ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. xxxvi.

An Act for lighting with Gas the Town of *Burnley cum Habergham Eaves*, otherwise the Townships of *Burnley* and *Habergham Eaves*, within the Parish of *Whalley*, in the County Palatine of *Lancaster*. [11th *April* 1826.]

WHEREAS the Town of *Burnley cum Habergham Eaves*, otherwise the Townships of *Burnley* and *Habergham Eaves*, within the Parish of *Whalley*, in the County Palatine of *Lancaster*, comprize together one large, populous, and connected District, and many of the public Places, Roads, Streets, Ways, Lanes, and Passages within the same are either wholly without or have insufficient public Lamps and Lights; and it would be a great Advantage to all the Inhabitants thereof, and to all Persons travelling along the said Roads, Streets, and Places, if such Town and Townships were better lighted: And whereas Works have been erected in the said Township of *Habergham Eaves*, in order to light the same Town and Townships, and which are now partially lighted with Gas: And whereas certain Persons have already subscribed or contributed for and expended considerable Sums of Money, amounting to Four thousand five hundred Pounds or thereabouts, in and about the Erection of Works and laying down Mains and Pipes there, for the Manufacture and Conveyance of Gas, and

further Sums will be required to complete and carry on the same; and it would be of great Advantage and Convenience if Power were given to the several Persons herein-after named effectually to light the said Town and Townships, and to erect all necessary Works for that Purpose; but the same cannot be effected 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 *Henry Alcock*, *William Birkbeck*, *John Birkbeck*, *Thomas Bland*, *Thomas Brooks*, *Richard Blakey*, *Richard Chaffer*, *Richard Clegg*, *Lawrence Catlow* the younger, *Ann Cross*, *William Dugdale*, *John Dugdale*, *James Dugdale*, *Edward Dearden*, *John Dean*, *Richard Eastwood*, *Ann Eastwood*, *Emma Glover*, Lieutenant Colonel *John Hargreaves*, *James Hargreaves* of *Bank Hall*, *Lawrence Hitchon* the elder, *Lawrence Hitchon* the younger, *Peter Hitchon*, *Theodore Heelis*, *John Haworth*, *Samuel Howard* the elder, *John Hutchinson* Clerk, *John Holt*, *Elijah Helme*, *Richard Holdsworth*, *James Howorth*, *Samuel Howard* the younger, *John Holgate*, *Thomas Kay*, *James Maude*, *James Marsland*, *John Massey*, *Lord Massey*, *John M'Connochie*, *Thomas Newton*, *Robert Townley Parker* of *Royle*, *Edward Pollard*, *William Preston*, *John Raws* Clerk, *William Roberts* the elder, *Hugh Roberts*, *James Roberts*, *William Roberts* the younger, *John Robinson*, *Alexander Stevenson*, *Thomas Slater*, *Thomas Sutcliffe*, *James Smith*, *John Smith* Grocer, *John Sutcliffe* the younger, *John Spencer* Innkeeper, *Sagar Veevers* the younger, *John Witham*, *Jeremiah Waddington*, *Henry Walker*, *Thomas Francis Ward*, *Richard Wroe*, *Thomas Walker*, and all and every such other Person or Persons, Body or Bodies Politic or Corporate, as shall or may from Time to Time, in such Manner as is herein-after mentioned, become a Proprietor or Proprietors of Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators and Assigns, shall be and they are hereby united into a Company of Proprietors, and declared to be One Body Politic and Corporate, by the Name of "The *Burnley* Gas Light Company," and by that Name shall have perpetual Succession and a Common Seal, with full Power and Authority to use the same, and by that Name shall and may sue and be sued, plead and be impleaded, at Law and in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment for any Felony, Misdemeanor, or other Offence punishable by the Laws of this Realm.

Proprietors incorporated by the Name of the Burnley Gas Light Company.

Purposes of the Company.

II. And be it further enacted, That the said Company shall be established for the Purpose of producing Inflammable Air or Gas from Coal, Oil, Tar, Pitch, or other Materials, and for lighting with Gas all public Places, Roads, Streets, Ways, Lanes, Passages, and Buildings, and also all private Houses, Shops, Manufactories, and Buildings within the said Town of *Burnley cum Habergham Eaves*, otherwise the Townships of *Burnley* and *Habergham Eaves*, and also for selling and disposing of all and every Product and Products, Refuse, or Residuum arising or to be obtained from the Materials used in or necessary for the Manufacture of Gas, in such Manner as the said Company may think proper.

Capital Stock to be raised.

III. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, including the Money already subscribed and contributed as aforesaid, a Sum of Money by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the said Undertaking and the Purposes aforesaid, not exceeding in the whole the Sum of Seven thousand two hundred Pounds, the Whole of which Sum shall be subscribed before the Powers of this Act shall be put in Execution.

Stock to be divided into Shares.

IV. And be it further enacted, That the said Sum of Seven thousand two hundred Pounds shall be divided into Shares of Twelve Pounds each, and every Proprietor shall be entitled to and interested in the Capital Stock and Effects of the said Company, and the Profits and Advantages attending the same, according to the Number of Shares he, she, or they shall hold.

Shares to be deemed Personal Estate.

V. And be it further enacted, That all Shares in the said Undertaking, and in the Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and shall be transmissible accordingly.

Lands, &c. of the Company answerable for the Debts.

VI. And be it further enacted, That the Lands and Hereditaments, of what Tenure soever, Manufactories, Gasometers, Machinery, Apparatus, and Works, Chattels and Effects of the said Company, shall be answerable for and subject to the just Debts, Liabilities, Engagements, and Demands of all and every the Creditors of the said Company.

Power to raise a further Sum by Mortgage.

VII. Provided always, and be it further enacted, That in case the said Company shall be desirous of raising any Sum which may be necessary for the Purposes of this Act by Mortgage of the said Undertaking, it shall be lawful for the said Company to borrow and take up at Interest such Sum or Sums as they shall think proper, not exceeding in the whole Three thousand eight hundred Pounds, and either in one Sum or in several Sums, on the Credit of the said Undertaking and the Buildings, Land, and Tenements thereof, and the Profits and Advantages arising or to arise to the said Company by virtue of this Act, or any Part thereof, (the Costs and Charges of conveying the same to be paid out of such Sums of Money), as a Security for any Sum or Sums of Money so to be borrowed with Interest to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance the same; all which Conveyances (be the same by Assignment or Surrender according to the Custom of the Manor of which the Buildings, Land, and Tenements may be holden,) shall be made or surrendered, or directed to be made or surrendered, under the Common Seal of the said Company; and every such Security so to be made in pursuance of this Act shall be good, valid, and effectual in the Law, according to the Form of Words of such Assignment or Surrender, and the true Intent and Meaning of this Act, and the same shall be fairly copied in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Company.

VIII. And

No Priority of Mortgages.

VIII. And be it further enacted, That all Persons to whom such Assignment or Surrender shall be made, shall be equally entitled one with the other to the said Undertaking and Hereditaments, Profits and Advantages, so to be assigned or surrendered, in proportion and according to the respective Sums in such Securities mentioned to be advanced, without any Preference by reason of the Priority of any such Assignment or Surrender, or on any other Account; and that it shall and may be lawful to and for the several Persons entitled to any of the Securities for the Money to be borrowed as aforesaid, and their respective Executors, Administrators, or Assigns (as the Case may be), at any Time by Deed or Writing to transfer such Securities, and to assign, surrender, or convey the Property therein contained, according to the Tenure thereof, to any Person or Persons whomsoever; and every such Transfer shall within Thirty Days after the Date thereof be produced to the Clerk or Clerks of the said Company, who shall cause a Memorial to be made thereof, in like Manner as the original Mortgage, for which the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence; and every such Entry made of such Transfer shall from thenceforth entitle such Assignee or Assignees, his, her, or their Executors, Administrators and Assigns, to the full Benefit of the original Mortgage; and it shall not from thenceforth be in the Power of any Person or Persons who shall have made any such Transfer, to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; but neither such Mortgagee or Mortgagees, nor his or their Assignee or Assignees (he or they not being previously a Proprietor or Proprietors in the said Company), shall be deemed a Proprietor of the said Undertaking, or be capable of acting in any respect as such.

Power to transfer Securities.

Transfers to be registered.

To compel Payment of Subscriptions.

IX. And be it further enacted, That the several Persons who have already subscribed or shall subscribe for or towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money so subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for, pursuant to the Powers of and Directions contained in this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered or directed by any General or Special Meeting of the said Company; and in case any such Person or Persons shall refuse or neglect to pay any such Sum or Sums of Money at such Times and in such Manner as shall be ordered or directed as aforesaid, it shall be lawful for the said Company to sue for and recover the same from him, her, or them, by Action of Debt or otherwise, in any of His Majesty's Courts of Record at *Westminster* or *Lancaster*, together with lawful Interest for the same from such required or appointed Time of Payment, and all Costs of Suit attending the same.

Proprietors Names to be entered in a Book, and Certificates of their

X. And be it further enacted, That the said Company shall and they are hereby required to cause the Names and Designations of the several Persons who are at present and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the proper Number by which every Share possessed by each of the Subscribers and Proprietors is to be distinguished,

guished, to be distinctly entered in a Book or Books to be kept by the Clerk or Clerks of the said Company; and after the making of such Entry, a Certificate, under the Common Seal of the said Company, shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Subscriber or Proprietor thereof; which Certificate shall be delivered to the Proprietor of such Share, or his, her, or their Executors, Administrators, or Assigns, upon Demand, and 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 therein specified, but the Want of such Certificate shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof; and in case such Certificate shall not be produced or forthcoming, the said Entry, or a true Copy thereof, certified by the Clerk or Clerks to the said Company, shall be deemed *primâ facie* Evidence of Title; and for which Certificate and the original Certificate respectively, the said Clerk or Clerks shall be paid the Sum of One Shilling and no more.

Shares to be furnished them

XI. And be it further enacted, That within Six Calendar Months after the passing of this Act, or as soon after as conveniently may be, a General Assembly or Meeting of the said Company of Proprietors shall be holden in the Town of *Burnley*, between the Hours of Six and Nine of the Clock in the Evening, of which General Assembly or Meeting Ten Days Notice shall be given by any Two or more of the Proprietors or Subscribers, Once in some Newspaper published in the County of *Lancaster*, and such General Assembly or Meeting shall then and there proceed in the Execution of this Act; at which General Assembly or Meeting, or at any Adjournment thereof, Seven Persons shall be elected to be Directors of the Affairs of the said Company, and Two other Persons shall be elected to be Auditors of the Accounts of the said Company, from amongst such of the said Subscribers as shall be possessed of Shares to the Amount of Sixty Pounds at the least; which Directors and Auditors shall respectively continue in Office until the next General Annual Assembly or Meeting shall be holden, or until others or another in their or any of their Stead shall be elected; and such General Assembly or Meeting may be adjourned to such other Time and Place as the Majority of the Subscribers then present shall think fit.

First Meeting of Proprietors.

Election of Directors.

XII. And be it further enacted, That the Directors to be from Time to Time appointed as aforesaid, or any Four or more of them, shall hold their Meetings at such Time and at such Place within the said Townships of *Burnley* and *Habergham Eaves* as they shall from Time to Time approve; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors at any of their Meetings, shall be decided and determined by the Majority in Number of the Members present; and if on the Day appointed for any Meeting of the said Directors, Three Directors shall not attend, then and in such Case the Meeting shall be adjourned to the next Day not being a *Sunday*, and if the next Day shall be a *Sunday*, then to the *Monday* following, by the Director or Directors then present, or if none be present, then by the Clerk or Clerks to the said Company, or such other Person as shall

Meetings of Directors, and Regulations of their Proceedings.

attend in his or their Place; and any One or more of the said Directors, or the Clerk or Clerks of the said Company, by the Direction of any One or more of them, may at any Time call a Meeting of all the Directors, by causing Notice in Writing, signed by such Director or Directors, or by the Clerk or Clerks of the said Company, to be sent by the Post or otherwise to the Residence or Address of every other Director, and also renew the Meetings of the other Directors, although they may have been discontinued for want of Adjournment, or to institute a new Meeting independent of any Meeting appointed by Adjournment.

Chairman of Meetings to be chosen, and to have casting Vote.

XIII. And be it further enacted, That at every General or Special Assembly or Meeting of the said Company, a Chairman shall or may from Time to Time be chosen or elected to preside thereat; and if upon any Question to be discussed or considered at any such General or Special Assembly or Meeting of the said Company, the Number of Votes, including the Vote of the Chairman, shall be equal, then and in every such Case the Chairman for the Time being shall have an additional or casting Vote.

Directors interested not to vote.

XIV. Provided always, and be it further enacted, That if any Director as aforesaid shall hold any Place or Office of Profit under the said Company, or shall be or become a Dealer, either directly or indirectly, in any Article to be used or provided by the said Company, or shall offer to take or shall take or participate in any Work to be done for the said Company, every such Person shall cease to be a Director of the said Company.

Powers of Directors.

XV. And be it further enacted, That the Directors for the Time being of the said Company shall have the Custody of the Common Seal of the said Company, and appoint the Time and Place for holding General Assemblies or Meetings, and direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, laying out, and disposing of all Sums of Money to be issued or received, laid out or disposed of for the Purposes of the said Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Company, and entering into Agreements or Contracts with any Body Politic or Corporate, or Person or Persons whomsoever, for supplying with Gas all or any public Places, Roads, Streets, Ways, Lanes, Passages, and Buildings, and also all or any private Houses, Shops, Manufactories, and Buildings within the Limits of this Act, where Mains and Pipes are now or may be laid, and in manufacturing such Gas, and in selling or disposing of the Coke and other Products of the said Undertaking, and making, enforcing, and rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the same, or concerning any Debts due to the said Company, 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; and the said Directors shall and may appoint Servants, Workmen, Trades-

men, and other Officers (except a Treasurer or Treasurers, and Clerk or Clerks, who are to be appointed at a General Meeting as herein mentioned of the said Company), and from Time to Time dismiss, remove, or suspend them, or any or either of them, as they shall think fit; and shall be at liberty at any Time to call any Special General Meetings of the said Company, for any Purpose they may think proper, and take such Security to the said Company from the Person or Persons employed by them, for the faithful Execution of their respective Duties, as they shall think proper and adequate to the Trust.

For supplying Vacancies in the Directorship.

XVI. And be it further enacted, That when and so often as any One of the said Directors to be elected by virtue of this Act shall die or become disqualified, or shall, for the Space of Three Calendar Months, refuse or neglect to attend the Meetings of the said Directors, it shall be lawful for the said Company, at any General Meeting to be held pursuant to the Directions of this Act, to elect some other Proprietor, qualified as herein-before mentioned, to be a Director in his Stead; and every such Proprietor so elected shall continue in Office as One of such Directors so long as the Person in whose Place or Stead he was elected would have been entitled to have continued if such Death, Disqualification, Refusal, or Neglect had not happened.

Proceedings to be entered in Books.

XVII. And be it further enacted, That all Orders and Proceedings of the said Company, and also of the said Directors, made at any Meeting of the said Company and Directors respectively, shall be entered in a Book or Books to be kept for that Purpose, and shall be signed by the Chairman for the Time being of such respective Meetings, and such Orders and Proceedings so entered and signed shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence on behalf of the said Company in all Courts and Places whatsoever.

Annual General Assemblies to be holden.

XVIII. And be it further enacted, That on the first *Thursday* in the Month of *January* in each Year, a General Meeting or Assembly of the said Company shall be holden (of which Ten Days Notice shall be given in some Newspaper published in the County of *Lancaster*); and at every such General Annual Meeting or Assembly to be holden after the First General Meeting of the said Company herein-before mentioned, or any Adjournment thereof, Four Members of the said Company, qualified to be Directors as aforesaid, who shall have been Directors in the preceding Year, shall be re-elected Directors, and as soon as such Re-election shall have been made, Three other Members of the said Company (qualified as aforesaid) shall be elected Directors; and after such Elections and Re-elections as aforesaid shall have taken place, the Director or Directors (if any) who shall not be re-elected shall go out of Office; but no Person shall be eligible to serve or act as a Director who shall hold any Office or Offices or Place of Profit under the said Company in the said Undertaking.

XIX. And

Meetings of Proprietors may be specially called.

XIX. And be it further enacted, That any Five or more Proprietors, holding in the Aggregate Fifty Shares or upwards in the said Undertaking, may at any Time, by Writing under their Hands left at the Office of the said Company, or left at the last or usual Place of Abode of any Director of the said Company, require the Directors of the said Company to call a Special General Meeting of the said Company, so as such Requisition shall specify the Objects for which such Special General Meeting is required to be called; and the Directors of the said Company shall thereupon convene such Meeting by Notice in some Newspaper published in the County of *Lancaster*, to be held after Two Days and within Ten Days from the Publication of such Notice; and in case of the Refusal or Neglect of the Directors to convene such Meeting in the Manner before mentioned, then it shall be lawful for any One or more of such Proprietors to convene such Meeting in the Manner before mentioned, to be held after Two Days and within Ten Days from the Publication of such Notice, such Notices respectively specifying the Objects of such Special Meeting; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of the Proprietors as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified only; and all such Acts of the Proprietors, or the major Part of them, met together at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice, as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

Seven Proprietors may act at General Meetings.

XX. And be it further enacted, That at all General Meetings or Special General Meetings of the said Company, the Proprietors then present (not being fewer than Seven in Number, and each possessing Five entire Shares,) shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company; and if it shall happen that there shall not appear at any of the aforesaid General Meetings, or Special General Meetings, Seven at least of the said Proprietors, then, and so often as the Case may happen, such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, at the same Place and Hour as the same ought to have been held as aforesaid; but no Business shall be transacted at any Special General Meeting of the said Proprietors besides the Business for which such Meeting shall have been called, and no other Business shall be transacted at any adjourned Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

General Meetings to appoint Treasurer and Clerk.

XXI. And be it further enacted, That the said Company shall, at their said First General Meeting, or at some Adjournment thereof, elect and choose a Treasurer or Treasurers, and a Clerk or Clerks, for transacting the Business of the said Company; and it shall be lawful for the said Company at any subsequent General or Special Meeting to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer or Treasurers, and Clerk and Clerks, any or either of them, or any other Person or Persons who shall be hereafter elected and appointed to their respective Offices; and shall also from Time to Time elect, choose, and appoint, in Manner aforesaid,

aforesaid, any other Person or Persons to act as Treasurer or Treasurers, or Clerk or Clerks of the said Company, in the Room of such of the said Officers as shall happen to die, or to resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers or any of them, as at any such General or Special Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer of the said Company, for the faithful Execution of his Office, before he shall enter thereupon.

Offices of Treasurer and Clerk not to be held by the same Person.

XXII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Company; and if any Person or Persons 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 or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, shall act as Treasurer or Treasurers, or being the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, shall act as Clerk or Clerks in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or *Lancaster*, 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.

Treasurer not to issue Money without an Order of Directors.

XXIII. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders in Writing, signed by the Chairman of the Directors for the Time being, Three other Directors at least being

being present at the Time of ordering or directing such Issue of Money to be made.

Power to make Bye Laws, &c.

XXIV. And be it further enacted, That it shall be lawful for the said Company at any General Assemblies or Meetings from Time to Time to make such Rules, Orders, Bye Laws, and Regulations, as to them shall seem fit and proper for the Government, carrying on, Superintendance, and Management of the said Undertaking, and regulating the Proceedings of the said Directors, and the Duties and Conduct of all Officers, Workmen, and Servants to be employed in and about the Affairs and Business of the said Company, and from Time to Time to alter or repeal such Rules, Orders, Bye Laws and Regulations, or any of them, and to make new or other Rules, Orders, Bye Laws, and Regulations; and also to impose such reasonable Fines and Forfeitures upon all Officers, Workmen, Servants, and other Persons to be employed in and about the Affairs and Business of the said Company, or in the Superintendance and Management of the said Undertaking, not exceeding the Sum of Forty Shillings for any one Offence, as to the said Company shall seem meet and expedient; and all Rules, Orders, Bye Laws, and Regulations so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, shall be binding upon all such Officers, Workmen, Servants, and other Persons, and shall be sufficient Authority in any Court of Law or Equity to justify all Persons who shall act under the same; provided such Rules, Orders, Bye Laws, and Regulations be not repugnant to the Laws or Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the express Directions or Provisions of this Act; and a printed Copy of such Rules, Orders, Bye Laws, and Regulations shall be put up and continued in some conspicuous Place in the Office of the Company, or of their Clerk, and in the Buildings where the Gas shall be manufactured.

Proprietors to have One Vote for every Five Shares.

XXV. And be it further enacted, That none of the said Company shall be entitled to be present or to vote at any of their General or Special Meetings, or Adjournments thereof, unless he or she shall be possessed of at least Five Shares in the said Undertaking, and each of the said Proprietors shall have One Vote or Voice at such Meetings for and in respect of every entire Five Shares he or she may have therein; but none of the said Company shall be entitled to vote in respect of any Share or Shares after the Day appointed for Payment of any Instalment or Call to be made or called for as herein-after is mentioned, until such Instalment or Call shall have been paid; nor shall any of the said Company vote upon any Question in which he or she shall be in anywise interested further than as a Proprietor or Subscriber to or in the said Undertaking.

Shares standing in several Names, the Person whose Name stands first to be deemed the Owner.

XXVI. And be it further enacted, That when any of the said Shares shall be jointly possessed by or be the Property of more than One Person, the Proprietor whose Name shall stand first in Order on the Register Books of the said Company, shall, for all the Purposes of the said Company, be deemed the Proprietor of such Share or Shares; and all

Notices required to be given to the respective Proprietors of Shares in the said Undertaking shall and may be given to or served upon such Person whose Name shall so stand first in Order in the said Register Books of the said Company, and such Service shall be deemed to be a Service upon all the Proprietors of such Share or Shares, and such Person shall be entitled to vote for any of the Purposes of this Act in respect thereof.

Power to vote by Proxy.

XXVII. And be it further enacted, That every Proprietor of Shares in the said Undertaking, entitled to vote in respect of such Shares at any General or Special Assembly or Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes either in Person or by Proxy, every such Proxy being One of the said Company; and the Appointment of such Proxies may be made in the Form or to the Effect following; (that is to say),

Form of Proxy.

"I *A. B.* of One of the Proprietors in "The *Burnley* Gas Light Company," do hereby nominate, constitute, and appoint *C. D.* of to be my Proxy, in my Name and in my Stead to vote or give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking, that shall be mentioned or proposed at the General or Special Assembly of the said Company to be holden on the Day of or any Adjournment thereof, if I shall not be present, 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 and Seal, the Day of ."

Lunatics and Minors how to vote.

XXVIII. Provided always, and be it further enacted, That in case any of the said Proprietors, entitled to vote as aforesaid, shall be a Lunatic or Lunatics, or a Minor or Minors, any One of the Committees of such Lunatic or Lunatics may vote for such Lunatic or Lunatics, and such Minor or Minors shall or may vote by his, her, or their natural or appointed Guardian, or any One of such Guardians; but no Person or Persons, Bodies Corporate or Politic, shall hold and vote as a Proxy or Proxies for more than Two Proprietors.

Notices of Meetings, &c. how to be given.

XXIX. And be it further enacted, That all Notices herein directed to be given of any General or Special Meetings, or Adjournments respectively, or to any of the said Proprietors upon any Occasion not herein otherwise provided for, shall be given by Advertisement to be published in some Newspaper printed within the County of *Lancaster*; and such Notices, when so published, shall be deemed and considered the same as or in lieu of personal Notices.

General Meetings may make Calls on Proprietors.

XXX. And be it further enacted, That the said Company at any General or Special General Meeting to be called for that Purpose, or any Adjournment thereof respectively, shall have full Power to make such Call or Calls for Money from the several Subscribers to or Proprietors of Shares

Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as shall from Time to Time be found wanting and necessary for the Purposes of the said Undertaking, so that no One such Call exceeds the Sum of Three Pounds for or in respect of any One Share, and so that no Call or Calls be made but at the Distance of One Calendar Month at least from another; and the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers to the said Company, and shall be paid at such Time and Place as shall be appointed at such General Meeting, of which Time and Place Ten Days Notice at least shall be given.

In default of Payment on Calls, Shares to be forfeited and sold.

XXXI. And be it further enacted, That if any Subscriber to or Proprietor of any Share or Shares in the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Portion of the Money to be called for by any General or Special Meeting as aforesaid, by the Time appointed for Payment thereof, or within Twenty-one Days then next after, then and in such Case each such Subscriber or Proprietor so neglecting or refusing shall (whether the same shall have been then sued for in any Court of Law or Equity or not) absolutely forfeit all his, her, or their Share and Interest in the said Undertaking, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special General Meeting; and all Shares which shall or may be so forfeited shall be vested in the said Company, and be sold at a public Sale to the highest Bidder, and the Produce thereof shall be applied and disposed of in manner herein mentioned: Provided always, that no Advantage shall be taken of such Forfeiture until after Fourteen Days Notice in Writing signed by the Chairman of the said Company, or Three of the Directors thereof, shall have been given to the Proprietor or Proprietors thereof, or left at his, her, or their usual or last Place of Abode, if they shall reside within the Limits of this Act, and if not, then by Letter sent by the Post; and every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, and their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls; and every Share so sold shall be transferred to the Purchaser or Purchasers thereof by the said Company under their Common Seal, and the Proprietor or Proprietors of such Shares so sold and transferred shall be and be deemed a Member of the said Company to all Intents and Purposes whatsoever, and shall be entitled to all the same Privileges and Advantages, and be subject to all the same Liabilities, as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking.

If the Purchase Money be more than sufficient to pay the Ar-

XXXII. Provided also, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Call as aforesaid, and lawful Interest thereon, with the Expences attending such Sale or Sales, the Surplus

Surplus of such Money shall be paid on Demand to the Person or Persons to whom such Share or Shares shall have belonged; but the said Company shall not sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be, at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all such Calls, and the Interest and Expences as aforesaid, any Share or Shares so vested in such Company as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons, or his, her, or their Executors or Administrators, to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

rears of Calls, &c. the Surplus to be paid to the Owner.

XXXIII. And be it further enacted, That it shall be lawful for the said several Proprietors, 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 or may be in the Form or to the Effect following; (that is to say),

Shares may be transferred.

'I [*or* we] of in consideration of paid to me [*or* us] by do hereby bargain, sell, assign, and transfer to the said Share [*or* Shares, *as the Case may be*,] in the *Burnley* Gas Light Company, Number [*or* Numbers] 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, as I [*or* we] held the same Share [*or* Shares] immediately before the Execution hereof; and I [*or* we] the said do hereby agree to take and accept the said Share [*or* Shares], subject to the said Rules, Orders, Restrictions, and Conditions. As witness our Hands and Seals, this Day of in the Year of our Lord .'

Form of Transfer.

And every such Transfer shall be produced to the Clerk or Clerks of the said Company, and shall be registered and entered by him or them in the Books of the said Company, for which the Sum of One Shilling and Sixpence for each Share shall be paid by the Person requiring such Transfer, to such Clerk or Clerks, and no more; and the Registry thereof shall specify the Dates, Names of the Parties, and the Numbers of the Shares transferred; and a Certificate of such Register, signed by the said Clerk or Clerks, shall be sufficient Evidence of such Transfer, and be received and admitted as such; and until such Transfer shall be registered in the Books of the said Company, no Purchaser or Purchasers of any Share, or his, her, or their Executors, Administrators, or Assigns, shall be deemed a Proprietor, or have any Part of the Profit of the said Undertaking, or the Advantages thereof, nor shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as a Proprietor or Proprietors of the said Undertaking in respect of such Share or Shares.

Transfers to be registered.

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

XXXIV. Provided also, and be it further enacted, That after any Call for Money shall have been made by virtue of this Act, no Proprietor or Proprietors 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 in respect of his, her, or their Share or Shares intended to be sold shall have been paid; and until such Money so called for shall be paid, every such Sale or Transfer shall be void; and all and every Proprietor or Proprietors making default herein shall forfeit such his, her, or their Share or Shares in the said Undertaking, to and for the Benefit of the said Company, unless he, she, or they shall at the Time of such Sale and Transfer pay to the Treasurer of the said Company the full Sum of Money so called for upon every Share so to be sold or transferred, subject to the Provisions of this Act.

For ascertaining the Proprietorship of Shares in certain Cases.

XXXV. And whereas by reason of Death, Insolvency or Bankruptcy, or by the Absence from this Kingdom of any of the said Proprietors, or by the Transfer of their, his, or her Right and Interest to some other Person without any Registry being made thereof with the Clerk or Clerks of the said Company, it may not be in the Power of the said Company to know who is or are the Proprietor or Proprietors of such Share or Shares; be it therefore further enacted, That in all Cases where the Right to One or more Share or Shares in the said Undertaking shall pass from the Subscriber or Subscribers thereof to any Person or Persons, by any other legal Means than by a Transfer thereof in the Manner hereinbefore specified, an Affidavit shall be made and sworn to before a Master or Master Extraordinary of His-Majesty's High Court of Chancery, or any One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares have or hath passed to such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, and such Affidavit shall be delivered to the Clerk or Clerks of the said Company, to the Intent that he or they may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book of the said Company.

Accounts to be settled.

XXXVI. And be it further enacted, That the said Company, at any General Assembly or Meeting specially called for the Purpose, shall have full Power from Time to Time to call for and examine all or any of the Accounts of the said Company; and at every Annual General Assembly or Meeting, or some Adjournment thereof, a Dividend or Dividends shall be made out of the Interest, Profits, or Advantages of the said Undertaking (unless such Meeting shall declare otherwise), and such Dividend or Dividends shall be at and after the Rate of such a Sum upon or for every Share in the said Undertaking, as such Meeting or Meetings shall think fit to order and determine; but no Dividend shall be made whereby the Capital of the said Company shall be reduced, nor shall any Dividend be paid in respect of any Share or Shares until all Calls for Money then made in respect thereof by virtue of this Act shall have been paid.

XXXVII. And

Power to contract for the Purchase of Lands or Buildings.

XXXVII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby empowered, from Time to Time to contract and agree for the absolute Purchase of, and to hold to them and their Successors and Assigns, either in Fee or by Copy of Court Roll, and either subject to a perpetual or limited Ground or Fee Farm Rent or Rents, such Buildings, Works, Mains, Pipes, and Apparatus, Lands, Tenements, and Hereditaments, as they may think requisite for any of the Purposes of this Act, not exceeding in the whole at any one Time any greater Quantity of Land than Two Statute Acres; and also to sell and dispose of such Buildings, Works, Mains, Pipes, and Apparatus, Lands, Tenements, and Hereditaments, as they shall think proper, and to purchase and hold other Lands, Tenements, or Hereditaments of similar Tenure, or subject as aforesaid, as they shall think proper, not exceeding the Quantity aforesaid, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever.

If of Copyhold Tenure, to be held according to the Custom of the Manor.

XXXVIII. Provided always, and be it further enacted, That all Copyhold or Customary Lands and Tenements to be purchased by the said Company, for the Purposes of this Act, shall continue to be held as Copyhold or Customary Lands and Tenements, by the Rents, Fines, and Services due and accustomed, unless the Lord or Lady of the Manor within which such Copyhold or Customary Lands and Tenements shall be situate shall consent to enfranchise the same; and that such Copyhold or Customary Lands and Tenements shall be conveyed and pass by Surrender to the Use of Two Directors only, and their Heirs and Assigns, in Trust for the said Company, for the Purposes of this Act, and from Time to Time be granted unto Two Trustees, their Heirs and Assigns, in Trust as aforesaid, unless the Lord or Lady of the said Manor, within which the same Lands and Tenements shall lie, shall consent to authorize the same to be granted otherwise; any thing herein contained to the contrary in anywise notwithstanding.

Bodies Politic, &c. empowered to sell.

XXXIX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life and in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, 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 respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all other Persons whomsoever, who are or shall be seised, possessed of, or interested in any Buildings, Lands, Tenements, or Hereditaments of what Nature or Tenure soever, or any Part thereof, which shall be thought necessary by the said Company to be purchased for the Uses and Purposes of this Act, such Lands not exceeding Two Statute Acres, to contract and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all

all or any Part thereof to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, Surrenders, and Conveyances which shall be made by virtue of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or other Person or 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 the Wife and Wives of such Person, and Persons, and all Estates Tail and other Estates in Possession, Remainder, Reversion, or Expectancy, and the Issue and Issues of such Person, or Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by proper Parties in due Form of Law, 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, Ecclesiastical or Lay, 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, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is, are, and shall be hereby indemnified for what he, she, or they shall do by virtue of this Act.

Not to purchase more than Two Statute Acres from incapacitated Persons.

XL. Provided always, and be it further enacted, That in case the said Company shall, by virtue of the Powers and Provisions of this Act, purchase the aforesaid Two Acres of Land, or any Part thereof, of or from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, or Persons to whom or for whose Benefit Lands are limited in strict Settlement, or any other Persons being under legal Disability or Incapacity, and in case the said Company shall afterwards sell or convey the Whole or any Part of such Land, then it shall not be lawful for the same, or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, or other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or instead of those so sold or disposed of by the said Company, or any Part thereof.

XLI. And

Application of Purchase Money when amounting to 200*l.* and upwards.

XLI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity whatsoever, 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 Court of Exchequer, to be placed to his Account, *ex parte* the *Burnley* Gas Light Company, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of Land Tax, or in 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 Part or Parts thereof, or other Lands, Tenements, or Hereditaments 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 Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be purchased 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 Court, upon Application being 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 Body or Bodies, 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 then actually made.

1 G. 4. c. 35.

Application when less than 200*l.* and exceeding 20*l.*

XLII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased for the Purposes of this Act, belonging to any Body or Bodies, Person or Persons under any Disability or Incapacity, as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons, for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, or Parts, Estates, or Interests so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, 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 Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Body or Bodies, Person or Persons making such Option, and approved by Three or more of the Directors of the said Company, 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 to arise thereon, may be applied in 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 Court.

When not exceeding 20*l.*

XLIII. And be it further enacted, That where such Money so to be paid as last before mentioned shall not exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Parts, Estates, and Interests, so to be purchased for the Purposes of this Act, in such Manner as the Directors of the said Company, or any Three or more of them, shall think fit, or in case of Infancy, Idiotcy, 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 disputed Titles.

XLIV. And be it further enacted, That where any Question shall arise touching the Title of any Body or 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 Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or for any Share, 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, Share or Shares, 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, Share or Shares, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; 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 Body or Bodies, Person or Persons, was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchase may be allowed by the Court.

XLV. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the Expences as the said Court shall deem reasonable, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XLVI. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of, or the Ground or Fee Farm Rent or Rents secured upon such Lands, Tenements, or Hereditaments, by the said Company, or the Party or Parties or Person or Persons respectively entitled to such Money, or their Agent, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in manner herein directed (as the Case may be), and upon the Conveyance or Surrender in manner herein directed of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or in Equity, of the Party and Parties and Person and Persons respectively to whom or for whose Use the same shall be paid, in, to, or out of such Lands, Tenements, and Hereditaments, shall vest in the said Company and their Successors for ever, for the Purposes of this Act.

Conveyances of Land.

XLVII. 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, (not being of Copyhold Tenure), shall be made in the Form or to the Effect following; (that is to say),

Form of Conveyance.

'I [*or* we, *as the Case may be*] of
'in consideration of the Sum of
'paid to me [*or* us, *or* into the Bank of *England*, *as the Case may be*] by
'the Company of Proprietors established under or by virtue of an Act
'passed in the Seventh Year of the Reign of King *George* the Fourth, intituled [*here insert the Title of this Act*], do hereby grant and release [*or*
'assign, *as the Case may be*] to the said Company of Proprietors and
'their

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

For the Sale of Land not wanted.

XLVIII. And be it further enacted, That it shall be lawful for the said Company to sell and dispose of, and by Indenture or Indentures, Surrender or Surrenders, under their Common Seal, to grant, convey, and surrender, or direct to be granted, conveyed, and surrendered, by way of absolute Sale, in Fee Simple or otherwise, according to the Nature and Tenure thereof, for a Consideration in Money, or subject to perpetual or Fee Farm Rent or Rents, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may have been so purchased and taken, and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, or the Rent or Rents thereof, when due, it shall be lawful for the Treasurer for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, or the Rent or Rents as aforesaid, which Receipt or Receipts shall be a sufficient Discharge or sufficient Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received, and such Person or Persons having *bonâ fide* paid the same shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or Rent or Rents, or any Part thereof.

Power to break up Soil and Pavement of Streets, &c. for laying Pipes and lighting Buildings, &c.

XLIX. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorized and empowered, subject to the Provisions and Restrictions herein-after mentioned, by their Servants, Agents, Workmen, and others, from Time to Time to make, erect, sink, lay, place, and fix such Retorts, Gasometers, Receivers, Buildings, Cisterns, Engines, Machines, Cuts, Drains, Sewers, Watercourses, Reservoirs, Pipes, and other Works and Devices, of such Construction and in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into Execution, and also to break up the Soil and Pavements of any Streets, Highways, Roads, Ways, Lanes, Passages, and other public Places, or any Part of them, or either of them, and to erect Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in the same Streets, Highways, Roads, Ways, Lanes, Passages, and other public Places, or any of them, or against any Wall or Walls erected on or adjoining to them or any of them, and to dig and sink Trenches and Drains, and lay Mains and Pipes, and put Stopcocks, Syphons, Plugs or Branches from such Pipes, in, under, across, and along such Places, Streets, Ways, Lanes, or public Passages, and also (with such Consent as herein-after mentioned) in, under, across, and along any private Buildings, Ways, Passages, Grounds, and other Places,

Places, in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Lights as aforesaid, and from Time to Time to alter the Position of, and repair, relay, and maintain such Pipes, Stopcocks, Syphons, and Plugs or Branches, and also to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Road, Highway, Lane, Passage, or other public or private Place by the said Company by virtue of this Act, into or through or against any Dwelling House or Houses, Manufactories, public or private Buildings or Grounds, for the Purpose of lighting the same, or any other public or private Lamp or Lamps, from any of such Mains or Pipes, and to erect and set up any Machine or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Work which shall have been placed, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things as the said Company shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, supplying, and using the same, and for carrying into effect the Purposes and Meaning of this Act, a proper Compensation being made for any Damage done thereby.

Company not to lay Pipes, &c. against Houses, &c. without Consent of Owner.

L. Provided nevertheless, and be it further enacted, That nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes, Cocks or Branches, through, into, or against any Dwelling House or Houses, Manufactory, public or private Buildings, or any other Place or Places, or so to continue the same, without the Consent of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public or private Buildings, or Yards, or any other Place or Places, through, into, or against which any Pipe or Pipes, Cocks or Branches, may be carried or laid for the Purposes aforesaid.

Company to remove Pipes, &c. on private Property, on Notice.

LI. Provided also, and be it further enacted, That in case any Pipe, Cock, or Branch shall be carried or laid from any Gas Main or Gas Pipe of the said Company, into, through, or against any private Dwelling House, Manufactory, Warehouse, Wharf, Building, Yard or Ground, for the Purpose of lighting the same, or any other Dwelling House, Manufactory, Building, Yard, or Ground, in pursuance of and conformably to the Powers and Authorities in this Act contained, and the Owner or Occupier of any such private Dwelling House, Manufactory, Warehouse, Wharf, Building, Yard, or Ground, into or through which such Pipe, Cock, or Branch shall pass or be laid, shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such their Desire shall give Notice in Writing to the said Company, then and in every such Case the said Company shall, at the Costs and Charges of the Parties requiring the same, within Seven Days after Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon,

from any such Main or other Pipe of the said Company as aforesaid; and in default thereof, it shall be lawful for such Owners or Occupiers, or any other Person or Persons acting under their Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require.

Pavement, &c. not to be taken up without Consent of Persons having the Property thereof.

LII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company, or any of their Officers, Agents, or Servants, to break up the Pavement or Soil of all or any Part of any of the Streets, Lanes, Alleys, or other public Passages or Places in the said Townships of *Burnley* and *Habergham Eaves*, without the Consent of the Commissioners or Trustees, or Surveyors, or other Person or Persons, Body or Bodies Politic, Corporate or Collegiate, having the Controul, Direction, Superintendence, or Property of or in such Pavement or Soil, first obtained in Writing for that Purpose.

After Consent allowed for Company to break up Pavements, no further Consent necessary.

LIII. Provided always, and be it further enacted, That in all Cases where any Consent is required to be and shall be obtained by the said Company, to break or take up or remove any Pavement, Soil, or Ground in or of any Street, Lane, Alley, or other public Passage or Place in the said Townships of *Burnley* and *Habergham Eaves*, in order to lay down any Main or Mains, Pipe or Pipes, to convey Gas, or for any other Purpose which may be required under this Act, nothing in this Act contained shall, after such Consent obtained as aforesaid, and after Twenty-four Hours previous Notice, or in case of Emergency after Three Hours previous Notice, in Writing from the said Company, given to or left at the Place of Abode of such Person or Persons, or at the Office of the Clerk or Agent, or at the other Place of transacting Business of such Body or Bodies Politic, Corporate, or Collegiate, having the Property of such Soil or Pavement, be deemed or construed to extend to prevent the said Company from repairing such Main or Mains, Pipe or Pipes, or from breaking or taking up or removing any Pavement, Soil, or Ground in or of such Street, Lane, Alley, or other public Passage or Place, for the Purpose of laying down or repairing any such Main or Mains, or any Pipe or Pipes whatsoever, or for any other Purpose which may be required under this Act.

Directing how Pipes shall be laid down.

LIV. Provided always, and be it further enacted, That no Gas Pipes belonging to the said Company shall be laid down at a less Depth than Twenty Inches beneath the Pavement in any of the Streets or Places within the said Townships of *Burnley* and *Habergham Eaves* (except in passing over Bridges and Vaults), and that the said Company shall and they are hereby required, at their own Costs and Expences, to relay, reinstate, and make good all such Ground and Pavement, in any of the Streets and Places within the said Townships, as shall be broken and taken up, either for the Purpose of laying down or for repairing, relaying, and amending any Mains, Pipes, Cocks, or Plugs to be made or laid down by virtue and in pursuance of this Act, or afterwards repaired, relaid, or amended; and if the said Company shall neglect to repair, reinstate, and make good such Ground and Pavement with all convenient Speed, they shall

shall for every such Offence forfeit and pay the Sum of Five Pounds, One Moiety whereof shall be paid to the Informer, and the other Moiety to the Poor of the Township where any such Neglect shall happen, to be recovered by Action of Debt or on the Case in any Court of Law.

Company to contract with Commissioners of Paving and Lighting for lighting the Streets, &c.

LV. And be it further enacted, That in case the Commissioners already appointed or hereafter to be appointed for, or having the Controul and Superintendence of the paving and lighting of the several Streets, Lanes, Alleys, and other public Passages and Places within the Townships of *Burnley* and *Habergham Eaves*, under the Authority of an Act of the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, lighting, watching, and improving the Town of* Burnley *in the County Palatine of* Lancaster, or any other Act or Acts hereafter to be made or passed, shall at any Time or Times hereafter be desirous of having such of the said Streets, Lanes, Alleys, and other public Passages and Places, as under the Authority of the said Act or Acts now are, or shall or can or may be lighted in the usual Manner, lighted with Gas, the said Company shall and they are hereby directed and required to contract and agree with the said Commissioners to light the same with Gas, upon the Terms and Conditions herein-after specified; (that is to say), that the said Company shall supply such Quantity of Gas Lights, at such Number of Lamps, with such Sort 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, consistently with the Provisions of this Act, as the said Commissioners 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 Seven Years, or oftener, between the said Commissioners and the said Company; and all Contracts so entered into shall be binding on the several Parties thereto, and also on their and his Successors or Successor.

Power to contract for lighting Streets, Houses, &c.

LVI. And be it further enacted, That it shall be lawful for the said Company to contract with any other Commissioners, Trustees, Surveyors, Persons or Bodies having the Controul, Direction, or Management of the Highways, or any of them, within the Limits of this Act, for lighting or supplying the same with Gas; and also to contract with any Persons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, for the lighting or supplying with Gas any Streets, Ways, Lanes, or Passages, Manufactories, Shops, Warehouses, public or private Houses or Buildings, belonging to them or any of them, or in which they or any of them are interested, or over which they or any of them have the Direction or Controul; and also to contract with any Person or Persons whomsoever for lighting or supplying with Gas any Shops, Warehouses, public or private Buildings or Places whatsoever, within the Limits of this Act, in such Manner and under such Stipulations as the said Company shall think proper, consistent with the Powers and Authorities hereby granted.

LVII. Pro-

Company to remove Pipes when Tenants quit, if required.

LVII. Provided always, and be it further enacted, That in all Cases the said Company shall, at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers so giving Consent as aforesaid, or within Ten Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Fourteen Days Notice in Writing for the Purpose, for or on behalf of the Owner or Owners, Occupier or Occupiers, or the succeeding Owner or Owners, Occupier or Occupiers, of any such Dwelling House or Houses, Manufactories, public or private Buildings as aforesaid, remove, take, and carry away, or cause to be removed, taken, and carried away, any Pipe or Pipes, Cocks or Branches, from any Main Pipe or Main Pipes which shall have been introduced or laid by the said Company in or through any such Dwelling House or Houses, Manufactories, public or private Buildings as aforesaid, pursuant to the Power for that Purpose herein-before contained, and repair and make good such Dwelling House or Houses, Manufactories, public or private Buildings, where the same shall have been so introduced, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall be lawful for such Owner or Owners, Occupier or Occupiers, or such new Owner or Owners, Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away, and the Dwelling House or Houses, Manufactories, public or private Buildings, where the same shall have been introduced, to be repaired and made good, the reasonable Costs and Charges attending which shall be immediately paid by the said Company, or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require; and if the same Costs and Charges be not paid within Twenty-eight Days next after Demand shall be made by such Owner or Owners, Occupier or Occupiers (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 of *Lancaster*), such Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the said County, and which Warrant such Justice or Justices is or are hereby empowered to grant.

Company to reinstate Pavements, &c. after laying of Pipes.

LVIII. And be it further enacted, That when and as often as the said Company shall have broken up or removed the Stones, Ground, Soil, or Pavement in or of any Road, Street, Way, Lane, or other public Passage or Place, or any Part thereof, the said Company shall and they are hereby required immediately thereafter to reinstate and make good such Ground, Soil, or Pavement, to the Satisfaction of the Surveyor to the Commissioners or Trustees, or other Person or Persons having the Controul, Direction, or Superintendence of such Pavement, Soil, or Ground respectively; and the said Company shall carry or cause to be carried away all surplus Earth, Filth, and Rubbish occasioned thereby at their own Costs and Charges; and during the Time that such Works are carrying on, and until such Ground, Soil, or Pavement is reinstated

as aforesaid, the said Company shall provide necessary Lights at Night, and otherwise guard the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company shall make Default in reinstating and making good such Ground, Soil, or Pavement as aforesaid, or removing any Rubbish occasioned thereby, or in placing and setting up such Lights at Night, and otherwise guarding the said Works, so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in every such Case it shall be lawful for the said Commissioners or Trustees, or other Person having such Controul, Direction, or Superintendence as aforesaid, to reinstate such Ground, Soil, and Pavement, and carry away all Rubbish occasioned thereby, and during the Time that such Works are carried on to provide necessary Lights at Night, and the Expences thereof shall be repaid by the said Company, or their Treasurer, to the said Commissioners or Trustees, or their respective Treasurers, or to the Person or Party so reinstating the same; and in default of Payment thereof within Twenty-eight Days next after Demand thereof in Writing shall have been made for and on the Behalf of such Commissioners, Trustees, or other Persons (Proof being made thereof by the Oath of One credible Witness before One or more Justice or Justices of the Peace), all such Sum or Sums of Money so paid, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered for the Use of such Person or Party, by Distress and Sale of the Goods and Chattels of the said Company; 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, who is and are hereby empowered to grant the same.

Power to alter Pipes.

LIX. And be it further enacted, That if it shall at any Time or Times be deemed necessary or expedient by the Commissioners or Trustees, Surveyors, or other Person or Persons having the Controul, Direction, or Superintendence of the said Roads, Streets, Ways, Lanes, and other public Passages and Places respectively, to require the said Company to raise or sink or otherwise alter the Situation of any of the Pipes, Stopcocks, Plugs, or Branches which shall be laid down for the Purposes aforesaid, the said Company shall at their own Expence, within Ten Days next after being required so to do, by Notice in Writing to them given by the said Commissioners, Trustees, Surveyors, or other Person or Persons respectively, raise or sink such Pipes, Stopcocks, Plugs, or Branches, according to such Notice, in such Manner and in such Place or Places as the said Commissioners or Trustees respectively shall think proper; and in default thereof it shall be lawful for the said Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid, to cause such Pipes, Cocks, Plugs, or Branches to be raised or sunk, and the reasonable Costs and Charges of doing the same shall immediately thereafter be paid by the said Company; and if the same be not paid within Ten Days next after Demand shall be made by the said Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid, by Writing left at the Office of the said Company (Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace), 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, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid.

Damage to be made good.

LX. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Cocks, Syphons, Plugs, or Branches, any Damage or Injury shall be done to the same by the said Commissioners, Trustees, Surveyors, or other Servants, or such other Persons aforesaid, then and in every such Case such Damage or Injury shall be made good to the said Company, as soon as Circumstances will permit, and the Costs, Charges, and Expences thereof shall be paid to them on Demand by the said Commissioners, Trustees, or Surveyors, or other Person or Persons aforesaid, and recovered in the Manner by this Act directed.

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

LXI. And be it further enacted, That no Person shall lay any Pipe to communicate with any Pipe belonging to the said Company, nor fit or alter any of the Fittings of any Pipes or Lamps belonging to the said Company, without the Consent of the said Company in Writing first had and obtained, nor use Burners of larger Dimensions or in any other Manner than he, she, or they shall contract to pay for, or supply any Inhabitant or other Person with any Part of such Gas, on pain of forfeiting and paying to the said Company the Sum of Forty Shillings *per* Day for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished.

Penalty for wilfully damaging Pipes, &c.

LXII. And be it further enacted, That if any Person or Persons shall wilfully, maliciously, or negligently do or commit, or cause to be done or committed, any Injury or Damage to any of the Mains or Service Pipes of the said Company, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression or subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever; or if any Person or Persons whomsoever shall wilfully or maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Post, Plug, Lamp, Glass, Burners, or other Apparatus, Matter, or Thing, Buildings, Works, or Appurtenances, of or belonging to the said Company, or shall wilfully or maliciously waste or improperly use any of the Inflammable Air or Gas supplied by the said Company, or shall alter, exchange, or remove the Burners from the Pipes of Supply, or shall use such Burners or consume such Gas beyond the Time stipulated and agreed to, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath of One credible Witness, before One or more Justice or Justices for the said County Palatine of *Lancaster*, shall, for every separate Act or Offence, forfeit and pay to the said Company any Sum not exceeding Five Pounds, and Three Times the Amount of the Damage to be done.

Damages for accidentally injuring Pipes, &c.

LXIII. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, throw down, remove, destroy,

destroy, damage, or otherwise injure any or any Part of any Pipe, Plug, Lamp, Lamp Post, Lamp Iron, or other Apparatus, Matter, or Thing set up by or belonging to the said Company, or belonging to any Person or Persons, and set up by him, her, or them at his, her, or their private Expence, or waste any of the Inflammable Air or Gas supplied by the said Company, and shall not, immediately upon Demand by the said Company of Proprietors or their said Directors or Superintendent, or other Person or Persons authorized by the said Company or the Directors, make Satisfaction for the Damage done or the Gas so wasted, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace for the said County Palatine, and he or they is and are hereby required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred; and upon hearing the Allegations and Proofs on both Sides, or on Nonappearance of the Party or Parties so complained against, to award such Sum or Sums of Money by way of Satisfaction to the said Company, or to such other Person or Persons as the Case may require, for such Damages or Waste, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any Sum or Sums of Money so awarded within Four Days after Demand, it shall and may be lawful to and for such Justice or Justices, and he and they is and are hereby required to cause the same, with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, returning the Overplus (if any) on Demand, to the Owner of such Goods and Chattels.

For the Protection of Water Pipes.

LXIV. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, through, under, along, across, or round any Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act, shall be laid at the greatest practicable Distance from the nearest Part of any Water Pipe already laid down, or hereafter to be laid down, by any Company of Proprietors, or Body or Bodies Politic or Corporate, for the Conveyance of Water, in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places, and whenever the Width of the Carriageway will allow thereof, at the Distance of Four Feet at least from the nearest Part of any such Water Pipe (unless in Cases where it shall be unavoidably necessary to lay the Gas Main Pipes across any of such Water Pipes; in which Cases the said Gas Pipes shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith, as near as possible, a Right Angle; and in such Cases the said Gas Pipes so crossing any such Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of any such Water Pipes than Four Feet at least); and in laying down the said Gas Pipes, the said *Burnley* Gas Light Company shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all

Pipes

Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every such Offence (if the said Company shall neglect or refuse to make such Gas Pipes air-tight within Twenty-four Hours after Notice thereof given to them in Writing) the Sum of Ten Pounds.

Company to prevent Escape of Gas and Contamination &c. of Water.

LXV. And be it further enacted, That whenever the Water to be supplied by any Company of Proprietors, or Body or Bodies Politic or Corporate, or by any other Party or Person, by Pipes or Conduits, in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act, or the Water or Waters of any Well or Pond belonging to or used by any Party or Person or Persons whomsoever, shall be contaminated or affected by the Gas of the said *Burnley* Gas Light Company, they shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered; and in every such Case the said *Burnley* Gas Light Company shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any Inhabitant of the said Township of *Burnley*, or the Township of *Habergham Eaves*, or any Person or Persons whomsoever, to be left at the usual Office or Place of transacting Business of the said *Burnley* Gas Light Company, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said *Burnley* Gas Light Company shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, then and in every such Case the said *Burnley* Gas Light Company shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated, tainted, or affected by such Gas, to be sued for and recovered as any Penalty is by this Act directed to be sued for and recovered.

For ascertaining if Water be contaminated.

LXVI. And whereas it may be or become a Question upon such Complaint as aforesaid, whether any such Water be contaminated or affected by the Gas of the said *Burnley* Gas Light Company; be it therefore enacted, That in every such Case it shall be lawful to and for the Inhabitant or Person or Persons so complaining, after giving Notice in Writing to the Commissioners, Trustees, Surveyors, or other Persons under whose Controul or Superintendence any public Roads, Streets, Ways, Lanes, and other public Passages and Places may be, or to the Party or Person having the Property of or in any Ground, Stones, Soil, or Pavement, as the Case may be, and having an Order signed by any Justice or Justices of the Peace (which Order such Justice and Justices is and are hereby required to grant on Oath made before him or them that such

such Water is believed to be contaminated), to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said *Burnley* Gas Light Company, for the Purpose of ascertaining whether such Contamination proceeds from or be occasioned by the Gas of the said Company, and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said *Burnley* Gas Light Company, the Costs and Expences of the said Digging, Search, and Repair of the Pavement of the Street or Streets, or other public Place, or such Part or Parts thereof which shall be so taken up or disturbed, and the filling in of the Soil so broken up, shall be borne and paid by the said *Burnley* Gas Light Company, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice or Justices, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said *Burnley* Gas Light Company, then and in such Case the said Inhabitant or Party or Person so complaining, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also forthwith pay and make good to the said Commissioners, Trustees, Surveyors, or other Persons respectively, under whose Controul or Superintendence any such public Roads, Streets, Ways, Lanes, and other public Passages and Places, or any Part thereof, shall be, or to the Party or Person having the Property of or in the Ground, Stones, Soil, or Pavement, as the Case may be, which shall or may have been so broken up for the Purpose aforesaid, all Costs, Charges, and Expences which shall or may be incurred by such Commissioners, Trustees, Surveyors, or Parties or Persons respectively, in repairing, restoring, and making good any public Road, Street, Way, Lane, or other public Passage or Place, or any Part thereof, which may have been so broken up, and such Inhabitant or Party or Person so complaining shall also, in the Case aforesaid, forthwith pay and make good to the said *Burnley* Gas Light Company any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said *Burnley* Gas Light Company in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined in the said Cases respectively, if necessary, by such Justice or Justices of the Peace as aforesaid.

For stopping the Escape of Gas.

LXVII. 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, 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 Twenty-four Hours next after such Notice by Parol or 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, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a sum-

mary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County Palatine of *Lancaster*, and shall and may be recovered and levied, with all reasonable Costs and 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.

Penalty for conveying Washings into any River, &c.

LXVIII. And be it further enacted, That if the said Company of Proprietors, or any Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in every such Case the said Company of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or *Lancaster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed; and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons whomsoever, to the said Company of Proprietors, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, and the said Company of Proprietors, or Body or Bodies Politic or Corporate, or Person or Persons whomsoever, shall not within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, and prevent all and every such Washings,

waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company of Proprietors, or Body or Bodies Politic or Corporate, Person or Persons whomsoever, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

Gas to be supplied cheaper than Oil.

LXIX. Provided always, and be it further enacted, That the said Company shall and they are hereby directed and required to supply the public Roads, Streets, Ways, Lanes, and other Passages and Places, with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil Lamps, and whenever the said Company shall fail so to do, the Power and Authority hereby given to them further to break up the Soil or Pavement of any such Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act where such Lamps shall be situated, shall from thenceforth during such Failure cease and determine; and every Contract or Agreement which shall be hereafter entered into for lighting with Gas such public Lamps by the said Company, shall contain a Clause or Covenant providing that it shall be obligatory on the said Company that such public Lamps shall at all Times be cheaper and better lighted by the said Company than can be done by Oil Lamps.

Service Pipes to be kept fully charged with Gas.

LXX. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be put up by the said Company for lighting the public Roads, Streets, Ways, Lanes, and other Passages and Places, under any Contract or Agreement, shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Remedy for Recovery of Rents.

LXXI. And be it further enacted, That in case any Body or Bodies, Commissioners, Trustees, Surveyors, or any other Person or Persons who shall contract with the said Company, or agree to take, or shall use or enjoy the said Gas, either in their private Dwellings, Shops, Inns, Taverns, or other Buildings or Manufactories, Grounds or Premises, or otherwise, shall refuse or neglect, for the Space of Ten Days after Demand, to pay the Sum or Sums of Money then due under their, his, or her Contract for the same to the said Company, according to the Terms and Stipulations of the said respective Parties with the said Company, it shall be lawful for the said Company or Superintendant, or any other Person or Persons

Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace, to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Person or Persons refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; or the same Sum or Sums of Money, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record in *England*, or in any County or Hundred Court to be held in and for the said County Palatine of *Lancaster*, by Action of Debt or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than one Imparlance, shall be allowed; and it shall also be lawful for the said Company to cut off and take away the Supply of Gas from the House or Houses, Inn, Tavern, Shop, Warehouse, Factories, or other Buildings, Premises, or Places of every such Person so making Default in Payment of such Sum or Sums of Money then due by his, her, or their Contract to the said Company, for the Space of Ten Days after such Demand as aforesaid, and thenceforth to discontinue the Supply of Gas contracted for with the said Company by such Person or Persons.

Recovery of Compensation for Materials or Damage against the Company.

LXXII. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Company, or by any Persons acting by or under their Authority, and such Sum and Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same, within Fourteen Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, and delivered to the said Company, or to their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Action at Law against the said Company or their Treasurer, or by Distress and Sale of the Goods and Chattels of the said Company, or of their Treasurer for the Time being, or of the Goods and Chattels of the Party or Person required to pay the same Sum or Sums of Money, as the Case may be, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Surplus shall be returned on Demand to the said Company, or their Treasurer for the Time being, or to such Party or Person as the Case may be.

LXXIII. And

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

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

Recovery and Application of Penalties.

LXXIV. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, or by any Rule, Order, or Bye Law inflicted or imposed, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and be recovered before any Justice of the Peace for the said County Palatine of *Lancaster*, in and by the Oath of One or more Person or Persons, or on the Confession of the Party offending, (which Oath such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice; 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 and Chattels shall be so distrained, the reasonable Charges of such Distress and Sale being first deducted, shall be paid to the Informer, and the other Half thereof to the Overseers of the Poor of the Parish, Township, or Place in which the Offence shall be committed, to be by them applied in aid of the Poor's Rates of such Parish, Township, or Place; and in case such sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no such Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that he, she, or they have or hath not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Charges can be levied, if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the House of Correction for the County wherein such Offence shall arise, for any Time not exceeding Three Calendar Months.

Form of Conviction.

LXXV. 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 say),

'to wit. } BE it remembered, That on the Day of in the Year of our Lord is [*or* are] convicted before me [*or* us, *as the Case may be*] of His Majesty's Justices of the Peace for the County of by virtue of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*] of having [*specifying the Offence, and the Time and Place when and where the same was committed, as the Case may be*] contrary to the said Act; and for which I [*or* we, *as the Case shall be*] do adjudge the said to have forfeited the Sum of . Given under my Hand and Seal [*or, as the Case shall be,* our Hands and Seals,] the Day and Year first above written.'

Appeal.

LXXVI. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate, or Collegiate, or any Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Rule, Order, or Bye Law to be made by virtue of this Act, or any Alteration thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the said County Palatine of *Lancaster*, within Four Calendar Months after the Cause of Appeal shall have arisen, (the Person or Persons appealing having first given at least Fourteen Days Notice in Writing of such Appeal, and the particular Nature and Matter thereof, to the Person or Persons appealed against,) and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the said County, and if they see cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order, Rule, Bye Law, 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 think reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be binding, final, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Proceedings to be within Six Calendar Months.

LXXVII. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences against this Act, unless Information respecting such Offence or Offences shall have been lodged before some Justice

of the Peace within Six Calendar Months next after such Offence committed.

Compelling Attendance of Witnesses.

LXXVIII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person or Persons accused, and shall refuse or neglect (without a reasonable Excuse) to appear from Time to Time at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs and Expences, or appearing shall refuse to be examined upon Oath, or, in case of a Quaker or Quakers, on solemn Affirmation (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case every such Person shall forfeit and pay, for every such Offence, any Sum not exceeding Ten Pounds.

Distresses not unlawful for Want of Form.

LXXIX. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied under the Authority of this Act, or any Order or Bye Law made in pursuance thereof, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for special Damages by Action on the Case.

Proceedings not to be quashed for Want of Form, or removed by Certiorari.

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

Directions as to Service of Notices, &c.

LXXXI. And be it further enacted, That in all Cases wherein it may be requisite to serve any Notice or Notices upon the said Company, or any Writ or Writs, or Summons or Summonses, or any Proceedings at Law, or Proceedings in Equity, the Service of a Copy thereof upon the Clerk to the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or left at the Office of the said Company, or in case the same respectively shall not be known, then Service upon any Member of the said Directors, or left at his last or usual Place of Abode, or upon any known Agent or other 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.

LXXXII. Pro-

Nothing in this Act to prevent Proceedings against the Company as a Nuisance.

LXXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Company, or any of their Officers, Servants, or Workmen, or any Body or Bodies Politic, Corporate, or any Person or Persons whomsoever, in respect of any Gas Works, or the Means which shall be employed in making or producing any Gas, or using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Company, or any of their Officers, Servants, or Workmen, or any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

For paying the Expences of this Act.

LXXXIII. 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 out of the Monies already subscribed or to be subscribed or raised by virtue of this Act, in preference to all other Payments whatsoever.

General Saving.

LXXXIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made; and nothing in this Act contained shall extend or be deemed or construed to extend to interfere with, alter, lessen, or in any Manner affect the Rights, Powers, and Authorities heretofore given or granted to or vested in any Commissioners, Trustees, Bodies Politic or Corporate, or other Persons having the Superintendence, Controul, or Management of any Street, Road, Highway, Bridge, or public Place, or of any Pavement, Ground, or Soil of or in any Street, Road, Highway, Bridge, or public Place; or to rescind, abrogate, alter, lessen, or in any Manner affect any Contracts, Agreements, Rights, Powers, and Authorities subsisting at the Time of passing this Act, and not being repugnant to or inconsistent with the Provisions of this Act, of or concerning the completing of the aforesaid Gas Works, or the lighting with Gas any Buildings, Streets, Roads, or other public Places aforesaid, or furnishing such Gas to any Person or Persons, Body or Bodies whomsoever.

Public Act.

LXXXV. 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.

LONDON: Printed by George Eyre and Andrew Strahan,
Printers to the King's most Excellent Majesty. 1826.