any of the Powers hereby granted; and all such Parties and Persons shall and may accept and receive Compensation or Satisfaction for the Value of such Lands, Tenements, and Hereditaments, and for such Injury or Damage, as shall be agreed upon by and between the said Parties or Persons respectively, or any of them, and the said Company or their Directors; and in case the said Parties and Persons, or any of them, and the said Company or their Directors, cannot agree as to the Value of the Premises, or the Amount of such Compensation or Satisfaction, the same shall be settled and ascertained as is herein-after directed.

Satisfaction to be made for Lands taken or Damages sustained.

XLIII. Provided always, and be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executor, Administrator, Husband, Guardian, Trustee, Committee of or for any Idiot or Lunatic, or any Feme Covert, or any Person, whether Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or any other Person or Persons seised or possessed of, interested in, or entitled to any of the Lands, Tenements, and Hereditaments authorized by this Act to be purchased by the said Company, cannot agree with the said Company or their Directors as to the Value of the Premises, or the Amount of such Compensation or Satisfaction, or shall refuse to accept such Purchase Money or other Compensation as shall be offered by the said Company or their Directors respecting the Purchase of any such Premises, or the Satisfaction to be made for any such Injury or Damage, and shall give Notice in Writing to the Clerk or Clerks of the said Company or of the said Directors, requiring a Jury to be summoned for the Purpose of assessing the Price of such Purchase or the Amount of such Satisfaction, or if any such Body Politic, Corporate, or Collegiate, or any Person or Persons so interested or entitled as aforesaid, shall for the Space of Twenty-one Days next after Notice in Writing shall have been given by the Clerk or Clerks of the said Company or of the said Directors to the principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee,

If Parties are dissatisfied as to the Amount of Satisfaction, the Directors may cause a Jury to be impannelled to decide the Matter.

Trustee, Committee of or for any Idiot, Lunatic, or any Feme Covert, or to such Tenant for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or other Person or Persons so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of such Lands, Tenements, or other Hereditaments, neglect or refuse to treat or shall not agree with the said Company, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment cannot treat for themselves, or make such Agreement or Agreements, or shall not within the Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which he, she, or they respectively is or are or shall be in Possession of, and the Interest which he, she, or they respectively may claim therein, then and in every such Case the said Directors, or any Five or more of them, shall and they are hereby empowered and required, after the Expiration of Twenty-one Days from the Day of the Service of any such Notice, forthwith to issue a Warrant under their Hands and Seals, directed to the Sheriff or Sheriffs, Bailiff or Bailiffs of the County or Place in which the Lands or Hereditaments in question shall be situated, or the Matter in question or dispute shall arise, commanding such Sheriff or Sheriffs, Bailiff or Bailiffs, to impanel, summon, and return a Jury for assessing the Value or Amount thereof; and the said Sheriff or Sheriffs, Bailiff or Bailiffs, is or are hereby required accordingly to impanel, summon, and return a Jury of Twenty-four honest, sufficient, and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff or Sheriffs, Bailiff or Bailiffs, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff or Sheriffs, Bailiff or Bailiffs, is and are hereby required, out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve Men, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff or Sheriffs, Bailiff or Bailiffs, shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid), to make up the said Jury to the Number of Twelve; and it shall and may be lawful to and for all Persons concerned to have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff or Sheriffs, Bailiff or Bailiffs, is and are hereby empowered and required, by a Summons or Notice to be signed by such Sheriff or Sheriffs, Bailiff or Bailiffs, either previous to or at the Time of any such Meeting or Meetings, to call before them all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath touching and concerning the Premises; and the said Sheriff or Sheriffs, Bailiff or Bailiffs, may order and authorize the said Jury, or any Three or more of them, to view the Place or Places or Matter or Matters in question, if there be Occasion, and to use all other lawful Ways and Means, as well for his own as for the Jury's better Information in the Premises, as the said Sheriff or Sheriffs, Bailiff or Bailiffs, shall think fit; which Jury upon their Oaths (which Oath, as well as the Oaths to such

Person or Persons as shall be called upon to give Evidence, the said Sheriff or Sheriffs, Bailiff or Bailiffs, is and are hereby empowered and required to administer,) shall inquire of, assess, and ascertain, and give a Verdict for the Sum of Money to be paid for the Purchase of such Lands, Tenements, or other Hereditaments, and also the separate and distinct Sum or Sums of Money to be paid by way of Recompence and Satisfaction to any such Body or Bodies, Person or Persons, in respect of any such Loss, Damage, or Injury sustained or to be sustained as aforesaid; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff or Sheriffs, Bailiff or Bailiffs, shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Company, or by the said Directors on their Behalf, to the said Owners or Occupiers of or other Person or Persons interested in the said Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury, and shall give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff or Sheriffs, Bailiff or Bailiffs, and shall be final, binding, and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail, for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as the said Company, and all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster* or any other Court, any Law or Statute to the contrary thereof notwithstanding: Provided always, that in such Inquiry the Person or Corporation claiming Compensation shall be Plaintiff, and shall have all such Rights and Privileges as Plaintiffs in Actions at Law are entitled to.

XLIV. And be it further enacted, That if any Person so impannelled, summoned, and returned as aforesaid upon such Jury shall not appear without some reasonable Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, he shall be liable and subject to the same Regulations and to the same Pains and Penalties for such Default as if he had been impannelled, summoned, and returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*; and if any Person so summoned and required to give Evidence before the said Jury touching the Premises shall neglect or refuse to appear after having been paid or tendered a reasonable Sum for his or her Costs, Charges, and Expences, or shall not allege a sufficient Excuse to the said Sheriff or Sheriffs, Bailiff or Bailiffs, for not appearing, or appearing shall refuse to be sworn and examined or to give Evidence, then and in every such Case every such Person so offending, upon Proof thereof made before One of His Majesty's Justices of the Peace for the County, Liberty, or Place where such Offence shall be committed, upon the Oath of One or more credible Witness or Witnesses, shall for every such

Penalty on Jurymen and Witnesses not attending.

[*Local.*]

N n

Offence

Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice; and in case any such Penalty shall not be forthwith paid it shall and may be levied by virtue of any Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person so offending the Overplus after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty which shall be paid by or recovered from any such Person who shall be impannelled, summoned, and returned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice to be injured by the Default of such Persons.

By whom
Expences of
Jury shall be
paid.

XLV. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Company as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict of Judgment thereon, shall be borne by the said Company out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Twenty-one Days after Demand made thereof from the said Company, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Company, or of any Goods or Chattels of the Treasurer or Treasurers of the said Company, (unless such Treasurer or Treasurers shall pay such Costs and Charges out of the Monies received by him or them by virtue of this Act, which he or they is and are hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the County, Liberty, or Place where such Goods or Chattels may be, 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 or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Company as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned and by the said Company; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Company the Costs and Charges so incurred shall be borne by the said Company in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges the same shall be settled and ascertained by any such Justice of the Peace for the said County, Liberty, or Place, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or

Dispute

Dispute with the said Company as aforesaid, the Amount thereof, having been first paid by the said Company, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use; and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Company from the Party or Parties liable to the Payment thereof by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

XLVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by any Jury or Juries in manner aforesaid, or by any Justice as herein-after mentioned, for the Purchase of any Lands, Tenements, or other Hereditaments, or as a Compensation for Damages as aforesaid, to the Proprietor or Proprietors of such Lands, Tenements, or other 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 and required, for the Use of the Person or Persons entitled thereto, it shall be lawful for the said Company, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively, (or before such Payment, Tender, or Investment, with the Consent in Writing of the Proprietors and Owners thereof,) and then and thereupon such Lands, Tenements, and other 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 and be the sole Property of the said Company to and for the Purposes of this Act for ever; and such Payment, Tender, or Investment shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Tender, or Investment in the Bank of *England* as aforesaid it shall not be lawful for the said Company or any Person acting under their Authority to dig or cut into, take or use, such Lands, Tenements, or Hereditaments, for the Purpose of making the said Waterworks or other Works hereby authorized to be made, without the Leave of the respective Owners and Occupiers thereof in Writing under their respective Hands

Power to enter Lands on Payment of Purchase Money.

XLVII. And

Verdicts of
Juries to be
recorded.

XLVII. And be it further enacted, That the said Verdicts and Judgments so given shall be transmitted by the Sheriff or Sheriffs, Bailiff or Bailiffs, before whom the same shall be taken as aforesaid, to and kept by the Clerk of the Peace or other Person or Persons having the Custody of the Records of the General or Quarter Sessions to be holden for such County, Liberty, or Place, and shall be deposited with and be deemed to be Records of such General or Quarter Sessions respectively 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, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any greater or less Number of Words.

If Damages
are less than
20*l.* the same
to be settled
by Two
Justices.

XLVIII. And be it further enacted, That in case the Value or Amount of any Compensation or Satisfaction to be made for any of the Lands, Tenements, or Hereditaments aforesaid, or for any Damages from Time to Time claimed or to be claimed, shall be alleged to amount to any Sum under Twenty Pounds, then such Value, Compensation, or Satisfaction shall or may be ascertained and settled by any Two Justices of the Peace acting for the County, Liberty, or Place where such Difference shall arise, and shall and may be levied and recovered by Warrant under the Hands and Seals of any such Justices, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justices, by Distress and Sale of the Goods and Chattels of the said Company, unless the Treasurer of the said Company shall pay and discharge the same within Twenty-one Days next after the Day the same shall be ascertained and settled by such Justices as aforesaid, which he is hereby authorized and empowered to do out of any Monies received or to be received by him as such Treasurer as aforesaid.

Application
of Compen-
sation Money
when
amounting to
200*l.* or up-
wards.

XLIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used, by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as hereinbefore mentioned, such Money shall, in case the same shall amount to or exceed 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 Company of Proprietors of the *Ramsgate* Waterworks, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments,

Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Lands, and 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 and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

L. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and 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, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Company, 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 Company, in order that such Principal Money and the Dividends arising therefrom may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

When less than 200*l.* and amounting to or exceeding 20*l.*

LI. And be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use

When less than 20*l.*

[Local.]

O o

of

of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Company shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of
not making
out a good
Title, &c.

LII. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the said Company, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered 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 Company to order the said Sum or Sums so awarded to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Control, and Disposition of the said Court; which said Court, upon the Application of any Person or Persons making claim to any such Sum or Sums of Money, or to 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, or to order Distribution thereof, or Payment of the Dividends thereof, 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 the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of
disputed
Titles, the
Person in
Possession to
be deemed
lawfully
entitled.

LIII. And be it further enacted, That when 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, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase by the said Company, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid,
applied,

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.

LIV. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the reasonable Expences of all Purchases from Time to Time to be made in pursuance of this Act, and of the Re-investment of Money in Land, together with the necessary Costs and Charges of obtaining the Orders for such Purposes, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

LV. And be it further enacted, That it shall be lawful for the said Company of Proprietors to sell and dispose of any Part or Parts of the Land or Ground, Buildings or Hereditaments, which shall be conveyed to or vested in the said Company, and which shall not be wanted for the Purposes of the said Undertaking, either together or in Parcels, by public Auction or private Contract, as they shall think most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same, and by Indenture under their Common Seal to convey and assure the same accordingly; and all such Conveyances from the said Company 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 before the said Company shall sell or dispose of any Part or Parts of the said Land or Ground, Buildings or Hereditaments, or their Estate or Interest therein, they shall first offer to sell the same to the Owner or Owners of the adjoining Lands, by Notice in Writing to be delivered to such Owner or Owners, or his or their Tenant or Tenants, of such adjoining Lands, or left at the House of such Owner or Owners of such adjoining Lands; and if the Owner or Owners of such adjoining Lands shall be desirous of repurchasing the same, and he, she, or they shall signify such his, her, or their Desire and Intention in that Behalf to the said Company within Fourteen Days next after such Offer 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 and Intention to repurchase such Messuages, Lands, Tenements, and Hereditaments for the Space of Fourteen Days, then and in every such Case an Affidavit made and sworn before a Master or Master Extraordinary in the High Court of Chancery by some Person or Persons not interested in the said Lands or Hereditaments, stating that such Offer was made by or on behalf of the said Company in manner aforesaid, and that such Offer was refused or declined or was not accepted or agreed to by the Person or Persons to whom the same was made within the Space of Fourteen 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,

Power to sell Lands, &c. not wanted.

Owners of adjoining Lands to have the Preference of purchasing.

made, and was refused or declined or was not accepted and agreed to within the Time aforesaid; and that the Money produced by the Sale or Sales which may be made by the said Company of such Lands and Hereditaments as aforesaid shall and may be expended in such Manner as the said Company of Proprietors shall think fit.

Upon Payment of Purchase Money, the Clerk to give Receipt.

LVI. Provided always, and be it further enacted, That upon Payment of the Money which shall arise by the Sale or Sales of any Lands, Buildings, or Hereditaments which may be sold under the Authority of this Act, it shall be lawful for the Clerk for the Time being of the said Company of Proprietors to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money of such Lands, Buildings, or Hereditaments, or for so much thereof as in such Receipts respectively shall be expressed to be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof.

The Words "grant," "bargain," and "sell" to operate as Covenants for the Title.

LVII. And be it further enacted, That in all Grants and Conveyances to be made by the said Company under or by virtue or in pursuance of the several Powers and Authorities to them hereby given the Words "grant," "bargain," and "sell" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee, Lessee, or other Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Company, for themselves and their Successors, that they the said Company, notwithstanding any Act done by them, were, at the Time of the Execution of every such Grant, Release, or Conveyance, seised of the Hereditaments and Premises thereby granted, conveyed, and sold of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof against the said Company, their Successors and Assigns, and all claiming under them; and all such Purchasers shall be indemnified and saved harmless by the said Company and their Successors.

For making good Deficiencies in Land Tax

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

LIX. And

LIX. And be it further enacted, That such of the Inhabitants of the said Parish of *Ramsgate*, and so much of the Neighbourhood as lies within the said several Parishes of *Saint Laurence*, *Saint Peter the Apostle*, and *Minster*, as shall be desirous of having Water from the Waterworks of the said Company conveyed by Service Pipes or otherwise into their Houses, Buildings, or other Premises, may and are hereby authorized and empowered, at their own Expence, (having given Six Days previous Notice in Writing of his, her, or their Intention so to do to the said Company, and with the Consent of the Owners or Occupiers of any Premises through which any such Pipes shall be conveyed,) to open the Ground between the Main Pipes or Branch Pipes of the said Company and the respective Houses, Buildings, or other Premises of such Inhabitants, and to lay any Leaden or other Service Pipe or Pipes (the Bore thereof to be of the Dimensions of Three Quarters of an Inch, and weighing Three Pounds and a Half *per* Foot, without the Consent of the said Company, or of a greater Bore with the Consent of the said Company,) from such respective Houses, Buildings, or other Premises, to communicate with the said Main Pipes or Branch Pipes, such respective Inhabitants paying to the said Company a Rate or Rent at and after the Rate of Seven Pounds and Ten Shillings *per Centum per Annum* upon and according to the actual Amount of the Rent of such Houses, Buildings, or other Premises, or according to the actual Amount or annual Value upon which the Assessment to the Poor Rate is computed in the Parish where such Houses, Buildings, or other Premises are situated, at the Discretion of the Directors of the said Company for the Time being: Provided always, that in case of Manufacturers, Distillers, Dyers, Printers, Bleachers, Brewers, Innkeepers, Livery Stable Keepers, Alehouse Keepers, Vintners, or other Persons requiring a Supply of Water for other Purposes than those of his or her own Family Consumption, or in case of Persons requiring a Supply of Water for Hotels, Schools, Boarding-houses, public Chambers, Subscription Houses, Baths, Fountains, Ponds, Pools, Closets, Water-closets, or Stables, or for washing Carriages, or for Cows or Horses, or for the Purposes of any Trade or Business whatsoever, such Supply shall be furnished by the said Company of Proprietors in such Cases at such Rate as shall be settled by and between the Directors for the Time being of the said Company of Proprietors and such Persons respectively.

Inhabitants may lay Pipes to those of the Company after giving Notice.

LX. And be it further enacted, That no such Inhabitant shall lay or put any Pipe to communicate with the Main Pipes or Branch Pipes of the said Company, except under the Superintendence and Control of some Surveyor or other Officer or Person to be appointed by the said Company for the Purpose, unless no such Surveyor, Officer, or Person shall attend after Notice served on the said Company at least Six Days previously, such Notice specifying the particular Day and Hour when such Pipe is intended to be laid or put, or made to communicate as aforesaid with the Pipes of the said Company: Provided also, that all and every Person or Persons who shall have laid any Leaden or other Service Pipe or Pipes as aforesaid shall be at liberty to remove and take away such Pipe and Pipes, and the Cock or Cocks belonging thereto, under the Superintendence of some Surveyor, Officer, or Person, after having first given at least Six Days previous Notice in Writing to the said Company of his, her, or their Intention so to do, and of the Time of the doing thereof, in like Manner as is herein-before required for laying the same, unless such Sur-

Pipes not to be laid to communicate with the Main Pipes without Notice to the Surveyor of the Company.

[Local.]

P p

veyor,

veyor, Officer, or Person shall not attend accordingly, and doing no Injury or Damage to the Pipes of the said Company; and all such Inhabitants so breaking up or removing the Soil or Pavement in any of the Cases aforesaid shall forthwith make good the same, on pain of forfeiting for every Day's Neglect the Sum of Ten Shillings, to be recovered as other Penalties may be recovered by virtue of this Act; and every such Inhabitant neglecting to make good the same shall also be liable to pay and shall pay any Expences which may be incurred by the said Company, or any other Person or Persons, in making good the same, in addition to such daily Penalty.

Company
may supply
Shipping.

LXI. And be it further enacted, That it shall and may be lawful to and for the said Company to supply and distribute Water for the Use of the Shipping and of the Vessels lying within the Royal Harbour of the Parish of *Ramsgate*, and of the Crews of all such Vessels, in case the said Company can grant such Supply without lessening the Supply to the other Tenants of the said Company for the Time being, and the said Company are hereby authorized to demand and receive such a Sum as shall be fixed and agreed upon betwixt them and the Persons who shall apply for and obtain such Supply, which Sum so to be raised shall form Part of the Fund and be applied to the Purposes of this Act.

Power for
Company to
reduce the
Water Rents.

LXII. And be it further enacted, That it shall be lawful for the said Company from Time to Time to lower and reduce the Rates or Rents by this Act authorized to be taken, and afterwards from Time to Time again to advance and raise the said Rates or Rents which shall have been so lowered and reduced, if Circumstances render it necessary so to do: Provided always, that the said Rates or Rents shall not in any Case be advanced or raised so as to exceed at the utmost in any One Quarter of a Year the several and respective Rates or Rents by this Act authorized to be taken: Provided also, that the said Rates or Rents shall not be lowered or reduced whilst any Principal Sum borrowed under the Powers of this Act in relation to the Waterworks shall remain unpaid.

In case a
sufficient
Supply can-
not be
granted to all
Applicants,
Inhabitants
of *Ramsgate*,
&c. to have
the Pre-
ference.

LXIII. Provided always, and be it further enacted, That if it shall happen that the said Company shall at any Time or Times receive Notice from any Inhabitants of the said Parish of *Ramsgate*, or of any Part of the Neighbourhood within the said several Parishes of *Saint Laurence*, *Saint Peter the Apostle*, and *Minster*, of their Intention to lay Leaden or Service Pipe or Pipes to communicate with the said Main Pipes or Branch Pipes of the said Company for the Purposes of being supplied with Water from the Waterworks of the said Company, and the Company shall not then be able to grant such Supply to all such Inhabitants from whom Notice shall be so received without lessening the Supply to the other Tenants of the said Company, then such of the Inhabitants from whom such Notice shall be so received as shall be Proprietors of any Share or Shares of and in the Capital of the said Company shall be first supplied with Water; and after all the Proprietors of any such Share or Shares from whom such Notice shall have been so received shall have been so supplied, such of the Inhabitants of the said Parish of *Ramsgate* from whom such Notice shall be so received, whose Houses, Buildings, or other Premises for which a Supply of Water is required are situate within the Parish of *Ramsgate* on the South-east Side of certain Streets there called

Queen Street and *King's Street*, and on the South-east Side of the Road leading from *Queen Street* to *Pegwell*, shall be supplied with the Water from the Waterworks of the said Company in preference to any other Person or Persons from whom such Notice shall be so received.

LXIV. And be it further enacted, That the Rate or Rates, Rent or Rents, so agreed to be paid as aforesaid, shall be charged on the Owner or Owners, Occupier or Occupiers as aforesaid, until Notice in Writing be given by him, her, or them to the Clerk of the said Company of the Intention of such Owner or Owners or Occupier or Occupiers to discontinue to take, receive, or use such Water, such Notice to expire on some usual Quarter Day: Provided always, that in all Cases where any Owner or Occupier shall remove from or quit Possession of any House, Building, Land, Ground, or other Hereditaments in respect whereof he, she, or they shall have agreed to pay for Water supplied by the said Company by virtue of this Act, such Owner or Occupier shall be liable to pay for the same down to the next Quarter Day after such Removal only.

Rents to be chargeable on Owners and Occupiers.

LXV. And be it further enacted, That the Proportion of the Quarter's Water Rates or Rents payable to the said Company by virtue of this Act from the Period at which the said Company shall contract with any Person or Persons for the Supply of Water, under the Powers herein contained, until the next of the Quarter Days herein-after mentioned, (that is to say,) the *Twenty-fifth Day of March*, the *Twenty-fourth Day of June*, the *Twenty-ninth Day of September*, and the *Twenty-fifth Day of December*, shall be paid in advance at the Time at which he shall so contract, and the full Water Rate or Rent for each Quarter shall from thenceforward become due and payable in advance on the said Days as they respectively occur and happen.

Rents to be payable in advance.

LXVI. And be it further enacted, That it shall be lawful for the said Company to lease the Rates or Rents of the said Water in whole or in part from Time to Time, in the Way and Manner that shall be directed by the said Company, for any Term not exceeding Three Years, subject to the Performance of such Covenants as the said Company shall think fit to prescribe, and for the best Rent that can be obtained for the same, to such Person or Persons as shall give sufficient Security for the Performance of such Covenants, and for the sure Payment of such Rents, to be approved of by the said Company.

Power to lease the Rents.

LXVII. And be it further enacted, That in case of Default in Payment of any Rate or Rates, Rent or Rents, or Sum or Sums of Money at any Time or Times due or payable to the said Company under or by virtue of this Act, it shall and may be lawful for the said Company to cause any Service Pipe or Pipes used for supplying with Water the Person or Persons making such Default, and communicating with the Main Pipes or Aqueducts belonging to the said Company, to be separated from the said Main Pipes or Aqueducts, and to cause the Water to be stopped from issuing or running into the Houses, Buildings, and other Premises of every Person making such Default; and the Rate or Rates, Rent or Rents, Sum or Sums of Money which shall be due and in arrear from such Person or Persons to the said Company, and every Part thereof, in case the Amount due

In case Rents are in arrear.

due shall be less than Twenty Pounds, shall be recoverable and shall and may be recovered by the said Company, together with the Costs and Expences of removing such Pipes and stopping such Water, and of making the Distress, by Warrant under the Hand and Seal of any One Justice of the Peace for the County, Liberty, or Place where the Defaulter shall reside, by Distress and Sale of the Goods and Chattels of the Person or Persons refusing or neglecting or liable to pay the same or any Part thereof; wherever such Goods and Chattels may be found, or of any Goods or Chattels whatsoever found upon the said Premises which by Law would be liable to a Distress for Rent; or in case the Amount due shall amount to or exceed Twenty Pounds, then the same, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlançe, shall be allowed.

Penalty for not supplying Water to Inhabitants.

LXVIII. And be it further enacted, That in case the said Company shall 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 Company shall be laid, with Water for the Use of his or her own Family, at the Rate or Rent aforesaid, for the Space of Five Days, (after Demand in Writing shall have been made by such Inhabitant to the Clerk or Engineer of the said Company for the Time being for such Supply of Water, and Tender made to such Clerk or Engineer of the Amount of the Rate or Rent so payable immediately in advance for such Supply,) the said Company shall forfeit and pay to such Inhabitant Treble the Amount of the Rate or Rent so tendered, (in case the said Company, 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 Company, but not otherwise,) to be levied and recovered, together with such Costs and Charges as shall be awarded and allowed, by virtue of a Warrant under the Hands and Seals of any Two of His Majesty's Justices of the Peace acting for the County, Liberty, or Place where such Default shall happen, by Distress and Sale of the Goods and Chattels of the said Company, and also the further Sum of Forty Shillings for every Day after the Decision so made by such Justices that the said Company shall continue to neglect or refuse such Supply, to be recovered as the above-mentioned Penalty is herein-before directed to be recovered.

Penalty on Persons supplying Water to others not agreeing with the Company.

LXIX. And be it further enacted, That if any Person or Persons supplied with Water by virtue or under the Powers and Provisions of this Act shall supply any other Person or Persons who shall not have agreed with the said Company to be supplied with Water, or shall wilfully permit, or suffer any other Person or Persons not having so agreed to be supplied to take any Water, or if any Person or Persons not having so agreed to be supplied shall take or use any Water at or from any Reservoir or any Pipes leading thereto, or any Main Pipe or Branch Pipe or Service Pipe, or any Cock affixed or to be affixed to any Reservoir, Aqueduct, or Pipe made, laid, or used for the Purposes of this Act, or from any Cistern or other Receptacle for Water as aforesaid, or if any Person or Persons shall, by negligently suffering his, her, or their Service Pipes or Cisterns or other Receptacles for Water, or the Cocks belonging thereto, to be out of Repair, occasion the Water thereby supplied to run waste or useless, then and in every such Case every Person so offending as aforesaid shall forfeit

forfeit and pay for every such Offence any Sum not exceeding Five Pounds, according to the Discretion and Decision of any Justice of the Peace before whom any Penalty may be recovered as herein-after provided.

LXX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to subject any Person or Persons whomsoever supplied with Water by virtue of this Act to a Penalty or Forfeiture for supplying any Person or Persons whomsoever with any Quantity of such Water in case of Fire, or during any Time that the Pipe or Pipes, Cock or Cocks, belonging to any Person or Persons supplied with Water by virtue of this Act, shall or may happen to be out of repair, and before a sufficient Time has elapsed to put the same in repair.

Persons permitted to Supply Water in case of Fire, &c.

LXXI. And be it further enacted, That it shall and may be lawful to and for the Engineer, or any other Person or Persons acting by or under the Authority of the said Company or of their Directors, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, upon giving Twelve Hours previous Notice of their Intention, to enter into any House, Building, or other Premises supplied with Water by virtue of this Act, in order to inspect and examine if there be any Waste, undue Diversion, or improper Appropriation of the Water so supplied by the said Company; and if such Engineer or other Person acting by or under the Authority of the said Company or their Directors shall at any such Time or Times be refused Admittance or Entrance into any such Dwelling House, Building, or other Premises for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed or prevented from making such Inspection and Examination as aforesaid, then and in every such Case it shall and may be lawful to and for the said Company to cut and turn off the Water supplied by the said Company from such House, Building, or other Premises.

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

LXXII. Provided always, and be it further enacted, That it shall be lawful for any Person or Persons whomsoever at all Times to use and employ the Water which shall so as aforesaid be contained in or supplied from any Pipes or Aqueducts of the said Company in the extinguishing of any Fire or Fires which may happen to any House or Building, Goods or other Property, within the said Parish of *Ramsgate* or its Neighbourhood, as herein-before described, without making any Satisfaction or Compensation for the same to the said Company, or any other Person or Persons whomsoever.

Water may be used in extinguishing Fires.

LXXIII. And be it further enacted, That the said Company shall and they are hereby required to keep, maintain, and lay down in the several Streets, Lanes, Courts, Passages, and Places within the said Parish of *Ramsgate* and the said adjacent Parishes, as far as the Pipes of the said Company shall extend, a sufficient Number of Fire-plugs in such Streets, Lanes, Courts, Passages, and Places as aforesaid, for the Supply of Water in case of Fire; and when and as soon as any such Fire-plug or Fire-plugs shall be finished the said Company shall deliver a Key or Keys of such Fire-plug or Fire-plugs to the Surveyors of the Highways for the Time being of the said Parish of *Ramsgate*, and to the Constable or Constables

Requiring the Company to fix Fire Plugs.

[Local.]

Q q

of

of the Limit within which such Fire-plug is placed, in order that the same may be more effectually obtained in case of Fire, and shall from Time to Time keep such Fire-plugs in good and sufficient Repair, Order, and Condition.

Penalty for fouling the Water.

LXXIV. And be it further enacted, That if any Person shall bathe in any Reservoir, Aqueduct, Waterway, Feeder, or Pond, being the Property of the said Company, made, maintained, or supported by virtue of this Act, or wash any Sheep or other Animal therein, or throw or cast any Dog or Cat, or any Filth, Dirt, or other noisome or offensive Matter or Thing there, or wash or cleanse any Cloth, or any Wool or Leather, or the Skins of Sheep, Lambs, or other Animals, or cause or suffer the Water of any Sink, Sewer, or Drain to run or be conveyed into any such Reservoir, Aqueduct, Waterway, Feeder, Pipe, or Pool, or into any of the Brooks, Streams, or Springs communicating therewith, or cause any other Annoyance, Nuisance, or Injury to be done to the Water contained in any such Reservoirs, Aqueducts, Waterway, Brook, Stream, Spring, Feeder, Pipe, or Pond, whereby or by means whereof the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in each and every such Case every such Person so offending shall forfeit and pay to the said Company for every such Offence any Sum not exceeding Ten Pounds.

Penalty on Persons doing Damage to the Waterworks.

LXXV. And be it further enacted, That if any Person shall throw any Gravel, Stones, or Rubbish into any Part of the said Waterworks, Reservoirs, Aqueducts, Trenches, Watercourses, or Feeders to be made by virtue of this Act, or shall open or cause to be opened any Lock, Cock, Gate, Paddle, Valve, Plug, or Clough belonging to the said Waterworks, or otherwise injure the same, or if any Person or Persons shall wilfully flush or draw off, or cause to be flushed or drawn off, the Water from any Parts of the said Waterworks, or shall leave any of the said Valves, Cloughs, Locks, Pipes, or Cocks open or running, belonging to the same, or shall cause to be drawn any Paddle, Valve, or Clough, or other Thing, so as to mis-spend or waste the Water thereof, its Courses or Feeders, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, or shall take or cause to be taken (except in Cases of Fire) any Water from or out of any Pipe which shall be laid by virtue of this Act. (without the Consent of the said Company first had and obtained), every Person so offending in any of the Cases aforesaid shall forfeit and pay to the said Company for every such Offence any Sum not exceeding Ten Pounds.

Penalty on destroying Works.

LXXVI. And be it further enacted, That if any Person or Persons shall knowingly, wilfully, or maliciously break, throw down, damage, or destroy any Banks, Fences, Reservoirs, Pipes, or other Works to be erected, made, or maintained by virtue of this Act, then and in every such Case every such Person 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 award such Sentence as the Law directs in Cases of Simple Larceny.

Requiring the Company to reinstate

LXXVII. And be it further enacted, That whenever and so often as the said Company or any other Person or Persons shall have opened, broken
up,

up, or removed, pursuant to the Provisions of this Act, the Stones, Ground, Soil, or Pavement in or of any Road, Highway, Foot Pavement, Wharf, Quay, Street, Square, Court, Yard, Lane, Passage, or Place, or any Part thereof, within the said Parish of *Ramsgate*, or other Places within the Limits of this Act, the said Company and such other Person and Persons shall and are hereby required immediately to reinstate and make good such Ground, Soil, Carriage or Foot Pavement in as good sound State and Condition and with the like Materials in all respects as the same was or were in at the Time of being so opened, broken up, or removed; and the said Company or such other Person or Persons shall cause all surplus Earth, Filth, and Rubbish occasioned by opening the Ground to be removed and carried away, at their own Costs and Charges, with as little Delay, Detriment, or Danger as possible, and so that in no such Case such Ground shall remain open, unrepaired, or the Rubbish unremoved, for a longer Space than Twenty-four Hours from the Time when such Works commence, unless the Commissioners acting under any Act of Parliament, or the Trustees of any Turnpike Road, or the Surveyors of any of the Highways not being Turnpike Roads, who shall have the Care or Management of such Streets or Highways respectively (as the Case may be), shall grant further Time for doing the same; and during the Time the Works of the said Company in so opening the Pavements shall be carried on there shall at all Times be left a free Passage for Carriages of at least Twenty Feet wide, unless the Carriageway shall be less than Twenty Feet wide, in which Case the Opening so made shall be filled up and the Streets repaved in the Space of Forty-eight Hours after the Commencement of the Works thereon, unless the said Commissioners, Trustees, or Surveyors respectively shall grant further Time for doing the same; and that during the Time of forming the Trenches, laying or taking up the Pipes, or doing any thing else by which Obstructions may be occasioned in the Streets, Lanes, Passages, or other Places, the said Company or such other Person or Persons shall protect such Opening and Obstruction with a sufficient Fence, and provide proper Watchmen to guard the same, and place a Lamp or Lamps at each Extremity, and at other Parts of the Opening or Obstruction where it may be necessary, to be kept burning from Sunsetting to Sunrising, and shall otherwise properly secure and guard the said Works, to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and the said Company or such other Person or Persons shall from Time to Time, when required by the said Commissioners, Trustees, or Surveyors aforesaid, at any and every Period during Three Calendar Months from the Time of making or commencing any such Opening, on receiving from Time to Time a written Notice from the said Commissioners, Trustees, or Surveyors, or their respective Clerks, or any Person authorized by them (as the Case may be), relay and again take up and relay such Carriageway or Foot Pavement, until the said Carriageways and Foot Pavements shall be made complete to the Satisfaction of the said Commissioners, Trustees, or Surveyors (as the Case may be): Provided always, that if the said Company, or any of their Agents or Workmen, or such other Person or Persons, shall neglect to reinstate such Ground, Soil, or Pavement which may be so broken up with the like Materials and in as good sound State and Condition as aforesaid, or to remove the Rubbish occasioned as aforesaid, within the Period of Twenty-four Hours

Pavements,
&c. after the
Pipes have
been laid
down.

as

as aforesaid, (unless the said Commissioners, Trustees, or Surveyors respectively shall grant further Time for doing the same,) or shall omit to leave a free Passage for Carriages as before mentioned, or to protect such Openings with a Fence, or to provide Watchmen and Lamps as aforesaid, then and in each and every such Case of Neglect or Omission the said Company or such other Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds, over and besides the Expence of putting such Grounds in repair as aforesaid, to be recovered on the Complaint of any such Owner or Occupier of the aforesaid Grounds, or of any such Commissioners or Trustees or Surveyors as aforesaid, from the said Company or such other Person or Persons, in like Manner as other Penalties and Forfeitures are by this Act to be recovered, and to be paid over to the Treasurer for the Time being of such Commissioners or Trustees, or to such Surveyors (as the Case may be), to be applied for the Purpose of their respective Commission, Trust, or Office; and in case the said Company or such other Person or Persons shall make default in reinstating such Ground, Soil, or Pavement as aforesaid within the Period aforesaid it shall be lawful for the said Commissioners, Trustees, or Surveyors to reinstate and make good such Ground, Soil, or Pavement, and the Charges and Expences thereof shall be reimbursed and repaid by the said Company or their Treasurer, or such other Person or Persons, to the said Commissioners or Trustees, or their respective Treasurers, or to the said Surveyors (as the Case may be); and in default of Payment thereof within Ten Days next after Demand thereof in Writing shall have been made by the Clerk of the said Commissioners or Trustees or of the said Surveyors (as the Case may be), Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the County, Liberty, or Place where such Default shall occur, all such Sum or Sums of Money so paid by them shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, and which Warrant such Justice or Justices respectively is and are hereby empowered to grant, and such Sum or Sums of Money shall be paid to the said Commissioners or Trustees or their respective Treasurer, or to such respective Surveyors, as the Case may be.

Cisterns and
Ballcocks to
be provided.

LXXVIII. And in order to prevent as much as possible the wilful and negligent Waste of Water, be it further enacted, That each and every Person supplied with Water by virtue of this Act shall, if required by the said Company, provide a proper Cistern or Cisterns of Lead, Stone, Brick, Wood, or other Material, to receive and hold such Quantity of Water as shall be deemed sufficient for his, her, or their Consumption, and he, she, and they is and are hereby required to provide a Valve or Ball and Stopcock, and to fix or cause to be fixed the same to the Pipe conducting the Water from the Main or Service Pipes belonging to the said Company to such Cistern or Cisterns, and at all Times afterwards to keep the same in good Repair, for the Purpose of preventing the Water running to waste when the same shall be full; and in case any Person or Persons supplied with Water by virtue of this Act shall (on being required so to do as aforesaid) neglect to provide such Cistern or Cisterns, and also a
Ball

Ball or Valve or Stopcock; and to fix or cause to be affixed the same in manner aforesaid for the Purpose of preventing the Water from running to waste when such Cistern or Cisterns shall be filled as aforesaid, it shall be lawful for the said Company or their Directors, or any Person or Persons acting by virtue of or under the Authority of the said Company, to cut off the Pipe and turn off the Water, by such Ways and Means as to him or them shall seem right and proper, from the House, Building, or Premises of every such Person, until such Cistern or Cisterns shall be provided, and such Ball, Valve, or Stopcock added, in manner as aforesaid.

LXXIX. And be it further enacted, That if any Person or Persons shall negligently suffer any of his, her, or their Pipe or Pipes, or Cock or Cocks attached thereto, which shall communicate with any of the Reservoirs, Pipes, or Aqueducts of the said Company, to be out of repair so as to let the Water run waste and useless, or shall neglect to repair the same within Twenty-four Hours after being required so to do by any of the Agents or Workmen of the said Company, it shall and may be lawful to and for the said Company to cause the said Pipes and Cocks to be repaired, and the Expences attending the same to be payable by such Person or Persons so allowing any of his, her, or their Pipes to be out of repair as aforesaid, and recoverable in like Manner as is provided for the Recovery of Rent as herein-after mentioned.

Penalty on Persons not repairing Pipes, &c.

LXXX. And be it further enacted, That all and every the Pipes or 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, or Watercourses, in which Case the said Gas Pipes shall be laid at the greatest practicable Distance from the said Water Pipes, Soughs, or Watercourses, and shall form, as near as is practicable, 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 such Gas Pipes so crossing the said Water Pipes shall for the whole Length thereof be sufficiently bedded in with good sound Clay of a proper Substance, and well worked and rammed into the Trenches all round the said Gas Pipes; and in laying down the said Gas Pipes the Contractor or other Person to whom the same shall belong shall in no Case join Three 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 also, wherever practicable, lay and well and sufficiently bed each and

Gas Pipes to be laid at the greatest practicable Distance from Water Pipes, and in a particular Manner.

[*Local.*]

R r

every

every of the Joints of the said Main Gas Pipes, and also the Joints or Screws of the Branch or Service Gas Pipes connecting with the Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying Gas from the Main Gas Pipes to the Houses and other Buildings, and all other Joints, Inlets, Apertures, or Openings which are or shall or may be made in any of the said Gas Pipes, with such Clay as aforesaid, all round the said several and respective Joints, Inlets, Apertures, or Openings, and for Twelve Inches in Length each Way from the Centre of each and every of the Caps or Joints in the Main Pipes, and of the Inlets, Apertures, Screws, or Joints connecting the Service Pipes with the Main Pipes, and all other Joints, Inlets, Apertures, or Openings therein, and for Six Inches at least from the Centre of each of the Joints in the Service Pipe, so as to make and keep all and every such Pipes, 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.

LXXXI. 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 Parol 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 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, Liberty, 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 Stream, &c.

LXXXII. And be it further enacted, That if any Body Politic or Corporate, or any Contractor or Contractors, or any Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish of *Ramsgate* and Parishes adjacent, 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,

Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Springhead, 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 Springhead, 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*, 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 of 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, Springhead, or Well, 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, 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 done or committed.

For preventing the Escape of Gas and Contamination of Water.

LXXXIII. And be it further enacted, That whenever the Water of the said Company 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, any such Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, so offending, shall forfeit and pay for every such Offence any 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 said Company 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 Company, 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 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 Company so affected, over and above the before-mentioned Penalty not exceeding Twenty Pounds, the Sum of Ten Shillings for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by such Gas; and in default of Payment thereof 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 Company, before any Justice of the Peace for the County, Liberty, or Place within which such Offence shall be committed, with Costs, to be assessed by such Justice, and to be levied and recovered as any other Penalty is by this 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 Company.

For ascertaining if the Water is contaminated.

LXXXIV. And whereas it may become a Question, upon such Complaint as aforesaid, whether such Water be contaminated or affected by the Gas of any Person or Corporation; be it therefore enacted, That in every such Case it shall be lawful for the said Company, 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 Person or Body or Bodies Politic or Corporate supplying Gas as aforesaid, for the Purpose of ascertaining whether such Contamination be occasioned by the Gas of the said Person or Body or Bodies Politic or Corporate as aforesaid;

aforesaid ; and if it appear that such Contamination is occasioned by the Gas of the said Person or Body or Bodies Politic or Corporate 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 Person or Body or Bodies Politic or Corporate 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 Person or Body or Bodies Politic or Corporate as aforesaid, then and in such Case the said Company, 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 Person or Body or Bodies Politic or Corporate producing or supplying Gas as aforesaid any Loss, Injury, or Damage which may be occasioned to the Works of the said Person or Body or Bodies Politic or Corporate 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 such Justice as aforesaid.

LXXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against any of the Officers, Servants, or Workmen of the Body or Bodies Politic or Corporate, Contractor or Contractors, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish of *Ramsgate* and Parishes adjacent for lighting any Street, Highway, Place, or any House, Manufactory, or other Building therein, in respect of any Works, or the Means which shall be employed by them or any of them in making the said Gas and using the same in furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Body or Bodies Politic or Corporate, Contractor or Contractors, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Persons supplying Gas to be held liable to be indicted for a Nuisance.

LXXXVI. And be it further enacted, That it shall not be lawful for the said Company at any Time hereafter to sell or dispose of any of the Rights, Privileges, Powers, or Authorities vested in them by this Act, for supplying the said Parish of *Ramsgate* and other Places with Water, to any other Water Company now existing or which may hereafter be established for the supplying of Water to any Body or Bodies Politic or Corporate, or to any Person or Persons whomsoever.

Company not to sell their Powers and Privileges to any other Company.

[*Local.*]

S.

LXXXVII. And

Directions
as to Service
of Notices,
Writs, &c.
on Company.

LXXXVII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, Party or Parties, to serve any Notice or Notices, Writ or Writs, or other legal Proceeding, or Proceedings in Equity, upon the said Company, the Service thereof upon any One of the Directors to be appointed in pursuance of this Act, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at the last or usual Place of Abode of the said Clerk or any Director, shall be deemed good and sufficient Service of the same respectively on the said Company.

In case of
Nonpay-
ment of Com-
pensation for
Damage, the
same may be
levied by
Distress.

LXXXVIII. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace by virtue 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 Company or any other Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Twenty-one Days after Demand in Writing shall have been made from the said Company in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices 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 vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Surplus shall remain after Payment of such Sum or Sums of 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 Company or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

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

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

XC. 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 any 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 Justices; 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.

Justices may proceed by Summons in the Recovery of Penalties.

XCI. And be it further enacted, That all Fines, Penalties, and Forfeitures for all and every the Offences in this Act mentioned in relation to which the Manner of convicting the Offender or Offenders is not particularly mentioned or directed, or which shall be inflicted or imposed by any Rule, Order, or Bye Law to be made under the Authority of this Act, shall, in case of Nonpayment thereof, be adjudged by and be recovered before any Justice of the Peace for the County, Liberty, or Place wherein the Offence shall arise, in a summary Way, together with all such Costs, Charges, and Expences as such Justice shall adjudge and determine to be fair, reasonable, and proper to be allowed (and which he is hereby authorized and empowered to ascertain accordingly); and any such Justice of the Peace is hereby authorized and empowered to convict the Offender or Offenders upon Information by Oath of any Person or Persons (which Oath such Justice is hereby authorized to administer), or on the Confession of the Party offending; and in default of Payment of such Penalties or Forfeitures, and of such Costs, Charges, and Expences, they shall be levied by Distress and Sale of the Offender's Goods and Chattels, or of the Goods and Chattels of the said Company if they shall offend and be convicted as aforesaid of any Offence in this Act mentioned, by Warrant under the Hand and Seal of such Justice; and one Moiety of the Penalties and Forfeitures when recovered, after rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted), shall be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the Parish wherein the Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish; and in case such Penalties and Forfeitures, Costs, Charges, and Expences, shall not be forthwith paid upon Conviction by any Person or Persons offending and convicted, then 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 or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants 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 or Warrants it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfac-

How Penalties, Forfeitures, and Fines are to be recovered and applied.

tion

tion of any such Justice, either by the Confession of the Offender or Offenders or otherwise, that such Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges could be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice of the Peace and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the House of Correction or Common Gaol for the County, Liberty, or Place wherein such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, Costs, Charges, and Expences, and all other reasonable Costs and Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Persons unknown guilty of Offences against this Act may be detained.

XCII. And whereas Persons guilty of Offences against this Act may be transient Persons, and unknown to the Officers acting under the said Company; be it therefore enacted, That it shall be lawful for any Officer acting under the said Company, with such Aid as shall be necessary, and without any other Warrant or Authority than this Act, to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and forthwith to convey him, her, or them before any Justice of the Peace for the County, Liberty, or Place wherein such Offence shall be committed, who is hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Compelling Witnesses to attend.

XCIII. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall, on being paid or tendered a reasonable Sum for his, her, or their Loss of Time, Costs, Charges, and Expences, refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined on Oath, or in case of a Quaker on solemn Affirmation, and to give Evidence before such Justice of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Officers, &c. not disqualified as Witnesses.

XCIV. And be it further enacted, That no Person shall be disqualified from being a Witness in any Suit or Proceeding for any Matter or Thing arising under this Act by reason of his or her being an Agent or Officer belonging to the said Company, or an Inhabitant of the said Parish of *Ramsgate* or any of the Parishes herein named, or as an Inhabitant of the said County of *Kent*.

Form of Conviction.

XCV. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form following; (that is to say,)

‘ to wit. } **BE** it remembered, That on the _____ Day of _____
 ‘ Majesty’s Justices of the Peace for _____ is convicted before me, one of His
 ‘ _____ by virtue of an Act
 ‘ passed

passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], of having [*here specify the Offence or Omission, and the Time and Place when and where committed, as the Case may be,*] contrary to the said Act, for which Offence I do adjudge the said _____ to have forfeited the Sum of _____
Given under my Hand and Seal the Day and Year first above written.

XCVI. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed by Certiorari, or other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage to the contrary notwithstanding.

Proceedings
not to be
quashed for
Want of
Form.

XCVII. And be it further enacted, That where any Distress shall be made for any Sum or Sums 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 Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity that shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularities may recover Satisfaction for the special Damage in an Action on the Case.

Distress not
to be deemed
unlawful for
Want of
Form.

XCVIII. Provided always, and be it further enacted, That if any Body or Bodies Politic, Corporate, or Collegiate, or any other Person or Persons whomsoever, shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company, or by the Order or Determination of any Justice or Justices of the Peace, in pursuance of this Act, then and in every such Case such Person or Persons may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their next General or Quarter Sessions of the Peace to be holden for the County, Liberty, or Place where the Cause of Appeal shall arise, the Person or Persons appealing having first given at least Ten Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk of the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such County, Liberty, or Place, 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 at such General or Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for such County, Liberty, or Place, and if they see Cause mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such

Allowing an
Appeal.

[Local.]

T t—U u

Deter-

Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Plaintiff not to recover if sufficient Amends offered.

XCIX. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act unless Notice in Writing shall have been given to the Defendant or Defendants, Ten Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall be made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, at any Time before Issue joined, to pay into Court any such Sum of Money as he, she, or they shall think proper, whereupon such Proceedings, Order, and Judgment shall be had, made, and given by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

C. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Matters herein contained, after Six Calendar Months from the Fact committed; and every such Action or Suit shall be brought and tried in the County, Liberty, or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his, her, or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial, and that the same was done in pursuance and under Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall have been brought before the Expiration of Ten Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County, Liberty, or Place than as aforesaid, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon any Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover his, her, or their Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in any other Cases by Law.

Expences of this Act how to be borne.

CI. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act shall be paid and discharged by the said Company out of the Monies already subscribed or to be subscribed by virtue of this Act, in preference to any other Payment whatsoever.

Saving of Rights.

CII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to interfere with, alter, lessen, or in any Manner affect the Rights, Powers, and Authorities heretofore given or granted to or vested in any Commissioners, Trustees,

Trustees, or other Persons having the Superintendence, Control, or Management of any Sewers, or of any Street, Road, Highway, Bridge, or public Place, or of any Pavement, Ground, or Soil of or in any Street, Road, Highway, Bridge, or public Place: Provided also, that nothing in this Act or in any Act or Acts of Parliament contained shall prevent or be construed to prevent the said Company of Proprietors from breaking or taking up any Street, Road, Highway, Bridge, or public Place within the Limits of this Act, for the Purpose of repairing any Mains or Pipes in case of any Accident or Damage suddenly happening to any such Mains or Pipes, they the said Company of Proprietors giving Notice in Writing to the Surveyor or Clerk of the Trust or Commission in which any such Street, Road, Highway, Bridge, or public Place shall be situated, within Twelve Hours after any such Street, Road, Highway, Bridge, or public Place shall have been so broken or taken up as aforesaid, such Notice to be left for him at his Dwelling House or Office: And provided also, that nothing in any Act or Acts of Parliament contained shall prevent or be construed to prevent the said Company of Proprietors from breaking or taking up any Street, Road, Highway, Bridge, or public Place within the Powers and Limits of this Act, for the Purpose of laying down or altering any Mains or Pipes, they the said Company of Proprietors giving Six Days previous Notice to such Surveyor or Clerk in manner aforesaid.

CIII. Provided always, and be it further enacted, That nothing in this Act shall extend or be construed to extend to disqualify any Person from being or acting as a Commissioner under and by virtue of the several Acts of Parliament passed or that may be passed for the better paving, cleansing, lighting, and watching the Parish of *Ramsgate*, or in anywise connected therewith, notwithstanding the Commissioners acting under and by virtue of such Acts or any of them shall enter into any Contract with the said Company or the Directors thereof for the Time being.

Shareholders not disqualified from acting as Commissioners of Ramsgate Pavement.

CIV. And be it further enacted, That if the said Company shall not within the Space of Two Years, to be computed from the passing of this Act, agree for and cause to be valued and paid for, as herein-after mentioned, the Lands, Tenements, and Hereditaments mentioned in the said Schedule, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities hereby granted to them for such Purposes only shall cease, determine, and be utterly void, save and except with the Consent in Writing of the Owners and Occupiers thereof respectively.

Limiting the Time for taking the Property.

CV. And be it further enacted, That in case the Works for supplying the said Parish of *Ramsgate*, and the several Parishes, Precincts, and Places aforesaid, with Water, shall not be completed so as to answer the Purposes of this Act within Seven Years from and after the passing of this Act, then and from thenceforth all the Powers and Authorities herein contained relative thereto shall cease and determine, save only as to so much and such Part thereof as shall have been completed within the said Space of Seven Years.

Purposes of this Act to be completed in Seven Years.

CVI. 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.

Public Act.

The

The SCHEDULE to which the foregoing Act refers.

No. on Plan.	Owners.	Occupiers.	Description.
2	Sarah Sayer - -	Ramsgate Waterworks Company.	Arable Land.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1835.