ANNO PRIMO

GEORGII IV. REGIS.

Cap. lvii.

An Act for lighting with Gas the Towns of *Great* and *Little Bolton*, in the County Palatine of *Lancaster*. [8th *July* 1820.]

WHEREAS the Towns of *Great Bolton* and *Little Bolton*, in the County Palatine of *Lancaster*, are large and manufacturing Places, and it would be of great Benefit to the Inhabitants thereof, and to the Public at large, if the Streets and other public Passages and Places were better lighted: And whereas Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor and Essential Oil, may be procured from Coal, and Inflammable Air may also be obtained from other Substances: And whereas the said Inflammable Air being conveyed by Means of Pipes may be safely and beneficially used for lighting the several Streets, Squares, Market Places, and other Places within the said Towns of *Great Bolton* and *Little Bolton*, and for lighting private Houses, Shops, and other Buildings, and the Coke may be beneficially employed as Fuel in private Houses and Manufactories, and the said Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor and Essential Oil, may be used and employed in various other Ways with Safety and with great Advantage: And whereas the several Persons herein-after named are willing and desirous at their own Costs and Charges to effect the several Purposes aforesaid;

said; but such beneficial Purposes 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 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 *Ralph Boardman*, *Alice Barlow*, *Joseph Best*, *Joseph Badger*, *John Bacon*, *William Balshaw*, *Samuel Boden*, *Joseph Broady*, *John Booth*, *William Bowker*, *Elizabeth Briggs*, *Thomas Bolling*, *James Cross*, *James Challinor*, *William Crompton*, *Thomas Crompton*, *Ann Crompton*, *Isaac Dobson*, *Matthew Cor Dawes*, *Richard Fell*, *Thomas Fogg*, *John Gordon*, *John Gardner*, *William Goodin*, *James Heaton*, *Samuel Houghton*, *John Higson*, *Benjamin Hick*, *Pitt Hewitt*, *David Hewitt*, *Thomas Hardcastle*, *Thomas Hesketh*, *Andrew Kellie*, *Martha Nott*, *Leonard Slater*, *John Leach*, *Johnson Lomax*, *Thomas Merry*, *Ann Merry*, *Daniel Makinson*, *John Moore*, *Mary Morris*, *John Mather*, *William Moscrop*, *William Maisby*, *John Musgrave*, *Matthias Mather*, *William Neville*, *John Ormrod*, *John Platt*, *John Pilkington*, *George Piggott*, *John Rainforth*, *Peter Rothwell*, *Peter Rothwell* the younger, *Thomas Rushton* Solicitor, *Thomas Rushton* Accountant, *James Rothwell*, *Thomas Rothwell* the younger, *Joshua Routledge*, *James Scowcroft*, *John Salt*, *John Smith*, *Igdalliah Seddon*, *Igdalliah Seddon* the younger, *David Scott*, *Robert Salter*, *Thomas Thwaites*, *Lanly Thwaites*, *John Wood*, and all and every such other Person or Persons as from Time to Time shall be duly admitted Members into their Company, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be one Body Politic and Corporate, by the Name of *The Bolton Gas Light and Coke Company*, and by that Name shall have perpetual Succession, and a Common Seal, and by that Name shall and may sue and be sued; and that the said Company of Proprietors shall be established for the Purpose of procuring Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor and Essential Oil, and other Products from Coal and other Substances; and shall have full Power to enter into any Contracts with any other Person or Persons for the lighting of any such Places, or any Streets, Squares, public Market Places, or Manufactories, or private Houses or Places of public Exhibition, within the said Towns; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor and Essential Oil, and all other Products arising from Coal, under such Conditions, Limitations, and Restrictions, as shall be herein-after expressed.

Proprietors.

Their Style and Powers.

II. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby empowered and required, as soon as conveniently may be after the passing of this Act, to contract and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments, within the said Towns of *Great Bolton* and *Little Bolton* (not exceeding Two Acres in the Whole), with any Body Politic, Corporate or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable for any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their

Company of Proprietors may contract for the Purchase of Lands and Buildings.

their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised, possessed of, or interested in their own Right, or with any Person or Persons whomsoever, who shall be willing to sell the same for the Uses and Purposes of this Act, and it shall and may be lawful to and for the said Company of Proprietors to hold such Lands, Tenements, and Hereditaments so purchased, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever.

Bodies Politic, &c. empowered to sell.

III. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives (by and with the Consent of the Lessor or Lessors, but not otherwise), and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees 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 or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised, possessed of, or interested in their own Right, and all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company of Proprietors to be purchased for the Uses and Purposes of this Act, and to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in, and to the same, to the said Company of Proprietors for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their said several and respective 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 Dowers of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Application of Purchase Money when purchased,

IV. And be it further enacted, That if any Money shall be contracted and agreed to be paid for any Lands, Tenements, or Hereditaments

amounting to 200l. and upwards.

purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the *Bolton* Gas Light and Coke Company, together with the Name or Names of such Person or Persons as any Three or more of the Committee of Management of the said Company shall, by Writing signed by them, direct and appoint, 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, and 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, standing and being settled therewith to the same or the like Uses, Intents, and 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 Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Wills, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used for the Purposes of this Act, stood and were settled and 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 High Court of Chancery upon Application made thereto as aforesaid, 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.

Application of Purchase Money when less than 200l. and exceeding 20l.

V. Provided always, and be it further enacted, That if any Money so contracted and agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed 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

to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, 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 named by the Person or Persons making such Option, and approved by Three or more of the said Committee of Management (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Application of Purchase Money when not exceeding 20*l.*

VI. Provided also, and be it further enacted, That where such Money so contracted and agreed to be paid as last before mentioned, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Committee of Management or any Three or more of them shall think fit; or in Cases 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 questionable Title to the Money, Persons in Possession of the Lands to be deemed entitled thereto until the contrary shall be shewn.

VII. Provided always, and be it further enacted, That where any Question shall arise, touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery 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, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; 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, 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.

Expences of Purchases may be allowed by the Court.

VIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons 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 High Court of Chancery, 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 High Court of Chancery to order the Expences of all the Purchases from Time to Time to be paid in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purchases as the said Court shall direct.

On Payment of Purchase Money, Premises vested in the said Company.

IX. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments, by the said Company of Proprietors to the Party or Persons respectively entitled to such Monies or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in Manner herein-before directed, and upon the Conveyance in Manner hereinafter directed, of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or Equity, of the Person or Persons respectively to whose Use the same shall be paid, in, to, or out of such Lands, Tenements, or Hereditaments, shall vest in the said Company of Proprietors and their Successors for ever for effecting the Uses and Purposes of this Act.

X. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Company of Proprietors and their Successors, shall be made in the Form or to the Effect following; (that is to say),

Form of Conveyance.

'I of in consideration of the Sum of to me paid by the Company of Proprietors, established under or by virtue of an Act passed in the First Year of the Reign of King *George* the Fourth, intituled *An Act* [*here insert the Title of this Act*], do hereby grant and release to the said Company of Proprietors and their Successors, all [*here describe the Premises to be conveyed*] and all my Right, Title, and Interest in and to the same, and every Part thereof; to hold to the said Company of Proprietors and their Successors for ever. In witness whereof I have hereunto set my Hand and Seal, this Day of in the Year of our Lord .'

And every such Sale, Conveyance, and Assurance so made, shall be good, valid, and effectual to all Intents and Purposes whatsoever, as to and against the Person or Persons making the same, and his, her, or their Cestuique Trusts, and all other Persons claiming or to claim by, from, under, or in trust for him, her, or them respectively, or in Remainder, Reversion, or Expectancy as aforesaid, and the same shall be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by the proper Parties in due Form of Law; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

XI. And

Stock to be raised not to exceed 15,000l.

XI. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute among themselves a Sum of Money, by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the Undertaking, and the Purposes aforesaid, not exceeding in the whole the Sum of Fifteen thousand Pounds, to be subscribed in Shares of Ten Pounds each.

Company or their Committee may borrow Sums of Money, not exceeding 7,000l. in the whole.

XII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, or their Committee of Management after mentioned, by and with the Advice and Direction of any General Assembly of the said Company of Proprietors, to borrow and take up on Loan at legal Interest any Sum or Sums of Money for the Use and Behoof of the said Company, not exceeding the Sum of Seven thousand Pounds Sterling in the whole, and to grant, execute, and deliver to and in favour of the Lenders, or those having Rights, such Bonds, Obligations, or other Deeds in Writing as may be required, binding the said Company of Proprietors and the Committee of Management, and their Successors in Office, and the Trade, Stock, and Estate of the said Company, for Payment of the Sum or Sums so borrowed, with Interest.

15,000l. to be subscribed before the Works are begun.

XIII. Provided also, and be it further enacted, That the said Company shall not be authorized to exercise any of the Powers granted under this Act, until the whole of the said Sum of Fifteen thousand Pounds shall have been subscribed.

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

XIV. And be it further enacted, That all and every Person and Persons, by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to the Orders of any General Meeting or Meetings to be held by the said Company for that Purpose, for or towards the raising the said Capital Sum of Fifteen thousand Pounds as aforesaid, his, her, or their Executors, Administrators, or Assigns respectively, shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Company, in proportion to the Monies to which he, she, or they shall have so contributed towards making up the same, and to a proportional Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Member or Members of the same.

Subscribers liable to the Debts of the Company in proportion to their Share in the Stock.

XV. Provided always, and be it further enacted, That the several Persons composing the said Company shall respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company to the full Amount of their several and respective Shares in the Capital of the said Joint Stock, but shall not be any further or otherwise liable, either personally or in their several respective Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, for any Undertakings, Engagements, Contracts, or Agreements entered into by the said Company.

Stock to be divided into Shares of 10l. each, &c.

XVI. And be it further enacted, That the said Sum of Fifteen thousand Pounds shall be divided into Shares of Ten Pounds Sterling each; and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Twenty Pounds Sterling; and that all Shares in the said Undertaking,

taking, 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: Provided nevertheless, that no Person shall at any Time hereafter hold more than One hundred Shares in the said Undertaking.

Proprietors to vote according to the Number of their Shares.

XVII. And to the Intent that all Matters and Things touching the Concerns of the said Company may be managed and conducted in the most beneficial Manner, be it further enacted, That all and every Person or Persons who shall have subscribed for or become entitled to, and be in the actual Possession of Two or more Shares in the said Undertaking, shall have a Vote or Votes in respect of such Shares in the General and Special Meetings of the said Company, to be held for carrying on the said Undertaking, or for any Purposes relative thereto, in proportion to the Number of Shares following; that is to say, for Two Shares and less than Three Shares, One Vote; for Three Shares and less than Five Shares, Two Votes; for Five Shares and less than Eight Shares, Three Votes; for Eight Shares and not exceeding Ten Shares, Four Votes; and so in proportion for any Number of Shares not exceeding One hundred Shares as aforesaid; provided that no Person shall be entitled to give any Vote at such Meeting or Meetings, except at the First General Meeting, unless such Person shall be possessed of Two Shares at least in the said Undertaking, and shall have held such Shares for Two Calendar Months preceding such Meeting.

If Two or more Persons be Joint Proprietors the first named shall vote.

XVIII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to one or more Share or Shares in the said Undertaking, and in the Profits and Advantages thereof, such Persons shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Shares; and that no Person or Persons shall vote at any of the Meetings of the said Company, upon any Question or Questions relating to the Concerns of the said Undertaking in which such Person or Persons shall be anyways interested, other than as a Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Undertaking.

Empowering Proprietors of Shares to vote by Proxy.

XIX. And be it further enacted, That any Proprietor of Two or more Shares in the said Joint Stock entitled to vote in respect of such Shares at any General or Special Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General or Special Meetings as aforesaid, either in Person or by Proxy, every such Proxy being a Member of the said Company entitled to vote: Provided nevertheless, that no Person shall deliver in Proxies for more than Three Members, and the Appointment of such Proxies may be made in the Form following; (that is to say),

Form of Appointment of Proxies.

'I *A. B.* of one of the Proprietors of and in the '*Bolton* Gas Light and Coke Company, do hereby nominate, constitute, 'and appoint *C. D.* of to be my Proxy, in my Name 'and in my Absence to vote or give my Assent to or Dissent from any 'Business, Matter, or Thing relating to the said Undertaking, that shall

'be

'be mentioned or proposed at any General or Special Meeting of the 'said Company, in such Manner as he the said *C. D.* shall think proper, 'according to his Opinion and Judgment, for the Benefit of the said 'Undertaking, or any thing relating thereto. In witness whereof I have 'hereunto set my Hand, the Day of One thousand 'eight hundred and .'

Committee of Management to be appointed.

XX. And be it further enacted, That there shall be from Time to Time elected from the Members of the said Company Thirteen Persons (to be appointed as after mentioned) who have subscribed for or been possessed of not less than Two Shares in the said Undertaking, and such Persons when so elected shall and are hereby declared to be the Committee of Management for managing the Affairs of the said Company; but no Person who shall be concerned or interested in any Contract or Contracts made with the said Company, or who shall hold any Place or Office of Trust under the said Company, shall be a Member of the said Committee.

First Meeting.

XXI. And be it further enacted, That the said Company of Proprietors or any Five or more of them shall meet together at the *Commercial Inn* (if then open, and if not then open, then at some other convenient House or Place) in *Great Bolton* aforesaid, between the Hours of Ten in the Forenoon and Two in the Afternoon, or as soon after as conveniently may be, and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting to the same Place, or such other convenient Place in *Great Bolton* or *Little Bolton*, as the said Company of Proprietors or any Three or more of them shall think proper; and if it shall happen that there shall not appear at any Meeting a sufficient Number of Proprietors to act or to adjourn (Five Proprietors being hereby declared sufficient in all Cases to proceed to Business, and Two Proprietors being hereby declared sufficient for the Purpose of Adjournment only), then and so often as the Case shall happen such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Hour and Place, or until another Day shall be appointed by the said Company of Proprietors or any Three or more of them.

Appointment of Committee of Management, Officers, &c.

XXII. And be it further enacted, That the said Company of Proprietors or any Five or more of them, present at such Meeting or Meetings as last aforesaid, shall and may proceed to elect Nine of the said Proprietors to form and become such Committee of Management as aforesaid, by a Majority of the Votes of the Proprietors present, according to their respective Number of Votes, such Votes to be taken by Ballot; and in case such Votes shall be equal, then the Chairman (to be first elected and appointed at such Meeting, and at every other Meeting to be held in pursuance of this Act) shall have a casting Vote; and the said Company of Proprietors or any Five or more of them present as aforesaid, or at any General or Special Meeting of the said Proprietors, to be held in Manner herein-after mentioned, shall and may appoint one or more Treasurer or Treasurers, Clerk or Clerks, or such other Officers and Persons for the Execution of this Act, as they the said Company of Proprietors shall think proper; and shall and are hereby required to take Security from such

such Treasurer or Treasurers, Officer or Officers, or other Person, for the faithful Execution of their respective Duties.

Proceedings to be entered in a Book.

XXIII. And be it further enacted, That all Orders and Proceedings of the said Company of Proprietors, and of the Committee of Management, 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 of 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.

Clerk restrained from acting as Treasurer, and vice versâ.

XXIV. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who shall or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who shall or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company of Proprietors; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

One General Meeting to be held in each Year.

XXV. And be it further enacted, That from and after the First Meeting of the said Company of Proprietors there shall be held in each Year One General Meeting of the said Company; (that is to say), on the First Day of *June*, or within Ten Days next after such Day, of which Meeting Ten Days Notice at the least shall be given by Advertisement to be inserted in one or more of the public Newspapers published in *Manchester*, *Blackburn*, or any other Town in the County of *Lancaster*; and the First General Meeting to be held by virtue of this Act shall be holden on the First Day of *January* which shall first happen next after the First Meeting of the said Company of Proprietors, or within Ten Days after; and that all such Meetings may be adjourned from Time to Time, and from Place to Place, within the said Town of *Bolton* aforesaid, as shall be found expedient; and that the Subscribers and Proprietors at such General Meeting, or at Special Meetings to be called for the Purpose, of which Ten Days Notice shall be given in Manner aforesaid, specifying the Purpose for which such Special Meeting is called, shall have Power to elect other Persons, qualified as last aforesaid, to be Members of the Committee of Management, and to serve in the Place of such Person or Persons whose Office shall have respectively become vacant by Death, Amotion, Resignation, or Want of Qualification, or otherwise; and that no Member or Members of the said Company to be chosen one of the said Committee of Management of the said Company shall be capable of being so chosen, or of continuing in such Office as aforesaid, unless the said Number of Two Shares be entered and continue in the

Names of such Person or Persons respectively in the Books of the said Company.

Committee to continue in Office One Year, except as to the first Two Years.

XXVI. And be it further enacted, That the said several Persons therein to be nominated and appointed the Committee of Management as aforesaid, who shall not resign or be removed, or become ineligible or disqualified, shall continue in their respective Offices for the Space of One Year, to be accounted from the Day of Election, and until others shall be duly elected into their Places (except as herein-after mentioned); and that all succeeding Members of the said Committee shall respectively be chosen out of the Members of the said Company at the said Day of General Meeting, or some Adjournment thereof, or some Special Meeting so to be called as aforesaid: Provided nevertheless, that at every General Meeting of the said Proprietors Three of the said Committee of Management shall be removed therefrom, and Three others appointed by Ballot.

Vacancies in the Committee how to be filled up.

XXVII. Provided always, and be it further enacted, That any Vacancy or Vacancies in the said Committee by Death, Resignation, Removal, or otherwise than by Ballot as aforesaid (or becoming ineligible or unqualified as aforesaid), may and shall be filled up at any Special Meeting or Meetings to be called for that Purpose in Manner aforesaid; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies as aforesaid, shall continue in his or their several and respective Office or Offices as long as the Person or Persons in whose Place or Stead he was elected would have continued in Office.

Special Meetings of the Proprietors.

XXVIII. And be it further enacted, That if at any Time it shall appear to the said Committee of Management for the Time being at any Meeting, or to any Ten or more of the said Company of Proprietors, who shall together be Holders of Two hundred Shares at the least, to be necessary or expedient to call a Special Meeting of the Proprietors at large for the Purpose of taking their Opinion and Determination upon any Matter or Thing relating to the said Company, then and in every such Case it shall be lawful for such Committee of Management, of their own Authority, or at the Requisition in Writing to be signed by such Ten or more other Proprietors, being Holders of at least Two hundred Shares, and which Requisition shall specify the Object of such Meeting; and in case the Committee of Management for the Time being shall refuse or neglect for the Space of Ten Days to comply with such Requisition, then and in such Case it shall be lawful for the Proprietors who shall have signed the same to call a Special Meeting of the Proprietors at large by Advertisement, to be inserted in one or more of the Newspapers printed or circulated in the Neighbourhood of the said Towns, specifying the Place where and the Time when such Meeting is to be held, the Time not being less than Ten Days after such Notice, and the Place somewhere in the Town of *Bolton*, and likewise specifying in such Notice the Reason for and Intention of calling such Special Meeting; and the Proprietors are hereby authorized to meet pursuant to such Notice, and to take into Consideration the Matter or Matters to be submitted to them by the Persons calling such Special Meeting, and specified in such Notice; and the Decision and Determination of the Proprietors present at such Meeting,

ing, or the major Part of them, according to the Number of Votes they shall have a Right to give respecting such Matter or Matters, shall be as valid to all Intents and Purposes as if the same had been made at any General Meeting of the said Company of Proprietors.

Meetings of the Committee, and Regulations for their Proceedings.

XXIX. And be it further enacted, That all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management, shall be decided and determined by the Majority in Number of them then present; and in case of an equal Division, the Chairman for the Time being shall have the casting Vote; and that if on the Day appointed for any Meeting of the said Committee Three in Number shall not attend, then and in every such Case the Meeting shall be adjourned to the next Day, or some subsequent Day, by the Members or Member then present, or if none be present by the Clerk to the said Company, or such other Person as shall attend in his Place.

Power of Committee, &c.

XXX. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time, and from Place to Place, and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and laying out or disposing of all Sums of Money, to be issued or received, laid out or disposed of, for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and entering into Contracts for the lighting of any such Manufactories, Places, Streets, Market Places, Shops, Houses, or Buildings aforesaid, and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced from Coal, and in placing and displacing Officers, Agents, and Servants, and making all Contracts or Bargains touching or in anywise concerning the same, subject to such Orders, Bye-Laws, Rules, and Regulations, as shall at any Time be duly made by the said Company, in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted.

Treasurer not to issue Money without an Order from the Committee of Management.

XXXI. And be it further enacted, That the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, shall not issue any Sum or Sums of Money on account of the said Company, without an Order or Orders in Writing signed by the Chairman of the said Committee of Management for the Time being, and Two Members at the least of the said Committee present at some Meeting of the said Committee of Management; and that on the First Day of *January* in every Year, or within Ten Days of the same respectively, a Half-yearly Dividend or Dividends shall be made by the Committee of Management for the Time being as aforesaid, out of the Interest, Profits, or Advantages of the said Undertaking, at a Meeting or Meetings of the said Committee, unless the Proprietors of the said Undertaking shall at their General Meeting or some Special Meeting declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much for every Ten Pound Share subscribed by such Proprietors, their Executors, Administrators, Successors, and Assigns, as the said Committee or Company shall

shall think fit at such Meeting or Meetings to appoint and determine; provided that no Dividend shall be declared, made, or paid for Twelve Calendar Months after the passing of this Act: Provided always, that no Dividend shall be made whereby the Capital of such Company shall be in any Degree reduced or impaired.

Calls to be made on Subscribers.

XXXII. And be it further enacted, That every General Meeting of the said Company, or the Committee of Management for the Time being, shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Committee of Management for the Time being shall from Time to Time find wanting and necessary for the Purposes of the said Undertaking, so that no such Call do exceed the Sum of Ten Pounds for or in respect of any one Share of Fifty Pounds, and so that no Call or Calls be made but at the Distance of One Calendar Month at the least from each other; and that the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer to the said Company for the Time being, to be issued and applied by virtue of an Order or Orders given to him for that Purpose, and that such Order or Orders shall be signed by the Chairman of the said Committee of Management for the Time being, and Three of the Members of the said Committee at least present at some Meeting of the said Committee duly held; and that the said several Sums of Money so called for shall be paid at such Time and Place as shall be appointed by such General Meeting of the said Company, or the Committee of Management for the Time being, of which Time and Place One Calendar Month's Notice at least shall be given in one or more of the Newspapers printed or circulated in the Neighbourhood of the said Towns, or in such other Manner as the said Committee of Management shall at any Meeting direct and appoint in that Behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of the Money so to be called for during the Space of One Calendar Month next after the Time appointed for Payment thereof, then in such Case such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest in the said Undertaking and Capital Stock, and all Profits and Advantages thereof, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the rest of the said Company; and that 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 said Company; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, until after Ten Days Notice shall be given by the Treasurer or Clerk to the said Company to the Owner or Owners thereof, or Notice in Writing left at his, her, or their usual or last Place of Abode, nor unless the same shall be declared to be forfeited at the First Meeting of the said Proprietors, which shall be held not earlier than Two Calendar Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor and Proprietors, or their Executors, Administrators, Successors, and Assigns so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract, or other Agreement between such Proprietor or Proprietors, his, her, or

In default of Payment of Calls, Shares to be forfeited, but Notice first to be given.

their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

Executors, &c. indemnified in paying Calls.

XXXIII. And be it further enacted, That if any Person or Persons, Proprietor or Proprietors, of any Share or Shares in the said Undertaking shall die before Payment shall have been made by him or her of the full Sum to be called for or in respect thereof as aforesaid, without having made any sufficient Provision as aforesaid, by Will or otherwise, how such Share or Shares shall be disposed of, and how the future Calls in respect thereof shall be answered, that then and in such Case the Executors or Administrators of such Proprietor, and the Trustee or Trustees, Guardian or Guardians, of any Infant or other Person entitled to the Estate and Effects of such Proprietor or Proprietors, shall be indemnified against such Infant, and all other Persons whomsoever, for paying any Money which shall be called for as aforesaid, in respect of the Share or Shares of such deceased Proprietor.

For ascertaining the Proprietorship of Shares in certain Cases.

XXXIV. And whereas it may happen that the original Holder or Proprietor of one or more Share or Shares in the said Undertaking may die, become insolvent or bankrupt, or go out of the Kingdom, or may transfer his or her Right and Interest to some other Person or Persons, and no Register made of the Transfer thereof with the Clerk to the said Company, so that it may not be in the Power of the said Company, or any Officer acting for the said Company, to know who is the Owner or Proprietor of such Share or Shares, for the Purpose of giving him, her, or them, their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions against him, her, or them, their Executors, Administrators, Successors, and Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, their Executors, Administrators, Successors, and Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore further enacted, That in all Cases aforesaid, where the Right and Property in one or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof, in the Form and Manner herein specified, an Affidavit shall be made and sworn to by Two credible Persons, before any one of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, their Executors, Administrators, Successors, and Assigns, and that such Affidavit shall be transmitted 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 to the said Undertaking, to be kept in the Office of the Clerk of the said Company; and that in all or any of the said Cases it shall be lawful for the Subscribers and Proprietors at any General Meeting, after Three Calendar Months Notice shall have been given by the said Treasurer or Clerk to the Owners or Persons claiming by such Affidavit to be Owner or Owners thereof, and that such Person or Persons, their Executors, Administrators, Successors, and Assigns, shall not have paid his, her, or their Proportion of the

Money becoming payable by virtue of any Call or Calls; and after Notice thereof shall have been given Three Times at the Interval of Ten Days at least between each Advertisement, in some one Newspaper printed or circulated in the Neighbourhood of *Bolton* aforesaid, to declare at any General Meeting the same Share or Shares to be forfeited; and that in such Case the same shall be and become forfeited, and be sold and disposed of in such Manner as the said Subscribers and Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in and with the General Fund of the said Company.

Shares may be transferred.

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

Form of Transfer.

'I of in consideration of paid to me by of do hereby bargain, 'sell, and transfer to the said the Sum of 'Capital Stock of and in the Undertaking called *The Bolton Gas Light* '*and Coke Company*, being of my Share, No. in the 'said Undertaking; To hold to the said Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions that I held the same immediately 'before the Execution hereof; and I the said do hereby 'agree to take and accept the said Share, subject to the same 'Rules, Orders, Restrictions, and Conditions. As witness our Hands 'and Seals, this Day of in the Year of our 'Lord .'

Transfer to be registered.

And that every such Transfer shall be registered in the Books of the said Company; and a Copy of such Register, signed by the Clerk or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes, and in all Trials before any Court in the United Kingdom; and that until such Transfer shall be registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, their Executors, Administrators, Successors, and Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of any such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking.

No Shares to be sold after a Call till the Money is paid.

XXXVI. Provided always, and be it further enacted, That after any Call for Money shall be made by virtue of this Act, no Person or Persons 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 Shares intended to be sold shall be paid; and until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void, and all and every Person or Persons 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

said Undertaking, 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.

Proprietors to vote who have had their Shares Two Calendar Months.

XXXVII. And be it further enacted, That from and after the First General Meeting of the said Company of Proprietors to be held in pursuance of this Act, no Owner or Proprietor of any Share or Shares in the said Undertaking shall be qualified and entitled to vote for himself or herself, who has not possessed his or her Share or Shares, and whose Name has not been entered in the Books of the said Company as the Possessor or Proprietor of such Share or Shares, for the Space of Two Calendar Months then next preceding, at any General or Special Meeting of the said Company, according to the Rules contained and directed in this Act; any thing herein contained to the contrary thereof in anywise notwithstanding: Provided always, that no Person shall be entitled to vote at any General or Special Meeting of the said Company in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid and satisfied all Arrears of Money which shall or may have become due in pursuance of any Call or Calls made or to be made by the said Committee of Management for or in respect of such Share or Shares.

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

XXXVIII. And be it further enacted, That the said Company, or their Committee of Management, shall and they are hereby required to cause the Names and Designations of the several Persons who shall be entitled to Shares in the said Undertaking, with the Number of the Shares, 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 their Clerk, and after such Entry to cause a Certificate, signed by the Clerk, to be delivered to every Proprietor upon Demand, specifying the Share or Shares to which he or she is entitled in the said Undertaking; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Certificate shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

Power in certain Cases to break up the Soil and Pavement of the Streets, &c. for laying Pipes, &c.

XXXIX. And whereas the said Inflammable Air or Gas cannot be used for lighting Houses, Manufactories, Shops, or Buildings, and the public Streets, Ways, Passages, and Places as aforesaid, unless the said Air or Gas be conveyed by means of Pipes properly laid for that Purpose; be it further enacted, That the said Company of Proprietors shall have full Power and Authority to break up the Soil and Pavement of any such Streets, Ways, Lanes, Lands, Passages, and Places, within the said Towns of *Great Bolton* and *Little Bolton* aforesaid, and dig and sink Trenches, and lay Pipes, and put Stopcocks or Plugs, or Branches from such Pipes, in such Places as aforesaid, and to lay any Mains or Pipes communicating with the Works of the said Company, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, for the

Purpose

Purpose of lighting any Houses, Manufactories, Shops, or Buildings whatsoever, in the said Towns where such Houses, Manufactories, Shops, or other Buildings shall lie or be situated; and also such and the like Power and Authority for the Purpose of lighting the public Streets, Squares, Market Places, Highways, Passages, Lanes, or Places, or any Part of them, in the said Towns, by means of such Gas as aforesaid.

Power to make a Sewer for carrying off the Washings or other Liquids.

XL. And be it further enacted, That it shall be lawful for the said Company to make such Sewers or Cuts of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient, under the Streets, Squares, Ways, Lanes, Avenues, Lands, and Places, within the said Towns of *Great Bolton* and *Little Bolton* aforesaid, for the Purpose of carrying off the Washings or other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing at their own Expence all such Damages.

Liquids arising in the Manufacture of Gas not to be carried into any River, &c.

XLI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to carry or convey, or cause to be carried or conveyed into any River, Stream, Pond, or Brook whatsoever, any Washings or Liquids which shall arise or be produced in manufacturing or procuring the said Gas, or in or by the Prosecution of any of the Works aforesaid.

Workmen in laying Pipes to make good the Pavement.

XLII. And be it further enacted, That the Workmen employed in laying or repairing any such Pipes, Plugs, Cocks, or Branches, shall fill in the Trenches and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and shall repair any Damage arising from any Sewers or Cuts which may be made for carrying off the Washings or waste Liquids aforesaid, without the least Delay; and shall in the meantime guard the Place or Places where any Ground shall be opened, by placing and setting up Lamps or Lights during the Night, and in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages; and as the Trustees for executing an Act passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for inclosing, dividing, and allotting a certain Common or Waste Ground called* Bolton Moor, *and other the Commons and Waste Grounds within the Township of* Great Bolton, *in the County Palatine of* Lancaster; *and for widening, paving, lighting, watching, cleansing, and regulating the Streets, Lanes, Passages, and Places within the Township of* Great Bolton *and* Little Bolton, *and for supplying the said Towns with Water, and for providing Fire Engines and Firemen, and for licensing and regulating Hackney Coaches and Chairs in the said Towns;* and also an Act passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act for granting further Powers for improving the Town of* Great Bolton, *in the County of* Lancaster, or any Three or more of them, shall from Time to Time direct: Provided always, that if there shall be in the Judgment of the said Trustees or any Three or more of them any Delay in the said Company of Proprietors, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority in filling in any such Ground, or removing Rubbish, or in making good any such Pavements or Roads, or repairing any such Damages, then and in every such Case it shall and may be lawful to and for the said Trustees

32 G. 3. c. 71.

57 G. 3. c. lx.

for *Great Bolton* and *Little Bolton* for the Time being, or any Three or more of them, or any Person or Persons acting by or under their Authority, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Way, Lane, Passage, or Place so broken up, and to repair such Damages, and that the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors, or their Treasurer; and that in default of Payment thereof for Ten Days next after Demand shall be made by the said Trustees for the Time being for *Great Bolton* and *Little Bolton*, or any Three or more of them, or other Persons acting by or under their Authority, 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 said County Palatine of *Lancaster*, all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, or such other Person or Persons, together with the Charges of such Distress and Sale, and of the Information, Warrant, or other Proceedings incident thereto, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant upon Information, and the Oath of one or more credible Witness or Witnesses in the usual Way; and such Costs, Charges, and Penalties shall be paid to the Trustees for the Time being of *Great Bolton* aforesaid, who shall dispose of the said Penalties to some public Purpose or Charity as they shall see meet.

Power to raise, sink, or alter Pipes, &c.

XLIII. And be it further enacted, That if for the Improvement or Alteration of any of the Streets, Squares, Places, Roads or Ways, in the said Towns of *Great Bolton* and *Little Bolton* aforesaid, it shall at any Time or Times be deemed necessary or expedient by the Surveyors of the Highways of the Parish of *Bolton* aforesaid for the Time being, to require the said Company of Proprietors to raise, sink, or otherwise alter the Situation of any of the Pipes, Stop Cocks, Plugs or Branches, which shall be laid down for the Purposes aforesaid, or to complete or make good any Part of the Pavement so to be broken up as aforesaid, the said Company of Proprietors shall at their own Expence, within Two Calendar Months next after being required so to do, by Notice in Writing to them given by the said Surveyors, raise, sink, or alter such Pipes, Stop Cocks, Plugs or Branches, according to such Notice, in such Manner and in such Place or Places as the said Surveyors shall think right and proper; and in default thereof, it shall and may be lawful to and for the said Surveyors, or any other Person or Persons acting by their Order or under their Authority, to cause such Pipes, Cocks, Plugs or Branches, to be raised, sunk, or altered, or such Pavement to be completed or made good, and that the reasonable Costs and Charges for doing the same shall immediately thereafter be paid by the said Company of Proprietors or their Treasurer: Provided nevertheless, that if such reasonable Costs and Charges be not paid within One Calendar Month next after Demand shall be made by such Surveyor, or other Person acting by or under the Authority of the said Surveyors, 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 said County, all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors,

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 of the Peace as aforesaid; and which Warrant such Justice or Justices is and are hereby empowered to grant accordingly, and such Costs and Charges shall be paid to the said Surveyors.

Damage to be made good.

XLIV. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Cocks, Plugs, or Branches, any Damage or Injury shall be wilfully or negligently done to the same by the said Surveyors or their Servants, then and in every such Case such Damage or Injury shall be made good as soon as Circumstances shall permit, and the Costs, Charges, and Expences thereof shall be paid by the said Surveyors.

For the Protection of Water Pipes.

XLV. And be it further enacted, That when and as often as the said Company, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main or Mains, Pipe or Pipes, or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Water Pipe or Pipes belonging to the said Towns of *Great* and *Little Bolton*, for conveying Water into or about the said Towns, or any Branch or Service Pipe or Pipes for the Supply of any Dwelling House or Building, shall be laid, the said Company, their Servants, Agents, or Workmen, shall and they are hereby required to give previous Notice thereof to the Surveyor of the Highways for the Time being of the said Towns of *Great Bolton* and *Little Bolton*, or to the Occupier of such Dwelling House or Building supplied by such Branch or Service Pipe or Pipes, as the Case may be; and on every such Occasion the said Company, their Servants, Agents, and Workmen, shall, under the Direction and Inspection of the Surveyors for the Time being of the said Towns, or of the Occupier of such Dwelling House or Building, or his or her Surveyor, as the Case may be, protect and secure such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default being made in any of the Matters aforesaid, the said Company, their Servants, Agents, and Workmen, or such of them as shall offend herein, shall forfeit and pay any Sum not exceeding Five Pounds, and shall also pay to the Surveyors of the said Towns, or to such Occupier of such Dwelling House or Building, as the Case may be, the Costs and Expences which shall have been incurred by them, him, or her in the securing and protecting, or in repairing and making good any Injury or Damage that may be done to such Pipe or Pipes by the Means aforesaid; such Costs and Expences to be ascertained by any Justice of the Peace for the said County, and to be levied and recovered in the same Manner as any Penalty under this Act may be levied and recovered.

Company not to interfere with Rights of Persons to supply Water, and to make good Damages.

XLVI. And be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize and empower the said *Bolton* Gas Light and Coke Company, or any other Person or Persons whatsoever, to interfere with or abridge the Rights and Privileges of any Person or Persons, Bodies Politic or Corporate, now having or who shall or may at any Time hereafter have any Right, Privilege, or Power to supply

supply the Inhabitants of the said Town or the Neighbourhood thereof with Water, or with any thing relating thereto; and the said *Bolton* Gas Light and Coke Company shall be and are hereby made answerable for any Damage, for any Spoil, Injury, or Mischief which shall be done to any of the Pipes, Works, or Property of such Person or Persons, Bodies Politic or Corporate, or which shall or may be sustained by them, or any of them, or to the said Pipes or Branches of any Person or Persons communicating with such Pipes, Works, or Property, by reason or in consequence of any Act, Matter, or Thing to be done or executed by the said *Bolton* Gas Light and Coke Company, or any of their Agents, Servants, or Workmen; and the said *Bolton* Gas Light and Coke Company shall and they are hereby required to pay the Amount of such Damage, Spoil, Injury, or Mischief, on Demand.

If Contracts be not duly performed they may be voided on giving Notice.

XLVII. And be it further enacted, That if the said Company shall contract with any Person or Persons as aforesaid for lighting any Parish or Place, or any Part of any Parish or Place, and shall not duly perform such Contract, then and in such Case it shall and may be lawful for such Person or Persons to determine such Contract, giving Six Calendar Months Notice thereof; and then and in such Case, and also at the Expiration of any such Contract, it shall be lawful for the said Company of Proprietors to remove the Pipes, Cocks, Plugs, Branches, and other Materials belonging to the said Company, and employed in lighting such Townships or Place, at the Expiration of such Contract or Determination thereof by such Notice.

Restriction of Prices for public Lighting.

XLVIII. And be it further enacted, That from Time to Time and at all Times for ever, from and after the First Day of *September* One thousand eight hundred and twenty-one, the said Company shall be bound and obliged, whenever thereunto required by the respective Trustees under the said recited Acts of the Thirty-second and Fifty-seventh Years of the Reign of His said late Majesty, or any Three or more of them, to furnish an adequate Supply of Gas for lighting in a proper and effectual Manner all such of the Streets, Squares, Lanes, Roads, Passages, and other public Places within the said Towns, as the said respective Trustees shall by any such Notice or Notices require to be lighted as aforesaid, and thenceforth to keep the same lighted with Gas upon the Terms and Conditions hereinafter specified; (that is to say), that the said Company shall supply such Quantity of Gas Light at such Number of Lamps, with such Sorts of Burners of such Dimensions, Constructions, and Qualities, to be set up in such Situations, and to continue burning at such Times, and for such Number of Hours, and under such Regulations, as the said respective Trustees or any Three or more of them shall from Time to Time direct, upon the said Company's receiving annually for every such public Lamp so required some yearly Price or Sum, to be mutually arranged and contracted for once in every Three Years, or oftener, between the said respective Trustees or any Three or more of them, and the said Company; it being hereby provided nevertheless, and made obligatory upon the said Company, that the Gas Lights which shall be supplied by the said Company for the public lighting of the said Towns shall at all Times be cheaper and better Lights than could be afforded from Oil; and that the Branch or Service Pipes which shall be set up by the said Company to

supply

supply the Gas for such public Lighting, shall in all Cases be of a Diameter not less than Half an Inch in the Bore, and shall be kept fully charged with Gas whensoever it shall be necessary for the Purposes of such public Lighting as aforesaid.

For preventing the Escape of Gas.

XLIX. 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 the said Company in pursuance of this Act, the said Company shall, at their own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twelve Hours next after such Notice in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, that then and in every such Case the said Company shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day after the Expiration of Twelve Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of one or more credible Witness or Witnesses, by Information to be laid and exhibited by the Order of the said respective Trustees, before some one or more Justice or Justices of the Peace for the said Towns, or either of them, or for the said County Palatine of *Lancaster*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid; to be granted in like Manner, and subject to the like Provisions as are herein directed, touching other Penalties to be recovered from the said Company, and the same shall on being so recovered go and be paid to the said respective Trustees or their Treasurer for the Time being.

Rent for altering Pavements.

L. And be it further enacted, That the said Company of Proprietors or their Treasurer shall by and out of the Money arising from their Funds or Works pay and cause to be paid unto the said Trustees for the Time being of *Great Bolton* aforesaid, the yearly Rent or Sum of Thirty-one Pounds Ten Shillings of good and lawful Money current in *Great Britain*, and also to have a Light fixed upon the Pillar in the Market Place, equal to Four common Street Gas Lights, for the Privilege of pulling up the Pavements within the Town of *Great Bolton* aforesaid; and the said yearly Rent or Sum so agreed upon shall be paid Half-yearly in each and every Year, unto the said Trustees or their Treasurer for the Time being of *Great Bolton* aforesaid, on the First *Thursday* in *January* and First *Thursday* in *July*; the First of such Payments to be made on the First Half-yearly Day of Payment that shall next happen after the passing of this Act: Provided nevertheless, that if after being demanded within Ten Days in Writing such Rent be not paid on the said Days or Times, then the Clerk to the said Trustees shall, by a Warrant under the Hand and Seal or Hands and Seals of one or more Justice or Justices of the Peace for the said County, enter and distrain upon the Goods and Chattels of the said Company of Proprietors for the Amount of such Rent then

owing, together with the Costs and Charges of such Distress and Sale; and which Warrant such Justice or Justices is and are hereby empowered and required to grant accordingly; and such Rent, Costs, and Charges shall be paid to the said Trustees or their Treasurer, or to whom they or he shall order to receive the same, to be applied for the Uses and Purposes of the said Two Acts of the Thirty-second and Fifty-seventh Years of the Reign of His said late Majesty King *George* the Third.

No Pipes of Communication to be laid without Consent of the Company.

LI. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe, to communicate with any Pipe belonging to the said Company, or such other Person or Persons as aforesaid; nor shall any Person or Persons whomsoever erect or set up within the said Towns any Gas Works without the Consent of the said Company, under their Common Seal first had and obtained, on Pain of forfeiting the Sum of Fifty Pounds, to be recovered by Action at Law in any of His Majesty's Courts at *Westminster*, or elsewhere, and also the Sum of Forty Shillings a Day for every Day such Pipe shall so remain, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County Palatine of *Lancaster*, and which Warrant such Justice or Justices is and are hereby empowered to grant; and the Surplus, after such Penalty or Forfeiture, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the New Bailey Prison within the Hundred of *Salford* and County aforesaid, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Two Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied.

Penalty for damaging Pipes, &c.

LII. And be it further enacted, That if any Person shall wilfully or maliciously remove, take away, destroy, damage, or injure any or any Part of any Pipes, Pout, Plug, or other Matter or Thing belonging to the said Company, every Person so offending in any one of the respective Premises, and being thereof lawfully convicted on the Oath of one credible Witness before one or more Justice or Justices of the Peace for the County aforesaid, shall forfeit and pay to the aforesaid Company, or such other Person or Persons as aforesaid, Double the Amount of the Damage proved upon Oath to have been done, at the Discretion of such Justice or Justices; such Penalty, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) to such Offender; or such Offender shall and may be committed to the New Bailey Prison aforesaid, there to remain for any Time not exceeding Three Calendar Months, at the Discretion of the Justice or Justices before whom such Offender shall be committed.

General Meeting may make Bye-Laws.

LIII. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General or Special Meetings as aforesaid, to make such Rules, Orders, and Bye-Laws, as to them shall seem meet and proper for the good Government of the said Undertaking,

taking, and for regulating the Proceedings of the said Committee of Management, and for regulating of all Officers, Workmen, and Servants, to be employed in and about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all Respects whatsoever; and from Time to Time to alter and repeal such Rules, Orders, and Bye-Laws, or any of them, and to make others in lieu or instead thereof, and to impose and inflict such reasonable 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, as to the said Company at a 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 printed, and be binding upon all Persons, 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 Conditions or Provisions of this Act: Provided also, that Copies thereof shall be affixed, and continue in some conspicuous Place in the Town Hall or Sessions House of the said Town of *Great Bolton*; and all such Rules, Orders, and Bye-Laws shall be subject to appeal in Manner by this Act directed.

Persons aggrieved may appeal to the Quarter Sessions.

LIV. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate or Collegiate, or any other Person or Persons whomsoever, thinking 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 of Proprietors, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act (except only as to the reasonable Costs and Charges incurred by filling up Ground, removing Rubbish, repairing and making good Pavements, and repairing Damages by Direction of the Trustees for executing the said Acts of the Thirty-second and Fifty-seventh Years of the Reign of His late Majesty King *George* the Third, for the Improvement of the said Town of *Great Bolton*, in that Behalf, and any Warrant or Warrants to be issued to enforce the same), may, within Six Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter Sessions to be held at *Salford* aforesaid, in the County aforesaid, or County or Place where the Cause of Appeal shall arise, and not elsewhere, the Person or Persons appealing having first given at least Ten clear 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 within the County aforesaid, with 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 Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held at *Salford* aforesaid; and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money

to

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

Company liable for Nuisances.

LV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from proceeding against the said Company, or any of their Officers, Servants, or Workmen, by Indictment or otherwise, in respect of any Works of the said Company, or the Means which shall be by them used in obtaining or making the said Carburetted Hydrogen or Coal Gas, or in using the same, or in furnishing such Light as aforesaid, as a public or private Nuisance; or from bringing any Actions against the said Company, 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 obtaining, making, or using the same, or the Method of lighting, or the Carelessness or want of Skill of the Persons employed therein.

To compel Payment of Subscriptions.

LVI. And be it further enacted, That the several Persons who have subscribed, or have agreed to subscribe, or who shall hereafter subscribe or agree to subscribe, or advance any Money for and towards carrying on the Works hereby authorized to be made, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed or agreed to subscribe, or such Parts or Portions thereof as shall from Time to Time be called for by the said Committee of Management or General Meeting, under and by virtue of the Powers and Authorities of this Act, at such Times and Places as shall be directed by the Committee or Meeting in Manner before mentioned; and in case any Person or Persons shall neglect or refuse to pay the same at the Time and in Manner required for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

Directing the Manner of serving Notices.

LVII. And be it further enacted, That in all Cases of Notices and Summonses by this Act directed or required to be given or served, which shall or may be necessary for carrying into Execution any of the Powers and Provisions of this Act, the Service of any of such Notices or Summonses, either on the Person or Persons on whom the same ought to be given, or leaving the same, or a true Copy thereof, at his, her, or their Dwelling House or usual or last Place of Abode, shall be good and sufficient Service of any and every such Notices or Summonses; and that in all Cases whatsoever, where any such Notices or Summonses ought to be given to Two or more Persons, for or respecting the joint Act or Omission of any such Person or Persons, whether the said Person or Persons be in Partnership or Trade, or otherwise jointly concerned in any such Act or Omission, the like Service of any such Notices or Summonses on any such Partner or Partners, Person or Persons, shall be and is hereby declared to be as good and sufficient Service thereof as if the same had been served on both or all such Persons.

LVIII. And

LVIII. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Persons, or Party or Parties, to serve any Notice or Notices, or any Writ or Writs, or other legal Proceedings upon the said Company, the Service thereof respectively upon any one of the Members of the Committee of Management, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent of or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Declaring what shall be good Service of Notice on the Company.

LIX. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying or recovering and the Application whereof is not hereby otherwise particularly directed, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of some Justice of the Peace for the Town or District of *Great Bolton;* which Warrant such Justice is hereby required and empowered to grant upon Confession of the Party or Parties, or upon the Information of one or more credible Witness or Witnesses upon Oath; which Oath such Justice is hereby required and empowered to administer; and One Half of the Penalties and Forfeitures when recovered, after rendering the Overplus (if any) on Demand to the Party or Parties whose Goods or 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 Half thereof shall be paid to the Overseers of the Poor of the Parish wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be paid, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the New Bailey Prison in *Salford*, there to remain for any Time not exceeding Three Calendar Months.

Recovery and Application of Penalties.

LX. And, for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (that is to say),

Form of Conviction.

' to wit. } BE it remembered, That on the Day of in the Year of the Reign of and in the Year of our Lord One thousand eight hundred and is convicted before me, one of His Majesty's Justices of the Peace for the Hundred of *Salford*, in the County of *Lancaster*, by virtue of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.* [*here insert the Title of this Act*] of having [*specify the Offence, and the Time and Place when and where the same was committed*] contrary to the said Act, and 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.'

Expences of this Act how to be paid.

LXI. 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 Committee of Management out of the Monies already subscribed or to be subscribed by virtue of this Act.

Saving certain Rights.

LXII. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect of depriving any Body Corporate or Politic, Sole or Aggregate, or Company established for the Supply of Water in or for any of such Streets or Places, or any Part or Parts thereof.

General Saving of all other Rights.

LXIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Directors and Trustees in the said Act hereinbefore mentioned, and all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, and all other Person and Persons whomsoever, all their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

Public Act.

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

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