

of exchange for the purpose of the said Company, without seal as it may in the opinion of the Directors be necessary or expedient so to sign or accept, and all such bonds, contracts mortgages and instruments so signed and sealed by the person authorized as aforesaid, and also such notes and bills so signed, drawn or accepted by the person authorized as aforesaid, shall be valid and binding on the Company, and be held to be the Act and deed of the Company. 5

Recovery of fines, &c. XXVIII. And be it enacted, That all fines, penalties and forfeitures imposed by this Act, may be sued for and recovered with costs by the said Company to and for their own use, or by any person whose property may be injured, to and for the use of such person, either in the manner hereinbefore directed, or before one or more Justice of the Peace for the County where the offence is committed, on the oath of any one credible witness, and all actions for damages or penalties or both given by this Act, shall be brought in Courts having jurisdiction to the amount involved in such suit, unless otherwise specially provided and authorized by this Act, and where damages as well as a penalty may be given, such damages and penalty may be sued for separately, and such fines penalties and damages may be levied by distress from the goods of the defendant, and in case the defendant may have no goods to satisfy the same, then and in that case he shall be committed to the Common Gaol for such period not exceeding two months, as the Justice or Court may direct. 10 15 20 25

Shareholders competent witnesses. XXIX. And be it enacted, That in any action brought by or on behalf of the said Company, in any Court or in any proceeding before a Justice of the Peace on the behalf of the said Company, the President and any shareholder shall be competent witnesses, notwithstanding their interest in such suit or otherwise. 30

Tender and deposit of Compensation XXX. And be it enacted, That if it be found necessary or deemed proper to conduct any of the pipes or carry any of the works of the Company through the lands of any person, and the consent of such person cannot be obtained for that purpose, then it shall be lawful for the Company to tender to such person such a sum of money as in the opinion of the Company would compensate him for the damage which would be occasioned to his property by laying such pipes or works of the Company, and upon the refusal of such person to receive the sum tendered the Company may deposit the same with the clerk of the Division Court within which division the said property is situate, within five days from such tender being made, and at the time of such deposit the Company may obtain from the clerk of said Court, a summons directed to the occupant of such property or person in charge thereof calling upon him to show cause at the next sittings of the Court, 35 40 45