ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. xl.

An Act for lighting the City of *Carliſle*, and the Suburbs thereof, with Gas. [19th *May* 1819.]

WHEREAS the City of *Carliſle* and the Suburbs thereof and Places adjacent, are large and populous; and it would be of great Benefit to the Citizens and Inhabitants thereof, and to the Public at large, if the Streets and other Public Paſſages and Places were better lighted: And whereas Inflammable Air, carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Aſphaltum, Ammoniacal Liquor and eſſential Oil, may be procured from Coal; and ſuch Inflammable Air or Gas may alſo be obtained from Oil or other Materials: And whereas the ſaid Inflammable Air, being conveyed by Means of Pipes, may be ſafely and beneficially uſed for lighting the ſeveral Streets, Lanes, public Paſſages and Places within the ſaid City and Suburbs, and Places adjacent, and for lighting Private Houſes, Shops, Counting Houſes, Warehouſes, and public Works and Manufactories, and other Buildings; and the Coke may be beneficially employed as Fuel in private Houſes and Manufactories; and the ſaid Oil, Tar, Pitch, Aſphaltum, Ammoniacal Liquor, and eſſential Oil, may be uſed and applied in various other Ways with great Advantage: And whereas the ſeveral Perſons hereinafter named are willing and deſirous, at their own Coſts and Charges, to effect the ſeveral Purpoſes aforeſaid; but ſuch Purpoſes cannot be carried fully and completely into Execution without the 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 the Mayor, Aldermen, Bailiffs, and Citizens of the City of *Carliſle*, *Robert Alliſon*, *John Andrew*, *George Armſtrong*, *Thomas Armſtrong*, *John Atkinſon*, *Thomas Atkinſon*, *Richard Backhouſe*, *John Beck*, *James Birrell*, *James Bonnell*, *Iſaac Bowes*, *Thomas Brockbank*, *Charles Brown*, *William Carrick*, *David Carrick* the younger, *James Cartmell*, *Joſeph Clark*, *John Cockburn*, *John Connell*, *George Cowen*, *Robert Cowen*, *James Creichton*, *John Milburn Dixon*, *John Dixon*, *Peter Dixon* the younger, *John Elliott*, *Joſeph Ferguſon*, *John Ferguſon* of *Fiſher Street*, *John Ferguſon* of *Engliſh Street*, *James Fleming*, *John Forſter*, *William Gate*, *William Gibbons*, *Jane Giles*, *Arthur Graham*, *John Graham*, *Henry Hall*, *Thomas Halton*, *Robert Harrington* M. D., *Samuel Richard Hartley* Clerk, the Executors of *John Hebſon*, *Joſeph Henry*, *William Heſlop*, *John Heyſham*, *Thomas Heward*, *John Hewit*, *Thomas Hewit*, *Robert Hewſon*, *John Hewſon*, *William Hodgſon*, *Thomas Hodgſon*, *Benjamin Holmes*, *Ralph Holmes*, *John Holme* the younger, *Thomas Hudſon*, *Thomas Huntington*, *Joſeph Irving*, *Richard Jackſon*, *Jemima Johnſton*, *John Jollie*, *John Jordan*, *Mary Key*, *Archibald Lawrie*, *Edward Little*, *John Lowry*, *Richard Lowry*, *Thomas Lowry*, D. D. *Jane Lowry*, *Margaret Lowry*, *William Robinſon Martindale*, *David Matthews*, *William Mearns*, *George Mingins*, *Joſeph Mitchinſon*, *James Monkhouſe* the younger, *James Moor*, *Robert Mounſey*, *Paul Nixſon*, *Robert Norman*, *James Parker*, *Henry Pearſon*, *John Pears*, *William Robinſon*, *Edward Rowland*, *Thomas Salkeld*, *George Saul*, *Beeby Saul*, *James Saunders*, *Thomas Scarrow*, *Benjamin Scott*, *William Smith*, *William Sowerby*, *Richard Sowerby*, *Joſeph Stodart*, *Francis Stodart*, *William Stordy*, *Thomas Stordy*, *John Holme Sutton*, *Richard Sutton*, *Elihu Sutton*, *John Taylor*, *John Thompſon*, *Charles Hutchinſon Thurnam*, *Matthew Webſter*, *Thomas Wilſon*, *William Wood*, *Mathew Young*, *John Younghuſband*; and all and every ſuch other Perſon or Perſons as ſhall from Time to Time become Proprietors of the Company hereby eſtabliſhed, as herein-after is mentioned, their reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, ſhall be and are hereby united into a Company for ſupplying the City of *Carliſle*, and the Suburbs, Liberties, and Precincts thereof reſpectively, with Inflammable Air or Gas, and making and maintaining the Works neceſſary for that Purpoſe, under the Regulations herein-after contained, and ſhall be one Body Politic and Corporate, by the Name of 'The *Carliſle* Gas Light and Coke Company,' and by that Name ſhall have perpetual Succeſſion and a Common Seal, and by that Name ſhall and may ſue and be ſued, plead and be impleaded at Law or in Equity, and ſhall and may prefer and proſecute any Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall commit any Felony, Miſdemeanor, or other Offence indictable by the Laws of this Realm; and that the ſaid Company of Proprietors ſhall be eſtabliſhed for the Purpoſe of making Inflammable Air or Gas, and alſo Coke, Oil, Tar, Pitch, Aſphaltum, Ammoniacal Liquor, and all other Products to be obtained from the Manufacture of ſuch Air or Gas, and to ſell and diſpoſe of the ſame reſpectively in ſuch Manner as they ſhall think proper; and ſhall have full Power from Time to Time to enter into and make any Contracts, or agree with the Commiſſioners or Truſtees having the Controul or Management of the Lighting of the ſaid City and Suburbs, and the Liberties and Precincts thereof reſpectively, or any of them, or the Pariſhes or Places adjacent thereto, or any Perſons, Bodies Politic, Corporate, or Collegiate, or Corporation Aggregate or Sole, who may be willing to contract with

Company incorporated.

Their Style.

the ſaid Company of Proprietors, (who are hereby empowered to contract with the ſaid Company) for the Lighting of ſuch City, Liberties, Precincts, Suburbs, and neighbouring Pariſhes or Places, or of any public Streets, Roads, Highways, Lanes or Paſſages, or Manufactories, Shops, Warehouſes or private Houſes, or any of them, within the ſaid City, Liberties, Precincts, Suburbs and Neighbourhood, Pariſhes or Places, or any or either of them.

Power to contract for the Purchaſe of Lands and Buildings.

II. And be it further enacted, That in order to enable the ſaid Company to conſtruct or make Gaſometers and other neceſſary Works, and to erect any Manufactory or Manufactories, or other Buildings, for the Purpoſes of this Act, it ſhall and may be lawful to and for the ſaid Company, or their Committee of Management, and they are hereby empowered, to treat, contract, and agree for the abſolute Purchaſe of any Lands, Tenements, or Hereditaments within the ſaid City, Liberties, Precincts, Suburbs, Neighbourhood, Pariſhes and Places aforeſaid, or any or either of them, (not exceeding Two Acres in the Whole) with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or with any Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees for Lunatics and Idiots, or other Truſtees whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, or Femes Covert, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, or with any Perſon or Perſons whomſoever, who ſhall be willing to ſell the ſame, or his, her, or their Right and Intereſt in the ſame, for the Uſes and Purpoſes of this Act; and upon Payment of the Purchaſe Money for any ſuch Lands, Tenements, or Hereditaments, to the Parties or Perſons reſpectively entitled thereto, or upon Payment thereof into the Bank of *England*, in Manner by this Act directed (as the Caſe may be), ſuch Lands, Tenements, and Hereditaments may be taken and uſed for the Purpoſes of this Act; and from thenceforth all Parties and Perſons whomſoever, ſhall be diveſted of all Right and Title, Claim or Reverſion to ſuch Lands, Tenements, or Hereditaments, and the ſame Lands, Tenements, or Hereditaments ſhall veſt in the *Carliſle* Gas Light and Coke Company; and it ſhall and may be lawful to and for the ſaid Company to hold ſuch Lands, Tenements, and Hereditaments, and any Term, Right, and Intereſt therein ſo purchaſed, 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; and alſo to ſell and diſpoſe of the ſaid Lands, Tenements, or Hereditaments, or any of them, as they ſhall think proper, and purchaſe and hold other Lands, Tenements, or Hereditaments in like Manner; and in all Actions, Suits, Proſecutions, Indictments, Informations, or other Proceedings, to be brought, commenced, or proſecuted by or againſt the ſaid Company, it ſhall be ſufficient to ſtate generally, that ſuch Lands, Tenements, or Hereditaments are the Property of the *Carliſle* Gas Light and Coke Company, without ſtating or being obliged to ſtate the Names or Name of the whole or of any or either of the Members of the ſaid Company.

Bodies Politic empowered to ſell.

III. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail General or Special, or for any

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, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company of Proprietors to be purchased for the Uses and Purposes of this Act, to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in, and to the same, to the said Company of Proprietors for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate; and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

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

IV. And be it further enacted, That if any Money shall be contracted and agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his own Account, *ex parte* the *Carlisle* Gas Light and Coke Company, to the Intent that

that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the said Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments, which shall be taken or used for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said High Court of Chancery, upon Application made thereto as aforesaid, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were then actually made.

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

V. Provided always, and be it further enacted, That if any Money so contracted and agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in cases of Infancy, 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 High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved by Three or more of the Committee of Management of the said Company (such Nomination and Approbation to be signified by Writing under the Hands of the nominating or approving Parties), in order

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 High Court of Chancery.

Application of Money not exceeding 20*l.*

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

VII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, and Interest in any Lands, Tenements, or Hereditaments so purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said 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 Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchase Money to be allowed by Court.

VIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporations, 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 Chancery, and to be applied in the Purchase of 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 such 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.

IX. And

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

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

X. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments to be made to the said Company of Proprietors and their Successors, shall be made in the Form and 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 to me [*or* us] paid by the Company of Proprietors established under an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act* [*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 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 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 .'

Resale of Lands not wanted.

XI. And be it further enacted, That it shall and may be lawful for the said Company to sell and dispose of, and by Indenture or Indentures under their Common Seal, to grant and convey by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may have been so purchased, 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, it shall and may 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, 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 Non-application of such Purchase Money, or any Part thereof.

Capital Stock.

XII. And be it further enacted, That the Capital or Joint Stock of the said Company, to be applied and used in establishing and carrying on the said Undertaking, and the Purposes aforesaid, shall be the Sum of Six thousand Pounds Sterling, of which said Sum not less than Five thousand Pounds

Pounds ſhall be ſubſcribed before any of the Powers given by this Act ſhall be carried into Execution.

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

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

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

XIV. And be it further enacted, That the Lands, Tenements, and Hereditaments, Manufactories, Gaſometers, Machinery, Apparatus, and Works of the ſaid Company and their Succeſſors, ſhall be liable and anſwerable for the juſt Debts and Demands of the Creditors of the ſaid Company; and that the ſeveral Perſons compoſing the ſaid Company ſhall ſeverally and reſpectively ſtand reſponſible and anſwerable for all juſt Debts and Demands of the Creditors of the ſaid Company to the full Amount of their ſeveral and reſpective Shares in the Capital of the ſaid Joint Stock; but no Perſon ſhall be any further or otherwiſe liable, either perſonally or in his or their Lands, Tenements, Hereditaments, Goods, Chattels, and Effects, for any Undertakings, Engagements, Contracts, or Agreements entered into by the ſaid Company, or be ſubject or liable by reaſon of his or her being one of the Perſons compoſing the ſaid Company, or of any Acts of the ſaid Company, to the Statutes reſpecting Bankrupts, or any of them: Provided always, that when Two or more Perſons ſhall have jointly ſubſcribed for, or ſhall be jointly poſſeſſed of, any one Share in the ſaid Undertaking, ſuch Perſons ſhall ſeverally and reſpectively be anſwerable for the whole Amount of ſuch Share, but not further or otherwiſe as aforeſaid.

Stock to be divided into Shares of 25*l.* each, and to be Perſonal Eſtate.

XV. And be it further enacted, That the ſaid Sum of Six thouſand Pounds ſhall be divided into Shares of Twenty-five Pounds Sterling each, and that no Perſon or Perſons ſhall be a Subſcriber or Subſcribers for a leſs Sum than Twenty-five Pounds Sterling, nor hold more than Twenty-Shares; and that all Shares in the ſaid Undertaking, and in the net Profits and Advantages thereof, ſhall be deemed Perſonal Eſtate, and not of the Nature of Real Property, and as ſuch Perſonal Eſtate ſhall be tranſmiſſible accordingly.

Power to raiſe a further Sum of Money, if neceſſary, by Subſcriptions.

XVI. And be it further enacted, That in caſe the aforeſaid Sum of Six thouſand Pounds, herein-before mentioned to have been ſubſcribed, ſhall be found inſufficient for making, completing, and maintaining the ſaid Undertaking hereby authorized to be made, and defraying all neceſſary Charges relating thereto, then and in ſuch Caſe it ſhall be lawful for the ſaid Company of Proprietors and Subſcribers to raiſe and contribute among themſelves, in ſuch Shares and Proportions as to them ſhall ſeem

meet, or by the Admiſſion of new Subſcribers, any further or other Sum of Money for completing and perfecting their Undertaking, not exceeding the Sum of Five thouſand Pounds; and every Subſcriber towards raiſing ſuch further Sum of Money ſhall be a Proprietor in the ſaid Undertaking, and ſhall have a like Vote for himſelf or herſelf, or his or her Proxy, in reſpect of every Share in the ſaid additional Sum ſo to be raiſed, and ſhall alſo be liable to ſuch Forfeitures, and ſtand intereſted in all the Profits and Powers of the ſaid Undertaking, in proportion to the Sum he, ſhe, or they may ſubſcribe thereunto, as generally and extenſively, to all Intents and Purpoſes, as if ſuch further or other Sum hereby allowed to be ſubſcribed for or raiſed had been originally Part of the ſaid Sum of Six thouſand Pounds; any thing herein contained to the contrary notwithſtanding.

To compel Payment of Subſcriptions.

XVII. And be it further enacted, That the ſeveral Perſons who have ſubſcribed 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 by them reſpectively ſubſcribed, or ſuch Parts or Portions thereof as ſhall from Time to Time be called for purſuant to or by virtue of the Powers and Directions of this Act, at ſuch Times and Places, to ſuch Perſon or Perſons, and in ſuch Manner, as ſhall be ordered and directed by the Committee of Management herein-after mentioned; and in caſe any Perſon or Perſons ſhall refuſe to pay any ſuch Money at ſuch Times and in ſuch Manner as ſhall be ordered and directed by the Committee of Management as aforeſaid, it ſhall be lawful for the ſaid Company to ſue and recover the ſame, by Action of Debt or otherwiſe, in either of His Majeſty's Courts of Record at *Weſtminſter*, together with lawful Intereſt for the ſame from ſuch appointed Time of Payment, and all Coſts of Suit, from ſuch Perſon or Perſons, or in Caſes where Two or more Perſons ſhall have jointly ſubſcribed for or be jointly poſſeſſed of any one Share in the ſaid Undertaking, then from all, any, or either of ſuch Perſons.

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

XVIII. And be it further enacted, That the ſaid Company, or the Committee of Management to be appointed by virtue of this Act, ſhall and they are hereby required to cauſe the Names and Deſignations of the ſeveral Perſons who have ſubſcribed for, or may at any Time hereafter be entitled to a Share or Shares in the ſaid Undertaking, with the Number of ſuch Share or Shares, and alſo the proper Number by which every Share ſhall be diſtinguiſhed, to be fairly and diſtinctly entered in a Book to be kept by their Clerk, and after ſuch Entry a Certificate, under the Common Seal of the ſaid Company, ſhall be ſigned by the Chairman herein-after directed to be appointed, and delivered to every Proprietor upon Demand, ſpecifying the Share or Shares to which he or ſhe is entitled in the ſaid Undertaking, and ſuch Certificate ſhall be admitted in all Courts whatſoever as Evidence of the Title of ſuch Proprietor, his or her Executors, Adminiſtrators, or Aſſigns, to the Share or Shares therein ſpecified; but the Want of ſuch Certificate ſhall not hinder the Owner from ſelling or diſpoſing thereof.

For aſcertaining the Proprietorſhip of Shares in certain Caſes.

XIX. And whereas in caſe any original Holder or Proprietor of One or more Share or Shares in the ſaid Undertaking ſhall die, become inſolvent or bankrupt, or go out of the Kingdom, or ſhall transfer his or her

Right and Intereſt to ſome other Perſon, and no Regiſter ſhall have been made of the Transfer thereof with the Clerk of the ſaid Company, it may not be in the Power of any Officer acting for the ſaid Company to aſcertain who is or are the Owner or Proprietor or Owners or Proprietors of ſuch Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, Notice or Notices of Calls to be made on ſuch Share or Shares, or to maintain any Action or Actions, Suit, or other Proceedings againſt him, her, or them, or his, her, or their Executors, Adminiſtrators, Succeſſors or Aſſigns, for the Recovery of the ſame, or for the Purpoſe of ſafely paying to him, her, or them, or his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, the Intereſt or Dividends to which he, ſhe, or they may be entitled by virtue thereof; be it therefore enacted, That in all Caſes where the Right and Property in One or more Share or Shares in the ſaid Undertaking ſhall paſs from the original Subſcriber or Subſcribers, or any Proprietor or Proprietors thereof, to any other Perſon or Perſons, by any other legal Means than by a Transfer and Conveyance thereof in the Form and Manner herein-after ſpecified, an Affidavit ſhall be made and ſworn to by Two credible Perſons, before a Maſter Extraordinary of His Majeſty's High Court of Chancery, or One of His Majeſty's Juſtices of the Peace, ſtating the Manner in which ſuch Share or Shares have or hath paſſed to ſuch other Perſon or Perſons, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, and that ſuch Affidavit ſhall be delivered to the Clerk of the ſaid Company, to the Intent that he may enter and regiſter the Name or Names of every ſuch other Proprietor or Proprietors in the Regiſter Book or Liſt of Subſcribers and Proprietors of the ſaid Undertaking, to be kept in the Office of the Clerk to the ſaid Company; and that in all or any of the ſaid Caſes, after Three Calendar Months Notice in Writing ſhall have been given by the ſaid Clerk to the Owner or Owners thereof, or left at his, her, or their laſt or uſual Place of Abode, to pay his, her, or their Proportion of Money ſo to be called for, and ſuch Perſon or Perſons, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall not have paid ſuch his, her, or their Proportion as aforeſaid, it ſhall be lawful for the Subſcribers and Proprietors, at any General Meeting after the Expiration of ſuch Notice, to declare the ſame Share or Shares to be forfeited; and that in ſuch Caſe the ſame ſhall be and become forfeited, and ſhall and may be ſold and diſpoſed of in ſuch Manner as the ſaid Subſcribers or Proprietors at any Meeting or Meetings ſhall direct, or otherwiſe become conſolidated in the General Fund of the ſaid Company.

Shares may be transferred.

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

Form of Transfer.

'I of in conſideration of the Sum of
'paid to me by of do hereby
'bargain, ſell, aſſign, and transfer to the ſaid the Sum of
'Capital Stock of and in the Undertaking called "The
'*Carliſle* Gas Light and Coke Company," being my Share [*or* Shares]
'Number [*or* Numbers] in the ſaid Undertaking;
'to

‘ to hold to the ſaid his Executors, Adminiſtrators, and
‘ Aſſigns, ſubject to the ſame Rules, Orders, and Reſtrictions, and on
‘ the ſame Conditions, that I held the ſame immediately before the Exe-
‘ cution hereof; and I the ſaid do hereby agree to take
‘ and accept the ſaid Share [*or* Shares] ſubject to the ſame Rules, Orders,
‘ Reſtrictions, and Conditions. As Witneſs our Hands this
‘ Day of in the Year of our Lord .’

Transfers to be regiſtered.

And every ſuch Transfer ſhall be regiſtered in the Books of the ſaid Company, by an Entry of the Date, Names of the Parties, and the Number of Shares transferred, for which Entry or Regiſtering the Sum of Five Shillings ſhall be paid to the Clerk, or other Officer making the ſame; and a Copy of ſuch Regiſter, ſigned by the Clerk or other ſuch Officer of the ſaid Company, ſhall be ſufficient Evidence of every ſuch Sale and Transfer, and ſhall be accounted as ſuch in all Diſputes, and in all Trials before any Court, and by all Judges, Juſtices, and others, in the United Kingdom; and that until ſuch Transfer ſhall be entered or regiſtered in the Books of the ſaid Company as aforeſaid, no Purchaſer or Purchaſers of any Share or Shares in the ſaid Undertaking, or in the Profits and Advantages thereof, ſhall receive any Intereſt or Dividend for or in reſpect of ſuch Share or Shares ſo purchaſed, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the ſaid Undertaking.

No Share to be ſold after a Call until the Money is paid.

XXI. Provided always, and be it further enacted, That after a Call for Money ſhall have been made by virtue of this Act, no Perſon or Perſons ſhall ſell or transfer any Share or Shares which he, ſhe, or they ſhall poſſeſs in the ſaid Undertaking, after the Day appointed for Payment of the ſaid Call, until the Money called for or in reſpect of his, her, or their Share or Shares intended to be ſold, ſhall be paid; and that until ſuch Money ſo called for ſhall be paid, any ſuch Sale or Transfer of any Share or Shares ſhall be void.

Regulations for Meetings of the Company.

XXII. And be it further enacted, That the Affairs and Concerns of the ſaid Company ſhall be conducted and managed under and ſubject to the ſeveral Rules and Regulations herein-after contained; that is to ſay, the Proprietors of Shares in the ſaid Undertaking ſhall aſſemble together at the Guildhall of the City of *Carliſle*, at Eleven of the Clock in the Forenoon, within Thirty Days next after the paſſing of this Act, or as ſoon after as conveniently may be, and ſhall then and there proceed in the Execution of this Act, and ſhall and may adjourn to or ſhall aſſemble at ſuch other Times and Places as they ſhall be duly convened in Manner hereinafter mentioned; and every ſuch Aſſembly ſhall be ſtyled a General Meeting; and Two ſuch Meetings ſhall be held in every Year, on the Firſt *Tueſday* in the Month of *April*, and the Firſt *Tueſday* in the Month of *October*, which ſhall be ſtyled Half-yearly Meetings; and that Ten or more of the ſaid Proprietors may, by Notice in Writing under their Hands, call a Special General Meeting, ſo as the Object for which ſuch Meeting ſhall be called be expreſſed in ſuch Notice, and ſo as ſuch Notice be given Fourteen Days at leaſt before the Day of Meeting; and that every ſuch General Meeting may be adjourned from Time to Time, and from Place to Place as ſhall be found expedient; and that at leaſt Six Days previous Notice of every General Meeting, and Three Days previous Notice of the Day to which every General Meeting ſhall be adjourned, ſhall be given; and

Manner of voting.

and that at every such General or Special Meeting a Chairman shall be appointed; and all Questions shall be decided by a Majority of Votes of the Proprietors and Proxies present and not declining to vote, according to their respective Number of Shares; and every Proprietor shall be entitled to One Vote for and in respect of every Share of which he shall be possessed, but no Proprietor shall be entitled to vote for or in respect of more than Ten Shares; nor shall any Person be entitled to vote at any General or Special Meeting of the said Company, or any Adjournment thereof, in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid and satisfied all Arrears of Money which shall or may become due in pursuance of any Call or Calls made or to be made by the said Committee of Management for or in respect of such Share or Shares; nor shall any Person vote at any of the Meetings of the said Company, upon any Question or Questions relating to the Concerns of the said Undertaking, in which such Person or Persons shall be interested otherwise than as a Subscriber or Subscribers, Proprietor or Proprietors to or of the said Undertaking; and that upon any Difference of Opinion, any Proprietor present may require the Votes at any General or Special Meeting of the said Company to be taken by Ballot, but no Ballot shall be kept open for more than One Hour; and that the Chairman of every such Meeting shall be entitled to vote, and in case the Number of Votes, including the Chairman's Vote, shall be equal, such Chairman shall also have the casting Vote; and that the Orders and Proceedings of every such General or Special Meeting shall be entered by the Clerk in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered and signed by the Chairman of each respective Meeting shall be deemed and taken to be original Orders and Proceedings, and shall be read in all Courts and Places whatsoever, and by and before all Judges, Justices, and others; and that no Business shall be transacted at any Special General Meeting besides the Business for which it 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; and if at any Special or General Meeting, a sufficient Number of Proprietors to act or to adjourn (Three Proprietors only being hereby declared sufficient for the Purpose of Adjournment) shall not assemble and proceed to Business in One Hour from the Time appointed for such Meeting, or if that Number be not present when the Whole or any Part of the Business to be transacted shall be decided upon, the Meeting shall adjourn to the same Day in the following Week, or to some other Day to be appointed by the Committee of Management, or any Three or more of them; and also, that at the Half-yearly General Meeting to be held in *April* in every Year (except the First Year after the passing of this Act), or at some Adjournment thereof, a new Committee of Eleven of the Proprietors of Shares in the said Undertaking shall be elected in the Place of the former Committee; nevertheless all or any of the Members of the said Committee elected in the preceding Year, shall (if otherwise eligible) be again immediately re-eligible.

Proceedings to be entered.

Notice of Meetings, &c. to be given.

XXIII. Provided always, and be it further enacted, That all Notices herein-before directed to be given of any General or Special Meetings or Adjournments respectively, or to any of the said Proprietors upon any particular Occasion, and not herein-before otherwise provided for, shall

be given to the ſaid ſeveral Proprietors, or to ſuch individual Proprietors reſpectively, by Letters from the Clerk of the ſaid Company, ſent by the Poſt to each and every of the ſaid Proprietors entitled to vote at ſuch Meetings reſpectively, or to the individual Proprietors entitled to ſuch Notice, (as the Caſe may be), and that ſuch Notices ſhall be deemed and conſidered the ſame as perſonal Notices.

Proprietors may vote by Proxy.

XXIV. And be it further enacted, That any Proprietor of any Share or Shares in the ſaid Company's Stock entitled to vote in reſpect of ſuch Share or Shares at any General or Special Meetings of the ſaid Company ſhall have full Power and Authority to give his or her Vote or Votes at ſuch General or Special Meetings as aforeſaid, either in Perſon or by Proxy, (every ſuch Proxy being a Proprietor in the ſaid Undertaking); and the Appointment of ſuch Proxies may be made in the Form or to the Effect following:

Form of Proxy.

'I of Proprietor of and in "The *Carliſle* Gas Light and Coke Company," do hereby nominate, conſtitute, and appoint of to be my Proxy, in my Name and in my Abſence to vote and give my Aſſent to or Diſſent from any Buſineſs, Matter, or Thing relating to the ſaid Undertaking, that ſhall be mentioned or propoſed at any General or Special Meeting of the ſaid Company, in ſuch Manner as he the ſaid ſhall think proper, according to his Opinion and Judgment, for the Benefit of the ſaid Undertaking, or any thing relating thereto. In Witneſs whereof I have hereunto ſet my Hand the Day of One thouſand eight hundred and '.

Accounts to be ſettled Half-yearly.

Meetings to declare Dividends.

XXV. And be it further enacted, That any General Meeting or General Meetings ſpecially called for the Purpoſe, ſhall have full Power to call for, examine, and ſettle the Accounts of the ſaid Company; and that at every Half-yearly General Meeting, or ſome Adjournment thereof, an Half-yearly 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 ſo much for every One hundred Pounds, upon all and every the Sum and Sums of Money paid to the ſaid Company by the ſaid Subſcribers, their Succeſſors, Adminiſtrators, or Aſſigns, as ſuch Meeting or Meetings ſhall think fit to appoint and determine; provided that no Dividend ſhall be made, whereby the Capital of the ſaid Company ſhall in any Degree be reduced or impaired, nor within Twelve Calendar Months after the paſſing of this Act, nor ſhall any Dividend be paid in reſpect of any Share or Shares after a Day appointed for Payment of any Call for Money in reſpect thereof, until ſuch Call ſhall have been paid.

General Meetings may make Bye Laws.

XXVI. And be it further enacted, That the ſaid Company ſhall have full Power and Authority from Time to Time, at any of their General Meetings as aforeſaid, to make ſuch Rules, Orders, and Bye Laws as to them ſhall ſeem meet and proper for the good Government of the ſaid Undertaking, and for regulating the Proceedings of the ſaid Committee of Management, and for the regulating of all Officers, Workmen, and Servants to be employed in or about the Affairs and Buſineſs of the ſaid Company, and for the Superintendance and Management of the ſaid Undertaking in all reſpects whatſoever, and from Time to Time to alter or repeal ſuch Rules, Orders, and Bye Laws, or any of them, and to

make others, and impoſe ſuch reaſonable Fines and Forfeitures upon all Perſons offending againſt ſuch Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the ſaid Company, at a General Meeting, ſhall ſeem meet and expedient; and all Rules, Orders, and Bye Laws ſo made as aforeſaid (being reduced into Writing, and the Common Seal of the ſaid Company thereto affixed) ſhall be binding upon all Perſons, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame: Provided always, that ſuch Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or any of the expreſs Directions or Proviſions of this Act; provided alſo, that Copies thereof ſhall be printed and fixed in the Office of the Clerk, and other the Buildings and Premiſes of the ſaid Company; and all ſuch Rules, Orders, and Bye Laws ſhall be ſubject to Appeal in Manner by this Act directed.

Officers of the Company to be appointed at General Meetings.

XXVII. And be it further enacted, That it ſhall be lawful for the ſaid Company, at any General Meeting of the ſaid Company, to nominate and elect by Ballot, and to appoint under the Common Seal of the ſaid Company, any Perſon or Perſons to be Treaſurer or Treaſurers, and from Time to Time to remove any ſuch Treaſurer or Treaſurers, or other Officer or Officers of the ſaid Company, or any of them, and to nominate, elect, and appoint another Perſon or Perſons in his or their Room or Stead: Provided always, that the ſaid Company ſhall and they are hereby required to take ſufficient Security from every Perſon who ſhall be appointed Treaſurer, Receiver, or Collector, for any of the Purpoſes of this Act, for the faithful Execution of their reſpective Offices, before they ſhall enter thereupon reſpectively.

Treaſurer, &c. to give Security.

Committee of Management.

XXVIII. And be it further enacted, That at the Firſt Meeting of the ſaid Company of Proprietors, or at ſome Adjournment thereof, Eleven Members of the ſaid Company ſhall be elected and choſen a Committee of Management for managing the Affairs of the ſaid Company; and ſuch Committee of Management ſhall continue in Office and be reſpectively Members of the ſaid Committee, until the Half-yearly Meeting which ſhall be held in *April* in the Year of our Lord One thouſand eight hundred and twenty-one, or until others or another be appointed in their or either of their Stead, in purſuance of this Act; and at the ſaid Half-yearly Meeting, or at ſome Adjournment thereof, and alſo at the Expiration of every ſucceeding Year thereafter, a new Committee of Eleven Members ſhall be elected and appointed out of the Proprietors of Shares in the ſaid Undertaking, to be the Committee of Management for managing the Affairs of the ſaid Company, who ſhall continue in their Offices for the Space of One Year, to be computed from the Day of Election, or until others or another ſhall be duly elected into their or any of their Places: Provided always, that no Perſon ſhall be qualified to be elected, nor to ſerve or act as a Member of the ſaid Committee, who ſhall hold any Place of Profit under the ſaid Company, or who ſhall be concerned or intereſted in any Contract or Contracts under this Act, or who ſhall offer to take, or ſucceed in taking, or ſhall participate in any Manner in any Work to be done for the ſaid Company, whether by Contract or otherwiſe.

For ſupplying Vacancies in Committee.

XXIX. And be it further enacted, That when and ſo often as any Member of the Committee of Management to be elected by virtue of this Act

Act shall die or become disqualified, or shall refuse or neglect to attend the Meetings of the said Committee for the Space of Six Calendar Months, it shall be lawful for the said Company, at any General or Special Meeting to be called and held pursuant to the Directions of this Act, to elect some other Proprietor to be a Member of the said Committee; and every such Proprietor, so elected to fill any such Vacancy, shall continue in his Office as a Member of the said Committee, 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.

Meetings of the Committee, and Regulations for their Proceedings.

XXX. And be it further enacted, That the said Committee of Management shall and may hold their Meetings at such Place within the City of *Carlisle*, and at such Times, and adjourn their Meetings from Time to Time, and from Place to Place, as they shall think fit; and at every Meeting one of the Members of the said Committee present at such Meeting shall be elected Chairman, and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management, at any of their Meetings, shall be decided and determined by the Majority in Number of the Members then present, the Number present not being less than Five; and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the casting Vote besides his own Vote; and that if on the Day appointed for any Meeting of the said Committee, Five Members qualified to vote shall not attend, that then and in every such Case the Meeting shall be adjourned till the next Day, if not a *Sunday*, and if the next Day shall be a *Sunday* then to the *Monday* following, by the Member or Members then present, or if none be present, then by the Clerk of the said Company, or such other Person as shall attend in his Place; and that any Two or more Members of the Committee may, at any Time when they shall think fit, call a Meeting of the Committee, by Notice in Writing, signed by such Two or more Members, to be sent by the Post or otherwise, to the Residence or Address of every Member of such Committee.

Power of Committee.

XXXI. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time and from Place to Place as aforesaid, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Time and Place of holding General and Special Meetings, and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, or laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and entering into Contracts or Agreements for lighting of the said City of *Carlisle*, and the Neighbourhood thereof, or any of such Streets, Roads, Ways, Houses, or Buildings as aforesaid, and nominating, appointing, electing, placing or displacing any Officer, Clerk, Engineer, Agent, or Servant of the said Company (except the Treasurer or Treasurers herein-before directed to be appointed by a General Meeting of the said Company), with such Salary, Gratuities, or Recompence as to the said Committee shall seem proper,

and

and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced as aforesaid, and in making, enforcing, and rescinding all Contracts and Bargains touching or in anywise concerning the same, subject to such Orders, Bye Laws, Rules, and Regulations, as shall at any Time be duly made by the said Company in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted.

Same Person not to act as Clerk and Treasurer.

XXXII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person shall for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Committee to make Calls.

XXXIII. Provided always, and be it further enacted, That the said Committee shall have full Power to make such Call or Calls for Money from the several Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, as such Committee of Management shall from Time to Time find wanting and necessary for the Purposes of the said Undertaking, so that no one such Call do exceed the Sum of Five Pounds for or in respect of any one Share of Twenty-five Pounds, and so that no Call or Calls be made but at the Distance of One Month at least from each other; and that the Sum or several Sums of Money so to be called for, shall be paid into the Hands of the Treasurer to the said Company for the Time being, at such Time and Place as shall be fixed by such Committee, of which Time and Place Thirty Days previous Notice shall be given, in such Manner as the said Committee shall direct or appoint in that Behalf; and if any Person or Persons shall neglect or refuse to pay his, her, or their Part or Portion of the Money to be called for, by the Space of Three Calendar Months next after the Time appointed for Payment thereof, then and in such Case it shall and may be lawful to and for the said Company, at some General or Special Meeting to be held after such Neglect or Refusal, to declare all and every or any of the Share or Shares of such Person so neglecting or refusing as aforesaid to be forfeited, and from thenceforth the said Share or Shares so declared to be forfeited, and all the Profit and Benefit thereof, shall be vested in the said Company, their Successors and Assigns, to and for the Uses and Purposes herein-after mentioned.

On Non-payment of Calls, Shares to be forfeited.

No Share to be forfeited until Notice be published in a Carlisle Newspaper.

XXXIV. Provided always, That no Share or Shares of and in the said Undertaking shall be forfeited or vested in and accrue to the said Company, until Notice shall have been published in some one *Carlisle* Newspaper, Thirty Days at least before the holding of such General or Special

Meeting, in which Notice ſhall be contained a Statement and Account of the Money due from ſuch Perſon or Perſons for ſuch Call or Calls in reſpect of his, her, or their Share or Shares in the ſaid Undertaking, excluſive of the Intereſt thereon; and no ſuch Share or Shares ſhall be forfeited to or veſted in the ſaid Company, if the Owner or Owners of ſuch Share or Shares ſhall, before the holding of ſuch General or Special Meeting, pay what ſhall be due thereon for ſuch Call or Calls as aforeſaid, and legal Intereſt for the ſame, and all the Expences attending the Application for and advertiſing of the ſame as aforeſaid.

Company empowered to ſell Shares become forfeited as aforeſaid.

XXXV. And be it further enacted, That when any Share or Shares of the ſaid Undertaking ſhall by virtue of this Act have become forfeited to or veſted in the ſaid Company as aforeſaid, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Company, or their Committee for the Time being, and they are hereby authorized and empowered from Time to Time to ſell or cauſe to be ſold by public Auction or private Contract, and by Writing under the Common Seal of the ſaid Company to aſſign and transfer ſuch and ſo many of the Share or Shares of ſuch Defaulter or Defaulters, as the ſaid Company or their Committee ſhall from Time to Time find neceſſary and direct to be ſold, unto ſuch Perſon or Perſons as ſhall become the Purchaſer or Purchaſers thereof, his, her, or their Executors, Adminiſtrators, and Aſſigns; and ſuch Aſſignments and Transfers ſhall be good, valid, and effectual againſt the Owner or Owners of every ſuch Share or Shares ſo forfeited to or veſted in the ſaid Company and ſold as aforeſaid, and all Perſons claiming under him, her, or them: Provided always, that in caſe the Money produced by the Sale of any ſuch Share or Shares ſhall be more than ſufficient to pay all ſuch Arrears or Calls as aforeſaid and legal Intereſt thereon, and the Expences attending the Sale or Sales, the Surplus of ſuch Money ſhall be paid to the Perſon or Perſons to whom ſuch Share or Shares ſhall have belonged, on Demand: Provided alſo, that the ſaid Company of Proprietors, or their Committee, ſhall not by virtue of this Act ſell or transfer or direct to be ſold or transferred any more of ſuch Shares of ſuch Defaulter or Defaulters, than ſhall be ſufficient, as near as may be, at the Time of ſuch Call, to pay the Arrears due from ſuch Defaulter or Defaulters for or on account of ſuch Call or Calls, and the Intereſt and Expences attending the ſame; and from and after Payment of all and every of ſuch Call or Calls and the Intereſt and Expences as aforeſaid, any Share or Shares veſted in the ſaid Company of Proprietors as aforeſaid, which ſhall remain in their Hands unſold, ſhall revert to and again become the Property of the Perſon or Perſons to whom ſuch Share or Shares ſhall have belonged immediately before ſuch Forfeiture as aforeſaid, in ſuch Manner as if ſuch Calls had been duly and regularly paid.

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

Shares unſold to revert to the former Owners.

Executors and Adminiſtrators indemnified in paying Calls.

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

of such Proprietor or Proprietors, shall be indemnified against such Infant and all other Persons whomsoever, for paying any Money which shall be called for as aforesaid in respect of the Share or Shares of such deceased Proprietor or Proprietors.

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

XXXVII. And be it further enacted, That it shall be lawful for the said Company, and their Successors, and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines or other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices; and to sink and lay Pipes, and to erect and fix them against any Walls, 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 Pavement of any Streets, Highways, Roads, Ways, Lanes, Passages and other Places, or any private Grounds, or any Part of them; and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along such Places as aforesaid, and 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 to 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 Place by the said Company, by virtue of this Act, in, to, or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same, or any public or private Lamp, 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 complete Supply of Gas, or for measuring or 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 and their Successors shall from Time to Time think necessary and convenient for completing and mending, repairing, improving, supplying, and sustaining the same; provided a proper Compensation be made for any Damage done thereby: Provided also nevertheless, that nothing herein contained shall authorize or empower the said Company to enter upon or break up the Soil or Pavements of any Streets, Highways, Lanes, Places, Ways, or Passages, without the Consent of the Body or Bodies Politic, Corporate, or Collegiate, Commissioners, Trustees, Surveyor or Surveyors, or other Person or Persons having the Care, Superintendance, and Controul of paving and repairing the same, first had and obtained for that Purpose, nor to carry or lay any Pipe or Pipes to, through, or against any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting any Dwelling House or Houses, Manufactories, public or private Buildings, without the previous Consent in Writing of the Owner and Occupier of every such Dwelling House or Houses, Manufactories, public or private Buildings.

XXXVIII. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Syphons, or Branches, shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavement and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off the Washings or waste Liquids aforesaid, without any Delay, and shall in the meantime fence or guard and affix sufficient Light at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided also, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or remaining Rubbish, or making good any such Pavements or Roads, then and in every such Case it shall and may be lawful to and for the Commissioners acting under an Act made in the Forty-fourth Year of the Reign of His present Majesty, intituled *An Act for lighting the Streets, Lanes, and other public Passages and Places within the City of* Carlisle, *in the County of* Cumberland, *and the Suburbs of the said City, for paving the Footpaths of the Streets of the said City and Suburbs, and for otherwise improving the said City*, or their Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Commissioners, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage, or Place so broken up, and that the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors or their Treasurer; and that in Default of Payment thereof for Thirty Days next after Demand shall be made by such Surveyor or other Person acting by or under the Authority of the said Commissioners, Proof of such Demand being made by the Oath of Two credible Witnesses before One or more Justice or Justices of the Peace for the City of *Carlisle* aforesaid, or of the County of *Cumberland* respectively (as the Case may be), all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace of the said City or County of *Cumberland*, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to such Commissioners, or their Treasurer.

Workmen laying Pipes to make good the Pavement.

Provision in case of Default.

XXXIX. And be it further enacted, That nothing in this Act contained shall extend or be construed to defeat, abridge, alter, obstruct, or in any manner interfere with the Powers and Authorities of the said Commissioners appointed or elected by virtue of the said recited Act, nor in any way to change, lessen, abridge, impeach, annul, prejudice, or destroy any Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, or lawful Customs, belonging, due, or in anywise appertaining to the Mayor, Aldermen, Bailiffs, and Citizens of the City of *Carlisle*.

Powers of Commissioners of Pavement not to be obstructed.

Not to injure Rights of Corporation.

XL. Provided always, and it is hereby further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe to communicate

No Pipes of Communication to be

laid without Consent of the Company.

municate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, nor use Burners of larger Dimensions than he, she, or they respectively shall contract or 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 a Day for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished, to be recovered by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said City of *Carlisle* or County of *Cumberland* aforesaid respectively (as the Case may be), and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture and the Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the House of Correction or Common Gaol of the said City or County respectively (as the Case may be) there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Three Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied; and it shall be lawful for the said Company of Proprietors, if they shall so think fit, to take off the Gas from the House and Premises of the Person so offending by such Supply of Gas as aforesaid, notwithstanding any Contracts or Agreements which may have been previously entered into.

Power to convey Washings.

XLI. And be it further enacted, That it shall be lawful for the said Company to make such Sewers or Cuts, of such Breadth, Depth, and Dimensions and in such Manner as they shall think expedient, under the Streets, Ways, Lanes, and Avenues and Places within the said City and Suburbs of the said City, Parishes, and Places aforesaid, for the Purpose of carrying off the Washings and other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be in making the said Sewers and Cuts, and immediately repairing at their own Expence all such Damage; provided that none of such Washings or other waste Liquids shall be conducted or conveyed into any River, Brook, or Stream of Water whatsoever.

Power for Commissioners of Lamps in Carlisle to contract for lighting with Gas.

XLII. And be it further enacted, That it shall and may be lawful for the said Company from Time to Time to enter into and execute any Contracts with the Commissioners for the Time being, acting in Execution of the said recited Act, for lighting with Gas any Lamp or Lamps in the said City of *Carlisle* and Suburbs thereof, and to cause to be erected Pillars, Pilasters, or other Apparatus to receive such Gas Lights, and to place, erect, or affix the same against any Walls or other Places, as may be necessary for the Purposes of this Act: Provided always, that no Person being one of the said Company of Proprietors, or interested in any Share of the said Undertaking, or holding any Office under, or being otherwise employed by, or having any Dealing, Bargain, or Contract with the said Company, or under, by, or with any Person or Persons acting in Behalf of the said Company, or having any personal Interest in the said Undertaking, shall be qualified to act or vote as a Commissioner of the said Act for or respecting

reſpecting any Contract for lighting the Streets, Lanes, and other public Places within the ſaid City and Suburbs with Gas, in purſuance of this Act; but no Perſon ſhall be otherwiſe diſqualified from acting as a Commiſſioner of the ſaid recited Act, for or by reaſon of his being a Proprietor of or intereſted in any Share in the ſaid Undertaking.

Remedy for Recovery of Rents.

XLIII. And be it further enacted, That in caſe any Perſon or Perſons who ſhall contract with the ſaid Company, or agree to take, uſe, or enjoy the Benefit of the ſaid Gas, in their private Dwellings, Shops, Inns, Taverns, or other Buildings or Manufactories, ſhall refuſe or neglect, after the Space of Ten Days after Demand, to pay the Sum or Sums of Money then due for the ſame to the ſaid Company, according to the Terms and Stipulations with the ſaid Company, it ſhall be lawful for the ſaid Company, or their Clerk or Superintendant, or any Perſon or Perſons acting by or under their Authority, by Warrant under the Hands and Seals of any Two of the Juſtices of the Peace for the ſaid City of *Carliſle* or County of *Cumberland* reſpectively (as the Caſe may be), to levy the ſaid Sum or Sums 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 ſo refuſing or neglecting, after the neceſſary Charges of making ſuch Diſtreſs and Sale ſhall be firſt deducted; or the ſame with Coſts of Suit may be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, Bill, Plaint, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than one Imparlance ſhall be allowed.

Penalty for damaging Pipes.

XLIV. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly remove, take away, deſtroy, damage or injure any or any Part of any Pipe, Poſt, Plug, Lamp or other Apparatus, Matter or Thing 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, 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 City of *Carliſle* or County of *Cumberland* reſpectively (as the Caſe may be), ſhall forfeit and pay to the aforeſaid Company any Sum not exceeding the Sum of Five Pounds, and Three Times the Amount of the Damage, to be aſcertained by ſuch Juſtice or Juſtices to be done; ſuch Penalty and Damage, together with reaſonable Coſts, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Offender, returning the Overplus (if any) on Demand, to the Owner of ſuch Goods and Chattels; or ſuch Offender ſhall and may be committed to the Houſe of Correction of the City of *Carliſle* or County of *Cumberland* aforeſaid reſpectively (as the Caſe may be), there to remain for any Time not exceeding Three Calendar Months.

For compelling the Attendance of Witneſſes, and reſpecting Services of Notices.

XLV. And be it further enacted, That if any Perſon or Perſons ſhall be ſummoned as a Witneſs or Witneſſes to give Evidence 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, after having been paid or tendered a reaſonable Sum for his, her, or their Coſts, Charges, and Expences, refuſe or neglect to appear from Time to Time at the Time and Place to be for that Purpoſe appointed, without

without a reaſonable Excuſe for his, her, or their Refuſal or Neglect of appearing, or ſhall refuſe to be examined upon Oath, or in caſe of a Quaker or Quakers upon 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 Five Pounds; provided a reaſonable Sum ſhall have been paid or tendered to ſuch Perſon for Attendance as a Witneſs; and that in all Caſes of Notices and Summonſes by this Act directed or required to be given or ſerved, which ſhall or may be neceſſary for carrying into Execution any of the Powers of this Act, the Service of any ſuch Notices or Summonſes, either on the Perſon or Perſons to whom the ſame ought to be given, or leaving the ſame or a true Copy thereof at his, her, or their Dwelling Houſe, or uſual or laſt Place of Abode, ſhall be good and ſufficient Service of any and every ſuch Notices.

Affirmation inſtead of Oath.

XLVI. Provided always, and be it further enacted, That the Affirmation or Affirmations of the People called *Quakers*, ſhall be allowed of and taken in all Caſes where any Oath or Oaths is or are directed to be taken by this Act, inſtead of ſuch Oath or Oaths, and ſhall be adminiſtered by the ſame Perſon or Perſons as ſuch Oath or Oaths is or are to be adminiſtered.

Perſons giving falſe Evidence to be puniſhed.

XLVII. And be it further enacted, That if any Witneſs or Witneſſes who ſhall be examined by or before any Juſtice of the Peace or otherwiſe under this Act, upon Oath, (or in caſe of a Quaker or Quakers upon ſolemn Affirmation), ſhall wilfully and corruptly give falſe Evidence, and ſhall be thereof convicted, he, ſhe, or they ſo giving falſe Evidence, ſhall be ſubject to the ſame Puniſhment as if he, ſhe, or they had been convicted of Perjury.

Exempting the Abbey and the Precincts thereof from the Operation of this Act.

XLVIII. Provided always, and be it further enacted, That nothing herein contained ſhall authorize, or be conſtrued, deemed, or taken to authorize, the Commiſſioners appointed or elected by virtue of the ſaid recited Act, to exerciſe any of the Powers veſted in them by this Act within the Abbey of the ſaid City of *Carliſle* and the Precincts thereof.

Recovery and Application of Penalties.

XLIX. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, ſhall be adjudged by and recovered before any Juſtice of the Peace for the City of *Carliſle*, in Caſes ariſing within the ſaid City, or of the County of *Cumberland*, in Caſes ariſing within the ſaid County at large, in a ſummary Way, and who is hereby authorized and empowered to convict the Offender or Offenders upon Information by the Oath of any Perſon or Perſons, or on the Confeſſion of the Party offending, (which Oath ſuch Juſtice is hereby authorized to adminiſter); and that 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, 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

Sale being firſt deducted); and One Moiety of the Penalties and Forfeitures when recovered ſhall be paid to the Informer, and the other Moiety thereof ſhall be paid to the Overſeers of the Poor of the Pariſh where ſuch Offence ſhall be committed, to be by them applied towards the Relief of the Poor of ſuch Pariſh; and in caſe ſufficient Diſtreſs cannot be found, and ſuch Penalties and Forfeitures ſhall not be paid, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit ſuch Offender or Offenders to the Houſe of Correction for the City of *Carliſle* or County of *Cumberland* reſpectively, (as the Caſe may be) for any Time not exceeding Three Calendar Months.

L. And for the more eaſy Conviction of Offenders againſt this Act, be it further enacted, That a Conviction in the Form and to the Effect following, ſhall be good, without alledging more than the Subſtance of the Offence:

Form of Conviction.

'City of Carliſle, (*or* County of Cumberland, *as the Caſe may be*), to wit. } BE it remembered, That on the Day of in the Year of our Lord One thouſand eight hundred and is [*or* are] convicted before me [*or* us, *as the Caſe may be*] of His Majeſty's Juſtices of the Peace for the ſaid City of *Carliſle* [*or* County of *Cumberland*] by virtue of an Act of Parliament paſſed in the Fifty-ninth Year of the Reign of King *George* the Third, 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 ſhall be*] contrary to the ſaid Act; and for which Offence 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* our Hands and Seals] the Day and Year firſt above written.'

Proceedings to be within Six Calendar Months.

LI. 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 a Magiſtrate, within Six Calendar Months next after ſuch Offence is committed.

Nothing in this Act to prevent Company from being indicted for a Nuiſance.

LII. 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 againſt any of their Officers, Servants, or Workmen, in reſpect of any Works of the ſaid Company, or the Method which ſhall be employed by them for furniſhing ſuch Lights as aforeſaid, as a public or private Nuiſance, or from bringing any Actions againſt the ſaid Company, or any of their Officers, Servants, or Workmen, for any Injury ſuſtained by reaſon of any ſuch Works or Method of lighting, whether ſuch Injury ſhall proceed from the Nature of ſuch Method of lighting, or the Careleſſneſs or Want of Skill of the Perſons employed therein.

Appeal.

LIII. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done or to be done in purſuance of this Act (and for which no particular Method of Relief is herein-before appointed), ſuch Perſon or Perſons may appeal to the Juſtices of the Peace for the ſaid City of *Carliſle* or County of *Cumberland*,

Cumberland, at their General or Quarter Seſſions of the Peace to be held for the ſaid City or County, within the Space of Four Calendar Months next after the Cauſe of Appeal ſhall have ariſen, ſuch Appellant or Appellants firſt giving or cauſing to be given Fourteen Days Notice at leaſt of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe thereof, to the ſaid Company, or other the Reſpondent or Reſpondents, and within Ten Days next after ſuch Notice given, enter into a Recognizance before one of His Majeſty's Juſtices of the Peace for the ſaid City or County, with Two ſufficient Sureties, conditioned to try ſuch Appeal at ſuch General or Quarter Seſſions, and to abide the Order of and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſe and Matter of ſuch Appeal in a ſummary Way, and ſhall award ſuch Coſts to either Party as they ſhall think proper; and the Determination of the Juſtices at ſuch Seſſions ſhall be final and binding upon all Parties.

Directing what ſhall be deemed a Service of Notices, &c. on the Company.

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

Expences of the Act how to be paid.

LV. And be it further enacted, That all the Coſts, Charges, and Expences attending the applying for, obtaining, and paſſing this Act, ſhall be paid and diſcharged by the ſaid Committee of Management, out of the Monies already ſubſcribed by virtue of this Act.

Public Act.

LVI. 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. 1819.