ANNO TERTIO

GEORGII IV. REGIS.

Cap. XXX.

An Act for lighting with Gas the Town and Township of *Halifax*, and the Neighbourhood thereof, within the Parish of *Halifax*, in the West Riding of the County of *York*. [15th *May* 1822.]

WHEREAS the Town of *Halifax*, in the West Riding of the County of *York*, is a large and populous Place, as is also the Township and Neighbourhood or Environs thereof, and it would be highly advantageous to the Inhabitants and the Public at large, if the Streets and other public Passages and Places therein were better lighted: And whereas Inflammable Air, Carburetted Hydrogen, Coal, Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be produced from Coal and other Substances: And whereas the said Inflammable Air, Carburetted Hydrogen, or Coal Gas, being conveyed by Means of Pipes, may be safely and beneficially used for lighting the several Streets, Highways, Squares, Market Places, Courts, Yards, Passages, Bridges, Lanes, and other Places within the said Town and Township of *Halifax*, and the Neighbourhood and Environs thereof, within the Parish of *Halifax* aforesaid, and for lighting Shops, Inns, Taverns, private Houses, Warehouses, public Works, Manufactories, and other Buildings; and the said Coke may be usefully employed as Fuel, 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 herein-after named are willing and desirous, at their own Costs and Charges, to effect the several beneficial Purposes aforesaid, but the same cannot be carried fully and completely into Execution without the Aid and Authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Company incorporated.

That *Robert Abbott*, *John Abbott*, *William Adam*, *Jonathan Ackroyd*, *Lewis Alexander*, *Edward Nelson Alexander*, *James Anderton*, *William Asquith*, *John Bairstow*, *Richard Bark*, *William Barstow*, *Thomas Bland*, *James Boyne*, *William Bradley*, *Thomas Bradley*, *John Bray*, *Rawdon Briggs*, *Rawdon Briggs* the younger, *William Briggs*, *James Briggs*, *Copley Brown*, *John Sharpe Brown*, *George Buxton Browne*, *Agnes Burnett*, *William Butter*, *John Cockroft*, *Elizabeth Craven*, *John Craven*, *William Davy*, *George Dixon*, *Thomas Francis Drake*, *John Edwards*, *John Edwards* the younger, *George Edwards*, *William Emmet* the elder, *William Emmet* the younger, *William Emmet*, *James Emmet*, *Ann Emmet*, *Samuel Farrar*, *Daniel Garforth*, *Sarah Gath*, *Thomas Greenwood*, *John Haigh*, *John Haigh* (Woolshops), *John Haigh* the younger, *Frederick Hardcastle*, *John Hardisty*, *John Hodgson*, *Samuel Hodgson*, *Joseph Hodgson*, *Peter Kenion Holden*, *William Holdsworth*, *Samuel Holdsworth*, *Thomas Holmes*, *Ann Horsfall*, *William Hoyland*, *Harriet Ibbetson*, *Sarah Ibbetson*, *John Gibson Jones*, *Abraham Jubb*, *Mason Stanhope Kenny*, M. D. *Joseph Lassey*, *Francis Leyland*, *Margaret Leyland*, *John Lister*, *Hannah Lister*, *Mary Ann Lister*, *Sarah Lister*, *Harry Mellin*, *Henry Mellin*, *Sarah Mellin*, *Grace Mellin*, *John Milner*, *Ralph Nicholson*, *Joseph Norminton*, *William John Norris*, *James Edward Norris*, *James Oats*, *Robert Parker*, *George Pollard*, *Ann Prescott*, *Mary Prescott*, *Elizabeth Judith Prescott*, *Joseph Priestley*, *William Rawson*, *Christopher Rawson*, *Stansfield Rawson*, *Jeremiah Rawson*, *Catherine Rawson*, *Samuel Taylor Rigg*, *Joseph Ross*, *John Rothwell*, *William Rothwell*, *Christopher Saltmarshe*, *Watson Samuel Scatcherd*, *Joseph Scott*, *George Shaw*, *John Smith*, *Joshua Smithson*, *Luke Staveley*, *John Staveley*, *Michael Stocks* the younger, *Michael Sutcliffe*, *T. S. Swale*, *James Thompson*, *William Barnes Thompson*, *Joseph Thornton*, *Samuel Thwaite*, *Thomas Turney*, *Christopher Ward*, *John Waterhouse*, *Samuel Waterhouse*, *Frances Waterhouse*, *Elizabeth Watkinson*, *John Whitley*, *Nathan Whitley*, *James Wigglesworth*, *John Wigney*, *John Williamson*, and all and every such other Person or Persons as from Time to Time shall become a Subscriber or Subscribers, and be duly admitted a Proprietor or Proprietors as herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be one Body Politic and Corporate, by the Name of "The *Halifax* 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 shall be established for the Purpose of producing Inflammable Air, Carburetted Hydrogen, Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil; and for lighting with Gas the said Town and Township of *Halifax*, and the Neighbourhood and Environs thereof within the said Parish, and shall have full Power from Time to Time to make Contracts or agree with any Commissioners, Directors, Trustees, Surveyors of Highways, or other Persons having at the Time of making such Contract or Agreement, the Controul,

Name.

Power to make Contracts, &c.

Direction, or Management of the lighting of the said Town and Township of *Halifax*, and the Neighbourhood and Environs thereof, within the said Parish, or any Part or Parts thereof respectively, or with any other Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, who may be willing to contract or agree with the said Company for the lighting of the said Town and Township of *Halifax*, and the Neighbourhood and Environs thereof, within the said Parish, and each or any of them respectively, or of any public Streets, Highways, Roads, Squares, Market Places, Courts, Yards, Passages, Bridges, Lanes, public Buildings, Manufactories, Warehouses, and Shops, or private Houses, or other Erections or Buildings of whatever Denomination the same may be, or any of them, within the said Town or Township of *Halifax*, and the Neighbourhood or Environs thereof, within the said Parish, or each or any of them; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Products as aforesaid.

Power to contract for the Purchase of Lands and Buildings.

II. And be it further enacted, That it shall and may be lawful to and for the said Company (or their Committee of Management for the Time being), and they are hereby respectively empowered to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town or Township of *Halifax*, or the Neighbourhood or Environs thereof within the said Parish, for the Purposes of this Act (not exceeding Three Acres of Land in the whole), with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Trustees, Executors, Administrators, Husbands, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, or with any Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or with any other 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, and Hereditaments shall vest in the *Halifax* Gas Light and Coke Company; and it shall and may be lawful to and for the said Company to hold any 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 of any other Law or Statute whatsoever; and also at any Time or Times thereafter to sell or dispose of the said Lands, Tenements, or Hereditaments, or any of them, as they shall think proper, and from Time to Time to purchase and hold other Lands, Tenements, or Hereditaments, more suitable for the Uses and Purposes of this Act, and again to sell the same in like Manner.

III. And

Resale of Lands not wanted.

III. And be it further enacted, That it shall be lawful for the said Company from Time to Time 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 competent 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 (if only one, or if more than one, for the Treasurers, who, if engaged in Partnership together, may sign in their Style or Firm, by any one of such Firm) 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 to any Purchaser or Purchasers for the Money therein and thereby expressed or acknowledged to be received, and such Purchaser or Purchasers having *bonâ fide* paid the same, and obtained such Receipt or Receipts for the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

Bodies Politic, &c. empowered to sell.

IV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, 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, 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 to be purchased as aforesaid for the Use 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 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 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

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 Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, 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 hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

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

V. And be it further enacted, That if any Money shall be contracted or agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastic, 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 Account there, *ex parte* the *Halifax* Gas Light and Coke Company, together with the Name or Names of such Person or Persons as any Three or more of the Committee of Management of the said Company shall by Writing signed by them, direct and appoint; to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Intents, 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, Wills, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which shall be purchased, taken, or used for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, and capable of taking Effect, and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, 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 Consoliated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

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

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

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

VII. Provided always, and be it further enacted, That where such Money so contracted and agreed to be paid as last before-mentioned shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or 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 Cases of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use or 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.

VIII. 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 Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased 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 said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchases may be allowed by the Court.

IX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the 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 High Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said 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.

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

X. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments by the said Company 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, and upon the Conveyance in Manner herein-after directed of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or Equity, of the 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.

Form of Conveyance.

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

'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 or by
'virtue of an Act passed in the Third Year of the Reign of King *George*
'the Fourth, 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, and Interest in
'the

'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 .'

Joint Stock not to exceed 12,000*l.* in Shares of 25*l.* each, and to be Personal Estate.

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 Undertaking and Purposes aforesaid, shall not exceed in the Whole the Sum of Twelve thousand Pounds Sterling, (and that the said Sum of Twelve thousand Pounds shall be divided into Shares of Twenty-five Pounds Sterling each); and that the 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: Provided always, that in addition to the said Capital already subscribed, it shall be lawful for the said Company from Time to Time, when they shall find it necessary, to raise by Way of Loan on Security of the Property and Effects belonging to the said Company, or by raising and creating new and additional Shares in the said Concern, or by both of the said Ways and Methods, any further Sum or Sums of Money for the Purposes of the said Undertaking, not exceeding in the Whole or Aggregate the Sum of Three thousand Pounds; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Three thousand Pounds, by the Creation of new and additional Shares in the said Concern, then it shall be lawful for the said Company to raise the same amongst themselves, in such Proportion as to them shall seem meet, and for such Purpose to create such Number of new and additional Shares of Twenty-five Pounds each, as may be deemed expedient; and every Subscriber towards raising such further Sum by Shares shall be a Proprietor in the said Undertaking, and stand interested in all the Profits, Privileges, and Advantages in the said Undertaking, and shall be liable to the like Burthens in proportion to the Amount of his or her Subscription, and generally and extensively to all Intents and Purposes, as if the same had been originally Part of the said Capital Stock of Twelve thousand Pounds; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Three thousand Pounds by way of Loan, then it shall be lawful for the said Company, or their said Committee of Management for the Time being, by and with the Advice and Direction of any General Assembly of the said Company, to borrow and take up the same at Interest for the Use of the said Company, and thereupon by Writing under their Common Seal, to assign all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, together with lawful Interest for the same; and the Charges and Expences of such Assignment (to be made as herein-after mentioned), shall be from Time to Time defrayed by the said Company out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say),

Form of Assignment.

'WE, the *Halifax* Gas Light and Coke Company, acting in pursuance of an Act passed in the Third Year of the Reign of King
'*George* the Fourth, intituled [*here set forth the Title of this Act*] in
'Consideration of the Sum of advanced and lent
'to the said Company by of in the
'County

'County of for the Purposes of the said Act, do hereby 'grant and assign unto the said [*or* his Trustee *or* Trustees, *as the Case may be*] his [*or* her, *or* their] Executors, Administrators, 'and Assigns, such Proportion of the Property and Effects belonging 'to the said Company, as the said Sum of 'doth or shall bear to the whole Sum which may at any Time be borrowed by virtue of the said Act, to be had and holden from the Day of 'the Date hereof until the said Sum of with 'Interest after the Rate of *per Centum per* '*Annum* for the same, shall be fully paid and satisfied. In witness 'whereof we the said Company have hereunto set our Common Seal 'the Day of in the Year of our Lord One 'thousand eight hundred and .'

And every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and Advantages thereof, according to the Form of Words of such Assignment, and the true Intent and Meaning of this Act.

Power of transferring Assignments in a prescribed Form.

XIII. And be it further enacted, 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 Writing under their respective Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer shall be in the Words or to the Effect following; (that is to say),

'I *A. B.* [*or* we, *as the Case may be*,] being entitled to the Sum of under or by virtue of an Assignment, 'bearing Date the Day of under the Common 'Seal of the *Halifax* Gas Light and Coke Company, in pursuance of 'an Act passed in the Third Year of the Reign of King *George* the 'Fourth, intituled [*here set forth the Title of this Act*] do hereby assign 'and transfer all my [*or* our] Right and Interest in and to the same 'Sum, and to the Property and Effects assigned to me [*or* us] for 'securing the same unto of his, [her, *or* 'their] Executors, Administrators, and Assigns. Dated the 'Day of .'

And a Copy of every such Security or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred; to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid by the Person or Persons to whom such Transfer shall be made the Sum of Two Shillings and Sixpence, and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and

Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Inrolment thereof.

A certain Sum to be subscribed before the Act shall take Effect.

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

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

XV. And be it further enacted, That all and every Person or 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 Twelve thousand Pounds as aforesaid, his, her, or their Executors, Administrators, and Assigns respectively (no such Subscription being less than the Sum of 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 Advantage attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors of and in the same.

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

XVI. And be it further enacted, That the Lands 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.

To compel Payment of Subscriptions.

XVII. And be it further enacted, That the several Persons who have subscribed for and 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 for, 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 neglect or 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 for and recover the same, together with lawful Interest for the same, from such appointed Time of Payment, from such Person or Persons; and in all 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 the Proprietors to be enter-

XVIII. And be it further enacted, That the said Company shall, and they are hereby required, within Three Months after the passing of this

Act, to cause the Names and Designations of the several Persons and Bodies Corporate and Politic who have subscribed for or may at any Time hereafter be entitled to a Share or Shares in the said Joint Stock, with the Number of Shares possessed by each Subscriber, 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 the Clerk to the said Company, to be appointed as herein-after mentioned; and after such Entry, a Certificate, under the Common Seal of the said Company, shall be delivered to every Proprietor, or, in case of more Persons than One being jointly interested, then to any one of them, upon Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Joint Stock; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, or Assigns, to the Share or Shares therein specified; but the Want of such Certificate shall not hinder the Proprietor of any such Share 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 to the said Company, and for which Certificate the said Clerk shall be paid the Sum of Four Shillings, and no more, shall be deemed sufficient *primâ facie* Evidence of Title.

ed, and Certificates of their Shares delivered to them.

XIX. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, shall, for the Purposes of this Act, be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices hereby required to be given to the Owner or Proprietor of any Share or Shares in the said Company shall and may be given to such Person whose Name shall so stand first in the Books of the said Company; and such Notice to such Person shall be deemed and taken to be a Notice to all the Owners or Proprietors of such Share or Shares for all the Purposes for which such Notice is intended to be given to the Owner or Proprietor of any such Share or Shares; and that such Owners or Proprietors shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares; and his Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

The Person whose Name stands first for divided Shares, to be deemed the Owner, and entitled to vote.

XX. 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 or Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk to the said Company, it may not be in the Power of the said Company, or any Officer acting for the said Company, to learn 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, and to maintain any Action or Actions, Suit, or other Proceeding against him,

For ascertaining the Proprietorship of Shares in certain Cases.

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 to by virtue thereof; be it therefore further 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 or Conveyance thereof, in the Form and Manner herein-before specified, an Affidavit shall be made and sworn to, by Two credible Persons, before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace for the West Riding of the County of *York*, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, and that such Affidavit shall be submitted to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book, or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the Clerk to the said Company.

Shares may be transferred.

XXI. 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 [*or* we, *as the Case may be*] of
'in Consideration of paid to me [*or* us] by
'of do hereby bargain, sell, assign, and
'transfer to the said the Sum of
'Capital Stock, of and in the Undertaking called "The *Halifax* Gas
'Light and Coke Company;" being my [*or* our] Share [*or* Shares]
'Number [ ] in the said Undertaking; to hold to
'the said Executors, Administrators, and Assigns,
'subject to the same Rules, Orders, and Restrictions, and on the same
'Conditions that I [*or* we] held the same immediately before the Execu-
'tion hereof; and I [*or* we] the said do hereby
'agree to take and accept the said Share, subject to
'the same Rules, Orders, Restrictions, and Conditions. As witness our
'Hands and Seals this Day of One
'thousand eight hundred and '

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 Registry the Sum of Two Shillings and Sixpence, and no more, 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 received 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

shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor 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 till the Money is paid.

XXII. Provided always, and be it further enacted, That after a Call for Money shall be made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after the Day appointed for the 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 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; and all and every Person or Persons making Default herein shall be subject and liable to forfeit his, her, or their Share or Shares in the said Undertaking, to and for the general Benefit of the said Undertaking, unless he, she, or they shall, at the Time of such Sale or Transfer, pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture, nevertheless, to be first notified and declared in Manner directed by this Act with respect to the Forfeitures of Shares for not answering the Calls to be made thereon.

First Committee of Management.

XXIII. And be it further enacted, That *Thomas Bradley*, *Rawdon Briggs*, *William Briggs*, *Copley Brown*, *George Buxton Browne*, *George Dixon*, *William Emmet*, *John Haigh*, *John Hodgson*, *Samuel Hodgson*, *Mason Stanhope Kenny*, M. D. *John Milner*, *Joseph Norminton*, *William John Norris*, *George Pollard*, *William Rawson*, *Christopher Rawson*, *Jeremiah Rawson*, *Christopher Saltmarshe*, *George Shaw*, and *John Waterhouse*, shall be and they are hereby constituted and appointed the Committee of Management for managing the Affairs of the said Company.

First Committee to serve Two Years, and subsequent Committees One Year.

XXIV. And be it further enacted, That the several Persons hereby nominated, constituted, and appointed the Committee of Management shall continue in Office and be respectively Members of the said Committee for the Term of Two Years from the passing of this Act, and until others or another shall be appointed in their or any or either of their Stead, in pursuance of this Act; and at the Expiration of the said Term, and also at the Expiration of every succeeding Year, a fresh Committee of Twenty-one Members shall, in Manner herein-after mentioned, 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 respective Offices for the Space of One Year, to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

Committee men contracting for Work to cease to have

XXV. Provided always, and be it further enacted, That if any Person hereby nominated, or who shall be elected a Member of the said Committee of Management, shall be or become a Dealer, either directly or indirectly, in any One of the Articles to be provided or manufactured by the

a Voice in the Committee.

the said Company, and shall offer to take and succeed in taking any Contract or Contracts under the said Company, or shall participate in any Manner in any Work to be done for the said Company, every such Person shall be disqualified to vote in any Matters to be discussed and argued by the said Committee of Management; and that if any Person hereby nominated, or to be appointed by virtue of this Act, a Member of the said Committee, shall at any Time cease to be a Proprietor of Five Shares in the said Undertaking, or shall hold any Place of Profit under the said Company, or shall refuse or neglect to attend any Five successive Meetings of the said Committee, every such Person shall be thereby disqualified from acting or voting at such Committee, and shall cease to be a Member thereof.

Meetings of the Committee, and Regulations for their Proceedings.

XXVI. And be it further enacted, That the said Committee of Management shall or may hold their First Meeting on the First or Second *Friday* after the passing of this Act, at such Place within the said Town of *Halifax* as they shall think proper, and shall have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time, and from Place to Place, as they shall think fit; and that 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 Members 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 decisive and casting 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 by the Members or Member then present, or if none be present, 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, &c.

XXVII. 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 from Time to Time to elect a Chairman, and 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 Meetings, and generally to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and 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 and Agreements for the Lighting of the said Town or Township of *Halifax*, and the Neighbourhood or Environs thereof, within the said Parish, or any or either of them, or any of such Streets, Highways, Roads,

Roads, Squares, Market Places, Courts, Yards, Passages, Bridges, Lanes, Public Buildings, Manufactories, Warehouses, Shops, or Private Houses, or other Erections or Buildings of whatever Denomination the same may be as aforesaid, and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced as aforesaid, and in appointing, or placing and displacing, any Officer, Engineer, Agent, or Servant of the Company (except the Treasurer or Treasurers, and Clerk, herein-after directed to be appointed by a General Meeting of the said Company), with such Salaries, Gratuities, or other Recompence as to such Committee shall from Time to Time seem meet, and making, enforcing, or 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.

To make Calls, &c.

XXVIII. And be it further enacted, That the said Committee shall also have full Power and Authority to make such Call or Calls for Money from the several Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, as 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 Two Calendar Months 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 or Treasurers to the said Company for the Time being, at such Time and Place as shall be appointed by such Committee, of which Time and Place Ten Days Notice at least shall be given, in such Manner as the said Committee of Management shall direct or appoint in that Behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportions of the Money so to be called for, during the Space of Three Calendar Months next after the Time appointed for Payment thereof, together with lawful Interest for the same from such appointed Time of Payment, then and in such Case such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, or Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them, on account thereof, to and for the Use and Benefit of the rest of the said Company; and that all Shares which shall or may be so forfeited, shall or may be sold at a public Sale for the most Money that can, at the Time of Sale, be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Company; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, until after Twenty-one Days Notice shall have been given by the Clerk to the said Company to the Owner or Owners thereof, or left at his, her, or their last or usual Place of Abode; nor unless the same shall be declared to be forfeited at some General or Special Meeting of the said Proprietors, which shall be holden not earlier than Two Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor and Proprietors, or his, her, or their Executors, Administrators, Successors,

On Non-payment of Calls Share to be forfeited;

but Notice to be given.

Successors, and Assigns so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

Officers of the Company to be appointed at General Meetings.

XXIX. And be it further enacted, That it shall be lawful for the said Company, at the First General Meeting of the said Company, to nominate and elect by Ballot, and to appoint under the Common Seal of the said Company, some Person or Persons to be Treasurer or Treasurers, and some other Person to be Clerk to the said Company, and from Time to Time to remove every such Treasurer or Treasurers, and Clerk of the said Company, 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 or Treasurers, or Clerk or 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.

Same Person not to act as Clerk and Treasurer.

XXX. 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 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, with full Costs of Suit, 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.

Executors, &c. indemnified in paying Calls.

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

Treasurer, &c. not to issue Money

XXXII. 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

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 Committee of Management for the Time being, and Two Members at least of the said Committee present at some Meeting of the said Committee of Management.

without an Order, &c.

XXXIII. 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, Regulations, and Restrictions herein-after contained; (that is to say), the Proprietors of Shares in the said Undertaking shall assemble together at the Magistrates Office in *Halifax* aforesaid, 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 to, in Manner herein-after mentioned; and every such Assembly shall be styled a General Meeting, and Two such Meetings shall be held in every Year, on the First *Monday* in the Month of *April*, and the First *Monday* in the Month of *October*, which shall be styled Half-yearly General Meetings; and that Twenty or more of the said Proprietors may at any Time, by Notice in Writing under their Hands, call a Special General Meeting, so as that the Object for which such Meeting is called shall be expressed in such Notice, and so as that such Notice be given One Week at least before the Day of Meeting, and that every 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 every Adjournment of any General Meeting shall be given; and that at every such Meeting, or any Adjournment thereof, 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; (that is to say), One Vote in respect of every such respective Share, except that no Person shall vote in respect of more than Ten Shares, in his or her own Right; 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 have become due in pursuance of any Call or Calls made or to be made by the said Committee of Management for or in respect of such Share or Shares; 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 anyways interested other 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 Company to be taken by Ballot, but no Ballot shall be kept open more than One Hour, and 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, he shall also have a casting Vote; and that the Orders and Proceedings of every Meeting, as well of the Company as of the Managing Committee, 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

Regulations as to General and Special Meetings and Adjournments, &c.

by the Clerk of the said Company, or by the Chairman of each respective Meeting, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts and Places whatsoever, 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 Three or more of them; 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 Twenty-one of the Proprietors of Shares in the said Undertaking shall be elected in the Place of the former Committee, whose Office shall then have expired; 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; and that every Vacancy in the Committee of Management, by Death, Resignation, or becoming ineligible, shall be filled up at a Special General Meeting to be called for that Purpose within Thirty Days next after such Vacancy; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall (being duly qualified), continue in Office upon the same Terms, and only for the same Period, as the Person whose Place he shall supply would have continued if his Office had not been vacated before the Time at which he must necessarily have gone out of Office: Provided also, 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 Letter from the Clerk of the said Company, sent by the Post or otherwise to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the Individual Proprietor entitled to such Notice, as the Case may be, and that such Notices shall be deemed and considered the same as personal Notice.

Proprietors may vote by Proxy.

XXXIV. 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 Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General or Special Meetings as aforesaid, either in Person or by Proxy, every such Proxy being a Proprietor in the said Undertaking; and the Appointment of such Proxies may be made in the Form or to the Effect following; (*videlicet*),

Form of Proxy.

'I *A. B.* of Proprietor of and in the
'*Halifax* Gas Light and Coke Company, do hereby nominate, con-
'stitute, and appoint *C. D.* of to be my
'Proxy,

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

General Meetings to settle Accounts; Half-yearly Meetings to declare Dividends.

XXXV. And be it further enacted, That any General Meeting or General Meetings specially called for the Purpose, shall have full Power to call for and examine and settle the Accounts of the said Company; and that at every Half-yearly General Meeting, or some Adjournment thereof, a 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, and so in proportion for more or less than One hundred Pounds, upon all and every the Sum and Sums of Money paid to the said Company by the said Subscribers, their Executors, Administrators, Successors, 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 wise be reduced or impaired, nor within Twelve Months next 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.

XXXVI. 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 and about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all Respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them and to make others, and impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Company at a General Meeting shall seem meet and expedient; and all Rules, Orders, and Bye Laws so made as aforesaid, (being reduced into Writing, and the Common Seal of the said Company thereto affixed) shall be 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 fixed and continued in the Office of the said Company;

and

and all such Rules, Orders, and Bye Laws, shall be subject to Appeal in Manner by this Act directed.

Gas to be supplied cheaper than Oil Light.

XXXVII. Provided always, and be it enacted, That the said Company shall and they are hereby directed and required, with the Consent of the Commissioners for lighting the said Town of *Halifax*, to supply all the Public Streets, Squares, Lanes, Passages, and other Public Ways in the said Town, with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil; and every Contract or Agreement which shall be entered into for lighting with Gas any such Public Street, Square, Lane, Passage, or Way by the said Company, shall contain a Clause, providing that it shall be obligatory on the said Company that such Street, Square, Lane, Passage, or Way shall at all Times be better and cheaper lighted by the said Company, than could be done by Oil.

Service Pipes to be kept fully charged with Gas.

XXXVIII. 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 Streets, Squares, and other Public Places of the said Town, under any Contract or Agreement, shall be kept fully charged with Gas, and the Stopcocks shall be so formed and 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.

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

XXXIX. 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, or other Works and Devices, and to sink and lay Pipes 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, and other Places, or any private Grounds, or any Part of them, or either 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 Light 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; 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 or 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

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, amending, repairing, improving, supplying, and using the same: Provided nevertheless, that nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes through any of the said Streets, Highways, Roads, Lanes, Bridges, or other Places, without the Consent of the Commissioners, Surveyors, or other Persons having the Charge or Controul thereof respectively, or through or against any Dwelling House or Houses, Manufactories, public or private Buildings, Lands, or Grounds, for the Purpose of lighting any other Dwelling House or Houses, Manufactory, public or private Building, or so to continue the same, without the Consent of the Owners and Occupiers of every such Dwelling House or Houses, Manufactory, public or private Building, Lands, or Grounds, through which such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

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

XL. 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 Streets, Squares, Market Places, Bridges, Highways, or other Public Places in the said Town, Township, or Parish, 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, or their Clerk, given to or left at the Place of Abode of such Surveyor or Surveyors, or of the Clerk to such Trustees or Commissioners, or the Person 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 any Streets, Squares, Market Places, Bridges, Highways, or other Public Place whatsoever, 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.

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

XLI. Provided always, and be it further enacted, That in case any Pipe, Cock, or Branch, shall be carried or laid from any Main or Pipe of the said Company, into or through 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 Five 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 therefrom, from any such Main or Pipe of the said Company as aforesaid; and in Default thereof, it shall and may be lawful to and for such Owner or Occupier, 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.

Company, in laying Pipes, to make good the Pavement.

XLII. Provided always, and be it further enacted, That the said Company, in laying or repairing any such Main, 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 Pavements and Roads, and carry away the Rubbish occasioned thereby; and if after such Pavements or Roads shall have been so repaired and made good, the same shall, within Six Calendar Months thereafter, give way, or require relaying or repairing in consequence of such Pavements or Roads having been broken up for the Purpose of carrying this Act into Execution, the same shall be forthwith done and performed by and at the Expence of the said Company; and the said Company shall and they are hereby required to repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off the Washings or Waste Liquids, without any Delay, and shall in the meantime fence or guard, and affix Lights during the Night at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, or Carriages; and by and according to the Directions and Provisions contained in all or any of the Acts of Parliament now in force for paving, lighting, watching, and improving the said Town and Township of *Halifax*, and the Neighbourhood and Environs thereof within the same Parish, or any of them, or for preventing Nuisances therein: 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 removing Rubbish, or making good any such Pavements or Roads, or in case the same shall be imperfectly repaired, or in case the Ground so opened shall not be fenced or guarded and lighted, then and in every such Case it shall be lawful for the Person or Persons, or Body or Bodies Politic or Corporate, in whom the Right of Soil of such Pavements or Roads shall be, or to and for the Commissioners for paving or otherwise improving the said Town, Township, and Parish, or his or their Surveyor or Surveyors, or any other Person or Persons acting by or under their Authority, or the Surveyors of the Highways within the said Town, Township, and Parish for the Time being, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Square, Highway, Bridge, Market Place, Court, Yard, Road, Way, Lane, Passage, or other Place so broken up, and properly to fence or guard any such Trench or Excavation, and to place and maintain such Light or Lights during the Night as to him or them shall seem necessary, and the reasonable Costs and Charges thereof shall be paid by the said Company or their Treasurer or Treasurers; and in Default of Payment thereof for Thirty Days next after Demand made for the Payment thereof (Proof of such Demand being made by the Oath of One or more credible Witness or Witnesses, before One or more Jus-

tice or Justices of the Peace for the said West Riding of the County of *York*, or other Justice or Justices having Jurisdiction as the Case may require), all such reasonable Costs, 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, 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, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Penalties, Costs, Charges, and Expences shall be paid to such Commissioners or their Surveyor.

Powers of Commissioners of Pavements, &c. not to be obstructed.

XLIII. Provided always, 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 Commissioners or Directors or Trustees for lighting or paving the said Town and Township of *Halifax*, and the Neighbourhood or Environs thereof within the said Parish, or any Body Corporate or Politic, Sole or Aggregate, or established for the Supply of Water in or for the Town and Township of *Halifax*, and the Neighbourhood thereof, or any Part or Parts thereof, and the Rights of any Person or Persons to make, enlarge, repair or amend any Vault or Sewer under any Street within the said Town and Township of *Halifax*, and the Neighbourhood thereof, or Environs thereof within the said Parish.

Owners of private Grounds may alter the Position of Pipes.

XLIV. Provided also, and be it further enacted, That in case the said Company shall at any Time hereafter break up the Soil, Pitching, or Pavement of any private Ground, Road, or Way, for the Purpose of laying any Main or Pipe along, under, or across the same, and after the same shall have been so laid and placed, it shall be lawful for such Owner or Owners at any Time or Times thereafter, if he, she, or they should deem it necessary or expedient, and at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to relay the same, so that no Damage be done thereby to the said Company, and so that they be not thereby prevented from or obstructed in lighting any public or private Lamp, unless such Damage or Obstruction be unavoidable.

Company to be remunerated for Loss sustained by altering Pipes, &c. in certain Cases.

XLV. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Cocks, Plugs, or Branches, by such Owner or Owners as last-mentioned, any Damage, Loss, or Injury shall be done, accrue, or be sustained to or by the said Company, and their Successors, either by losing the lighting of any such public or private Lamp or Lamps as aforesaid, or otherwise, then and in every such Case such Damage, Loss, or Injury to be fixed and ascertained by One or more Justice or Justices of the Peace for the said West Riding, shall be made good to the said Company of Proprietors by the said Owner or Owners, and in Default of Payment thereof by any such Owner or Owners for Seven Days after Demand shall be made by the said Company, or by their Clerk or Superintendant, 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 West Riding, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Owner or Owners, together with the Charges of such Distress and

Sale,

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 West Riding; and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Company as the Case may require.

Protection for the Halifax Water Works Company.

XLVI. And be it further enacted, That if in carrying into Execution any of the Powers or Authorities by this Act given or granted, any Injury or Damage shall be done or committed to any of the Pipes, Branches, Apparatus, Materials, or Things of or belonging to the Commissioners of the *Halifax* Water Works, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid and placed, or by the Compression and subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever, the said Company shall, at their own Expence, Costs, and Charges, within Three Days next after Notice in Writing to them given by Three Commissioners of the *Halifax* Water Works, under their Hands, or by Writing under the Hand of their Clerk or other Officer, cause such Pipes, Branches, Apparatus, Materials, and Things, to be well and effectually repaired and amended; and in Default or Neglect thereof it shall and may be lawful to and for the said Commissioners and they are hereby authorized and empowered to cause such Pipes, Branches, Apparatus, Materials, and Things so injured or damaged as aforesaid, to be effectually repaired, amended, and made good, and the reasonable Costs, Charges, Damages, and Expences attending the same shall be paid and defrayed by the said Company, or their Treasurer; and that in Default of Payment for Seven Days next after Demand shall be made by the said Commissioners, or their Clerk, or other Officer, Proof of such Demand being made by the Oath of Two credible Witnesses, before Two or more Justices of the Peace for the said West Riding, 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 Hands and Seals of any such Justice or Justices of the Peace for the said West Riding; and which Warrant such Justices are hereby empowered to grant, and such Costs, Charges, and Penalty shall be paid to such Commissioners or their Treasurer.

If Contracts be not duly performed, they may be voided on giving Notices, &c.

XLVII. And be it further enacted, That if the said Company shall contract with any such Commissioners, Directors, Surveyors, or Trustees, or any Party or Parties as aforesaid, for lighting the said Town and Township, or the Neighbourhood or Environs thereof within the said Parish, or any Part of the same respectively, or any Public or other Buildings therein, and shall not duly perform such Contract, then and in such Case it shall and may be lawful for such Commissioners, Directors, Surveyors or Trustees, Party or Parties, to determine such Contract, giving Three Calendar Months Notice thereof; and then and in such Case, and also at the Expiration of any Contract so to be made, it shall be lawful for the said Company of Proprietors, at the Expiration or other sooner Determination of such Contract, by such Notice to remove the Mains, Pipes, Cocks, Plugs, Syphons, Branches, Lamp Irons, and other Materials,

rials belonging to the said Company and employed in lighting such Town, Township, or Place, or any Buildings herein as aforesaid.

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

XLVIII. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe, to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, nor use Burners of larger Dimensions, or of superior Quality, nor more in Number than he, she, or they respectively shall contract or pay for, on pain of forfeiting and paying to the said Company the Sum of Ten Pounds for every such Offence, 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 West Riding, 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 at *Wakefield*, in the West Riding of the County of *York*, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied.

Power to convey Washings.

XLIX. And be it further enacted, That it shall be lawful for the said Company to make Sewers or Cuts of such Breadth, Depth, and Dimensions, and in such Manner as they shall think fit, under the Ways, Lanes, and Avenues and Places within the said Parish of *Halifax*, for the Purpose of carrying off the Washings or other Waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing at their own Expence all such Damage; provided that no such Washings or other Waste Liquids, or any other Matter or Thing made or arising in the Manufacture of such Gas, shall be conducted or conveyed into any River, Brook, or running Stream; and that no such Sewer or Cut shall be made in any Situation where the same can, shall, or may in any Manner interfere with, prejudice, or affect any of the present or future public or private Wells, Sewers, or Drains within the said Parish, or the present or future Limits or Liberties thereof or adjacent thereto, or without the Consent of the Commissioners or Trustees for the Time being having the Direction or Management of any Public Highways, Roads, Paths, or Passages, or the Owner and Owners, Occupier and Occupiers, of any private Lands or Grounds through, under, or across which such Sewers or Cuts shall be made.

Imposing Penalty on Company for conveying Washings into Rivers, Streams, &c.

L. And be it further enacted, That if the said Gas Light Company shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow any Washings or other Waste Liquids, Substances or Things whatsoever, which shall arise or be produced in the Prosecution of the Works of the said Gas Light Company into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Spring-

Springhead belonging to or used or intended for the Supply of Water by any Corporation or Company established for the Supply of Water to the Inhabitants of any of the Townships or Places in the said Town and Parish, or belonging to or used or intended for the Supply of Water by any other Corporation or other Person or Persons whomsoever to the Inhabitants of any such Townships or Places, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, or Springhead, whereby the said Water, or any Part thereof shall be soiled, fouled, or corrupted, then and in each and in every such Case the said Gas Light Company 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 in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed, and one Moiety thereof shall be paid to the Person or Persons who shall sue for the same, and the other Moiety to the Corporation or Company, or other the Person or Persons against whom any such Annoyance, Act, or Thing shall have been done or committed: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months from the Time of such Penalty being incurred, and the 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, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or be caused or suffered to run or flow in Manner aforesaid into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Feeder, Pond, or Springhead belonging to or used or intended for the Supply of Water by any such Corporation or Company established for the Supply of Water as aforesaid, or any such other Corporation or other Person or Persons whomsoever, or into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, or Springhead, 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 such Corporation or Company established as aforesaid, or any such other Corporation or other Person or Persons to whom the same shall belong, or by whom the same shall be used, or who shall be injured by such Act, Matter, or Thing to the said Gas Light Company; and the said Gas Light Company shall not, within Twenty-four Hours after such Notice shall have been given to them as aforesaid, stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in Manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Gas Light Company 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 shall be caused or suffered to run or flow in Manner aforesaid, or such other Annoyance, Act, or Thing shall be so done, or shall be caused to be done as aforesaid; and such Penalty shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Gas Light and Coke Company, together with the Charges

Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said West Riding, or other Justice or Justices having Jurisdiction; and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Penalty and Charges shall be paid to the Corporation or Company or other Person or Persons as aforesaid against whom such Annoyance, Act, or Thing shall be done or committed.

Stopping the Escape of Gas.

LI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall, at their own Expence, immediately after receiving Notice by Parol or in Writing (to be left or given at their Office, or usual Place of transacting their Business), of any such Escape of Gas, by any Inhabitant of the said Parish of *Halifax*, 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 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 be from Time to Time recoverable, in a summary 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 West Riding, or other Justice or Justices having Jurisdiction, as the Case may require, and shall and may be recovered with all reasonable Charges by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner, and subject to the like Provisions as are herein directed, touching other Penalties to be recovered from the said Company.

Remedy for Recovery of Rents.

LII. And be it further enacted, That in case any Person or Persons, Party or Parties, who shall contract with the said Company, or agree to take, or shall use or enjoy the Benefit of the said Gas in their private Dwelling Houses, Shops, Counting Houses, Inns, Taverns, Warehouses, Manufactories, or other Erections or Buildings, or who shall contract with the said Company, or agree to purchase, use, or enjoy any of the Coke, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Essential Oil, or other Material or Product whatsoever of the said Company, shall refuse or neglect, for the Space of Ten Days after Demand, to pay the Sum or Sums of Money then due for the same respectively 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 or more Justices of the Peace for the County, Riding, City, or Place, 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 Party or Parties so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Party or Parties so refusing or neglecting, after the necessary Charges of making such

Distress

Distress and Sale shall have been first deducted; or in case sufficient Distress cannot be found for such Sum or Sums of Money, together with such Charges as aforesaid, then such Sum or Sums of Money, with full 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, &c.

LIII. And be it further enacted, That if any Person shall wantonly or maliciously interrupt or hinder the Servants, Agents, or Workmen, or any of them, in the Service of the said Company, in doing or performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or 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 West Riding, shall forfeit and pay to the aforesaid Company, for every such Offence, any Sum not exceeding the Sum of Ten 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 or Chattels; or such Offender shall and may be committed to the House of Correction at *Wakefield*, in the said County, there to remain for any Time not exceeding Six Calendar Months.

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

LIV. And be it further enacted, That if any Person or Persons shall be summoned in Manner aforesaid 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 the Behalf of the Prosecutor or on behalf of the Person or Persons accused, and shall refuse or neglect 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 for his or her Costs and Expences, without a reasonable Excuse for his, her, or their Refusal or Neglect of appearing, 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 Five Pounds.

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

LV. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service 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

usual Place of Abode, or on any Member of 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.

Persons giving false Evidence to be punished for wilful and corrupt Perjury.

LVI. 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 on 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 wilful and corrupt Perjury.

Proceedings to be within Six Calendar Months.

LVII. 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 Nuisance, Annoyance, or Injury under, or Offence or Offences against this Act, unless Information respecting such Offence or Offences, Nuisance, Annoyance, or Injury, shall have been lodged before a Magistrate within Six Calendar Months next after such Offence shall have been committed, or such Nuisance, Annoyance, or Injury shall have ceased or determined.

Distress not unlawful for want of Form.

LVIII. 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 of the Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any subsequent Illegality in the Party or Parties so distraining, but the Person or Persons so aggrieved may recover by Action on the Case full Satisfaction for the special Damage by him or them sustained in consequence of such Irregularity; but no Person or Persons shall recover in any such Action if Tender of sufficient Amends shall, before such Action brought, have been made by or on behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity as aforesaid, or shall have been guilty of any Trespass or other wrongful Proceeding; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court in which any such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Orders, and Judgments shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

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

LIX. 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, nor any Judgment or Determination to be made, or any other Matter or Thing to be done in 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.

Recovery and Application of Penalties.

LX. 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 said West Riding 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; and One Moiety 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 Moiety thereof shall be paid to the Overseers of the Poor of the Parish or Township wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish or Township; and in case sufficient Distress cannot be found, or in case the Offender shall declare that he hath not any Goods or Chattels whereon to levy, 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 at *Wakefield* aforesaid, for any Time not exceeding Three Calendar Months.

LXI. 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; (*videlicet*),

Form of Conviction.

'West Riding of Yorkshire, 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 shall be*] [*or as the Case shall be*] of His Majesty's Justices of the Peace for the said West Riding, by virtue of an Act of Parliament passed in the Third Year of the Reign of 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 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, *as the Case shall be*, Hands and Seals] the Day and Year first above written.'

Appeal may be made to Quarter Sessions.

LXII. Provided always, and be it further enacted, That any Body or Bodies Corporate, or Collegiate, or any other Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company of Proprietors, or by the Order or Determination

mination of any Justice or Justices of the Peace in pursuance of this Act, may, within Three Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their next General Quarter Sessions of the Peace to be holden for the said West Riding, or any Adjournment thereof, the Person or Persons appealing having first given at least Ten clear Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the said Company, as the Case may be, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said West Riding, with sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General Quarter Sessions of the Peace, or Adjournment thereof, or if they think proper may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for the same Riding; 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 Rule, Bye Law, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

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

LXIII. 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 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 Light as aforesaid, as a public or private Nuisance, or from bringing any Actions against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or 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.

Saving Rights.

LXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed or deemed or taken to extend, to affect, extinguish, defeat, abridge, impeach, annul, prejudice, or destroy the Right, Title, or Interest of the Lord or Lady of the Manor of *Halifax* for the Time being, of, in, or to the Seigniories, Rights, Royalties, Franchises, Pre-eminences, Jurisdictions, Rents, Services, Liberties, Privileges, Advantages, Emoluments, Powers, and Authorities appendant, appurtenant, incident, or belonging to the said Manor of *Halifax*, or to any Rents, Tolls, Package, Stallage, Free Customs, Dues, Duties, Profits, or Advantages, belonging, due, or in anywise appertaining to the Owner of the Fairs and Markets for the Time being; but that the Lord or Lady of the said Manor for the Time being shall have, hold, use, exercise, take, and enjoy all and every the Seigniories, Rights, Royalties, Franchises, Pre-eminences, Jurisdictions, Rents, Services, Powers, Authorities, Liberties, Privileges, Advantages, and Emoluments whatsoever, to the said Manor belonging or incident, appendant, appurtenant, or usually exercised, holden,

holden, and enjoyed therewith; and the Owner of the said Fairs and Markets for the Time being, shall and may take and enjoy all such Rents, Tolls, Peckage, Stallage, Free Customs, Dues, Duties, Profits, and Advantages, with all Powers and Remedies for enforcing Payment thereof, as fully and beneficially, to all Intents and Purposes, as if this Act had not been passed.

Expences of the Act to be paid.

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

Public Act.

LXVI. 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. 1822.