

the lands through which such opening is made, doing as little damage as possible to the road or ground wherein such sewer or drain may be made, and restoring it to the same or as good condition as it was in before being disturbed.

XV. And it is enacted, That if any Company formed as aforesaid at any time cause or suffer to be brought or to flow into any river, spring, well, stream, canal, reservoir, aqueduct, pond, or watering place, any offensive matter from their Cemetery, whereby the water therein shall be fouled, the Company so offending shall forfeit for every such offence the sum of Twelve Pounds Ten Shillings currency.

XVI. And be it enacted, That the said penalty, with full costs of suit, may be recovered by any person having right to use the water fouled by such offensive matter by a civil action in any Court of competent jurisdiction: Provided always, that the said penalty shall not be recoverable unless the same be sued for during the continuance of the offence, or within six months after it has ceased.

XVII. And be it enacted, That in addition to the said penalty of Twelve Pounds Ten Shillings (and whether the same be recovered or not) any person having right to use the water fouled by such offensive matter may sue the Company in a civil action in any Court of competent jurisdiction for any damage specially sustained by him by reason of the water being so fouled; or, if no special damage be alleged, for the sum of Two Pounds Ten Shillings for each day during which such offensive matter is brought or flows as aforesaid, after the expiration of twenty-four hours from the time when notice of the offence is served upon the Company by such person.

XVIII. And be it enacted, That the Directors of any Company formed under the provisions of this Act shall have full power to call for instalments on the sums which shall be subscribed for, and to appoint a time for the payment thereof, and if the same shall not then be paid, the right of any subscriber, and every instalment he may have formerly paid, shall be forfeited, and he shall be held not to have subscribed, unless the Directors shall think it expedient to remit such forfeiture, which they may do in their discretion, if the instalments be paid with interest within one year after the day when it ought to have been paid.

XIX. And be it enacted, That this Act shall be a Public Act.

SCHEDULE A.

Be it remembered, that on this day of in
the year of our Lord one thousand eight hundred and
We, the undersigned, Stockholders, met at in the County
of in the Province of Canada, and resolved to form
ourselves into a Cemetery Company, to be called
according to the provisions of an Act of Parliament, intituled, *An Act,*
&c., (insert the title of this Act) and we do hereby agree that the Capital
Stock of the said Company shall be pounds, to be divided
into shares of pounds each, entitling the holder to one
hundred superficial feet; and we, the undersigned Stockholders, do
hereby agree to accept and take the number of shares set by us opposite