ANNO QUINTO

GEORGII IV. REGIS.

Cap. lxxvii.

An Act for lighting with Gas the City of *Hereford*, and the Suburbs and Liberties thereof.

[28th *May* 1824.]

WHEREAS the City of *Hereford* is a large, ancient, and populous City, and it would greatly contribute to the Safety and Advantage of the Inhabitants, and the Public at large, if the Streets and other public Passages and Places therein, and the Suburbs and Liberties thereof, were more effectually 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 Materials: And whereas the said Inflammable Air, Carburetted Hydrogen or Coal Gas, being conveyed by Means of Pipes, may be used for lighting the several Streets, Highways, Market Places, Courts, Yards, Passages, Bridges, Lanes, and other Places within the said City and the Suburbs and Liberties thereof, 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 for other Purposes, 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 Expence, to effect the several beneficial Purposes aforesaid; but as the same cannot be carried fully and completely into Execution without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted;

and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable *John Somers Cocks* commonly called *Lord Viscount Eastnor*, *Richard Blakemore*, *Edward Bulmer*, *Thomas Bird*, *John Benbow*, *Edward Bolton Clive*, *Samuel Carless*, *John Cleave*, *John Gwillim*, *John Griffiths*, *Henry Gipps* Clerk, *John Bleek Lye* M. D., *Isaac Lee*, *Robert Price*, *Edward Poole*, *William Ravenhill*, *Thomas Weare*, *Thomas Webb*, *Thomas Wynn*, *Edwin Goode Wright*, 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 *Hereford* 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, Misdemeanour, or other Offence indictable by the Laws of this Realm; and 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 City of *Hereford*, and the Suburbs and Liberties thereof, and shall have full Power from Time to Time to make Contracts, or agree with any Commissioners for paving and lighting the said City, and removing Nuisances and Annoyances therein, Directors, Trustees, Surveyors of Highways within the said City and Suburbs and Liberties thereof, or any Part or Parts thereof respectively, or with any other Person or Persons, or Body or Bodies Politic, Corporate, Collegiate, or Ecclesiastic, or Corporation or Corporations Aggregate or Sole, who may be willing and desirous to contract or agree with the said Company for the lighting of the said City of *Hereford*, and the Suburbs and Liberties thereof, and each or any of them respectively, or of any public Streets, Highways, Roads, Market Places, Courts, Yards, Passages, Bridges, Lanes, or public Buildings, Manufactories, Warehouses, and Shops, Inns, or private Houses, or other Erections or Buildings of whatever Denomination the same or any of them may be, in the said City of *Hereford*, and the Suburbs and Liberties thereof, 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.

Proprietors incorporated into a Company.

Their Style.

II. And be it further enacted, That the said Company of Proprietors shall meet together at some convenient Place within the said City, within Fourteen Days next after the passing of this Act, between the Hours of Eleven and Twelve of the Clock in the Forenoon, and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time, either to the same Place, or such other convenient Place in the said City as the said Proprietors shall think proper; and the Second General Meeting of the said Company of Proprietors shall be held at such Time and at such Place as the said Company of Proprietors at their First General Assembly shall appoint; and the like General Assemblies shall be held on the First *Monday* in every Month of *May* in every

First and other General Meetings of Proprietors.

Year for the future, at such Hour and Place or Places as the next preceding General Assembly shall appoint, at which Annual General Assemblies the Accounts of the said Company shall be produced for the Inspection of the Meeting; and also such and so many Special General Meetings of the said Proprietors shall be held as shall be called by the Committee of Management as herein-after provided; of which several General Meetings and Special General Meetings Ten Days public Notice at the least shall be given in *The Hereford Journal*, or some Newspaper published in the said City of *Hereford*, (and which said Notice shall specify the Purpose for which any such Special General Meetings are called); and that all such General Meetings, and Special General Meetings, may be adjourned from Time to Time, and from Place to Place, as shall be found expedient; and that at all such Meetings of the said Proprietors to be held as aforesaid, the Persons then present being possessed of not fewer than Forty Shares, shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company of Proprietors; and if it shall happen that there shall not appear at any of the aforesaid Meetings of the said Proprietors a sufficient Number of the said Proprietors to act or to adjourn (Ten Proprietors being hereby declared sufficient in all Cases to proceed to Business, and Three Proprietors being hereby declared sufficient for the Purpose of Adjournment only), then and so often as the Case may happen such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Place and Hour at which the same ought to have been held as aforesaid.

Regulations as to General Meetings, and Manner of voting.

III. And be it further enacted, That at every General Meeting of the Proprietors of the said Undertaking One of the Proprietors then present shall be elected to preside as Chairman, and all Questions shall be decided by a Majority of Votes of the Proprietors present, 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; and the Chairman of every such Meeting shall not only be entitled to vote in respect of his Shares, but in case of an Equality of Votes shall also have an additional or casting Vote; but nevertheless it is hereby provided, that no Proprietor shall be entitled to vote at any Meeting of the said Company in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid all Arrears due, in pursuance of any Call or Calls which shall have been made upon or in respect of such Share or Shares by the said Committee for the Time being, nor shall any Person vote at any Meeting of the said Company upon any Question in which such Person shall be interested in any other Way than as being a Proprietor in the said Undertaking.

Manner of voting in case of joint Proprietors.

IV. 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 shall be deemed to be the Proprietor of such Share or Shares for the Purposes next herein-after mentioned; that is to say, such Person shall have the sole and entire Right of voting at all Meetings of the said Company in respect of such joint Share or Shares; and when any Notice in pursuance of this Act shall be given to such Person, the same

same shall be considered as a Notice given to all the Proprietors of such joint Share or Shares.

Empowering Proprietors of Shares to vote by Proxy.

V. 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 entitled to vote in respect of his, her, or their own Share or Shares, duly constituted under his, her, or their Hand or Hands, or in Cases of Infancy or Lunacy, under the Hand or Hands of his, her, or their Guardian or Guardians, or Committee or Committees; and the Appointment of such Proxy may be made in the Form or to the Effect following; (that is to say),

Form of Proxy.

'I *A. B.* of One of the Proprietors of Shares of and in the *Hereford* Gas Light and Coke Company, do hereby nominate, constitute, and appoint *C. D.* of to be my Proxy, in my Name and in my Absence to vote or give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking, that shall be mentioned or proposed at any General or Special Meeting of the said Company, in such Manner as 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 .'

Not to have more than Ten Votes in addition to his own.

VI. Provided always, That no Person shall vote by Proxy or Proxies for more than Ten Shares, or be entitled to more than Ten Votes in respect of such Proxy or Proxies upon any One Occasion; but if such Person be a Proprietor, he may also vote in Right of his own Shares on the same Occasion; and provided that the Person applying to vote as Proxy do always, at the Time of voting, produce his Appointment or Appointments.

Meetings to settle Accounts and declare Dividends.

VII. 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 of the said Committee; and that at One of the said General Meetings, or some Adjournment thereof in each Year, a Dividend or Dividends shall be made out of the Interests, 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 *per Centum* for every Share, 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 shall think fit to appoint and determine: Provided always, that no Dividend shall be made whereby the Capital of the said Company shall in any Degree be reduced or impaired, nor within Twelve Calendar Months 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 the Payment of any Call for Money in respect thereof, until such Call shall have been paid.

VIII. And

General Meetings may appoint a Treasurer and Clerk.

VIII. And be it further enacted, That the said Company of Proprietors shall at their said First General Meeting, or at some Adjournment thereof, elect and choose a Treasurer and a Clerk for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent General or Special Meeting to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer and Clerk, or either of them, or any other Person or Persons who shall be hereafter elected and appointed to such respective Offices; and also shall from Time to Time elect, choose, and appoint, in Manner aforesaid, any other Person or Persons to act as Treasurer or Clerk to the said Company in the Room of such of the said Officers who shall happen to die, or resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers, or any of them, as at any such General or Special Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company of Proprietors shall and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer or Clerk of the said Company for the faithful Execution of their respective Offices before they respectively shall enter thereupon.

Clerk and Treasurer not to be the same Person.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person or Persons who may be appointed their Clerk or Clerks in the Execution of this Act; or the Partner of any such Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under this Act, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, 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.

Treasurer, &c. not to issue Money without an Order, &c.

X. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders made at a General Meeting of the said Company, or without an Order or Orders in Writing, signed by the Chairman of the Committee for the Time being and Two Members at least of the said Committee present at some Meeting of the said Committee.

Subscriptions for Joint Stock not to exceed 6000*l.*

XI. 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 Six thousand Pounds Sterling; and that the said Sum of Six thousand Pounds shall be divided into Shares of Fifty 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.

Subscribers to share the Stock in proportion to their Subscription.

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

Works not to be begun until 4,500*l.* shall have been subscribed.

XIII. And whereas the probable Expence of making the Works hereby authorized will amount to the Sum of Four thousand five hundred Pounds; be it therefore further enacted, That the Works hereby authorized to be made shall not be begun until the Sum of Four thousand five hundred Pounds at the least shall have been subscribed for the Purpose of making the said Works.

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

XIV. And be it further enacted, 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: Provided always, that whenever Two or more Persons shall have jointly subscribed for, or shall be jointly possessed of any One Share in the said Undertaking, such Persons shall severally and respectively be answerable for the whole Amount of such Share, but no further or otherwise as aforesaid.

Tickets of Shares to be delivered to the Proprietors.

XV. And be it further enacted, That the said Company of Proprietors, or their said Committee for the Time being, shall cause the Names and Designations of the several Persons who are at present and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the Number of Shares possessed by each of the Subscribers and Proprietors, and also the proper Number by which every Share is to be distinguished, to be distinctly entered in a Register Book to be kept by the Clerk to the said Company, to be appointed as herein-after mentioned; and after the making of such Entry, a Certificate, under the Common Seal of the said Company, shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the

the Name and Designation of the Proprietor thereof; which Certificate shall be delivered to the Proprietor of such Share upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share therein specified; but the Want of such Certificate shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof.

For ascertaining the Proprietorship of Shares in certain Cases.

XVI. And whereas in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become Insolvent or Bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person or Persons, and no Register shall have been made of the Transfer thereof with the Clerk or Clerks 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, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof, in the Form and Manner herein-after specified, an Affidavit shall be made and sworn 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 acting for the City of *Hereford*, 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 or Clerks of the said Company, to the Intent that he or they may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the Clerk or Clerks to the said Company; and that in all or any of the said Cases, after Two Calendar Months Notice in Writing shall have been given by the said Clerk or Clerks to the Owner or Owners thereof, or left at his, her, or their last or usual Place or Places of Abode, to pay his, her, or their Proportion of Money so to be called for, and such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors, at any General Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited; and that in such Case the same shall and may be sold and disposed of in such Manner as the said Subscribers or Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the General Fund of the said Company.

XVII. And

For enforcing Payment of Subscriptions.

XVII. And be it further enacted, That the several Persons who have already subscribed for and towards the said Undertaking, and who shall at any Time hereafter have or hold any Share or Shares in the same, shall, and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed and to be subscribed for, or such Parts or Portions thereof as shall from Time to Time be called for, pursuant to 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 said Company, or their Committee for the Time being; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Time or Times, and in such Manner as shall be ordered and directed by the said Company, or their Committee as aforesaid, it shall be lawful for the said Company to sue for and recover the same, by Action of Debt or otherwise, in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time or Times of Payment, and full Costs of Suit from such Person or Persons respectively; and in like Cases of Neglect or Refusal, where Two or more Persons shall have jointly subscribed for, or be jointly possessed of One or more Share or Shares in the said Undertaking, then and in like Manner to sue for and recover the same from all or any of such joint Subscribers.

Appointment of Committee of Management.

XVIII. And be it further enacted, That at the First General Meeting of the Proprietors to be held next after the passing of this Act, or at any Adjournment thereof, a Committee for managing the Affairs of the said Company shall be elected out of the Proprietors or Subscribers of Shares of and in the said Undertaking; and that such Committee shall consist of Nine Proprietors or Subscribers, and when elected they shall be the Committee for managing the Affairs of the said Company, until others shall be chosen in their Stead, as herein-after mentioned.

Qualification of Persons acting on Committee.

XIX. Provided always, and be it further enacted, That no Person shall be eligible to be elected One of the Committee for managing the Affairs of the said Undertaking, unless at the Time of the Election he shall be entitled to Four Shares in the said Undertaking.

No Person on the Committee to participate in any Work done for the Company.

XX. Provided always, and be it further enacted, That if any Person hereby nominated, or who shall be elected a Member of the said Committee, shall be or become a Dealer, either directly or indirectly, in any of the Articles to be provided or manufactured by the said Company, or shall take, or succeed in taking, or shall participate in any Manner in any Work to be done for the said Company, every such Person shall be disqualified to be a Member of the said Committee; and 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 the said Undertaking, or shall refuse or neglect, unless prevented by Illness or Absence from Home, to attend any Five successive Meetings of the said Committee, every such Person shall thereby cease to act or vote at such Committee, and shall be disqualified as aforesaid, and thereupon another Proprietor shall be elected in the Stead of such defaulting Member, to be a Member of the Committee.

Annual Election of Committee.

XXI. And be it further enacted, That at the said First General Meeting, or at some Adjournment thereof, and at every General Meeting which shall be held afterwards in the said Month of *May*, or at some Adjournment thereof, a new Committee of Nine of the Proprietors of Shares in the said Undertaking shall be elected in the Place of the former Committee, nevertheless the said former Committee, whose Office shall then have expired, or any of them, may (if otherwise eligible) be again immediately re-chosen; and in case the Committee, by Death, Resignation, or Disqualification, shall be reduced to the Number of Five, such Vacancy shall from Time to Time be filled up at a Special General Meeting to be called for that Purpose, within Twenty Days next after such Reduction in Number shall happen; and the 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 Persons whose Places they shall supply would have continued if their Office had not been vacated before the Time at which they must, according to the Provisions of this Act, have gone out of Office: Provided always, 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 such individual Proprietors respectively, by Letters from the Clerk or Clerks of the said Company, sent by the Post to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the individual Proprietor entitled to such Notice (as the Case may be) at his last or usual Place of Abode, or by Advertisement in *The Hereford Journal*, or some other Newspaper circulated in the County of *Hereford*, at least Ten Days previous to such Meeting, and that such Notice shall be deemed and considered the same as personal Notice: Provided also, that if at such General Meeting or Special General Meeting of the said Company of Proprietors, to be held under the Powers herein contained, there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled unto at least Forty Shares in the said Undertaking, no Business shall be transacted at any such Meeting, except adjourning the same.

A certain Number of Proprietors may call a Special Meeting to remove any of the Committee or to elect others, in certain Cases.

XXII. And be it further enacted, That in case any Five or more of the said Proprietors, being collectively possessed of or entitled to Twenty or more Shares in the said Undertaking, shall think that a Special Meeting of Proprietors should be holden, then it shall and may be lawful for them to call a Special Meeting of the said Proprietors, to be held at such Hour and Place within the said City of *Hereford*, as they shall think fit, provided Fourteen Days Notice of the Time and Place and Purport of such Special Meeting be given by the Persons calling the same, by Advertisement in one of the Papers printed at *Hereford* aforesaid, or by a Letter from the Clerk or Clerks, to be sent by the Post to each Member of the said Committee, at his last or usual Place of Abode; and at each Special Meeting it shall be lawful for the Proprietors then present, or the Majority of them, to remove all or any of the Committee, and to elect others in their Stead, or in the Stead of any Member dead or absent; and the Committee for the Time being shall produce their Accounts, and a Report of their Proceedings, at such Special Meeting, if required by the Notice calling or convening the same: Provided always, that if at any

such Special Meeting there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled unto at least Forty Shares in the said Undertaking, the Power hereby given unto the said Company of Proprietors to remove all or any of the Committee, and to elect others in their Stead, on account of any Complaint against the Conduct of such Committee, shall not be exercised, but the Meeting shall be adjourned for that particular Purpose to the same Place, for any Time not exceeding Fourteen Days, and so from Time to Time until there shall be Proprietors present, either as Principals or Proxies, who shall be possessed of Forty Shares as aforesaid; and the same Rules, Regulations, Penalties, and Provisions as are herein prescribed with respect to the General Meetings for choosing Committees, shall be applicable to the Meetings to be held for removing them.

Meetings of Committee.

XXIII. And be it further enacted, That the said Committee shall or may hold their First Meeting within Thirty Days after their being appointed, at such Time and Place within the said City of *Hereford* as they shall think proper, and 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 within the said City, as they shall think fit; and the said Committee shall from Time to Time appoint One of the said Committee then present to preside as Chairman; and that all Questions, Matters, and Things, which shall be proposed, discussed, or considered by the said Committee at any of their Meetings, shall be decided and determined by a 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 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 such Time as the Members or Member then present, or if none be present, as the Clerk or Clerks of the said Company shall appoint; and 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 to the Residence or Address of every Member of such Committee.

Power of Committee, &c.

XXIV. And be it further enacted, That the Committee for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time, and from Place to Place, and also at any Time to call Special Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places in the said City of *Hereford*, of holding General and Special Meetings, and to direct the Affairs and Business of the said Company, 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 said Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and entering into Agreements or Contracts for lighting with Gas the said Streets, Highways, Squares, Market Places, or Shops, Inns, Manufactories, Warehouses, private Houses, Buildings, or private Places as aforesaid,

and in nominating, electing, appointing, placing or displacing any Officer, Agent, or Servant of the said Company (not being a Treasurer or Clerk of the said Company, who are to be elected and appointed at a General Meeting of the Company as herein-before mentioned), and with such Salaries, Gratuities, or other Recompence as to the said Committee shall seem proper; and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced as aforesaid, and in making, enforcing, and rescinding all Contracts and Bargains touching or in anywise concerning the same, subject to such Orders, Bye-laws, Rules, and Regulations as shall at any Time be duly made by the said Company in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted; and the said Committee may require such Security to be given to the said Company of Proprietors from any Officer or Officers (not being a Treasurer or Clerk of the said Company), or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable.

Orders, &c. to be entered in a Book.

XXV. And be it further enacted, That all Orders and Proceedings of the said Company, and of the Committee, shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings shall be signed by the Chairman for the Time being of each respective Meeting, or for the Purposes of Adjournment only by the Clerk of the said Company, and shall be deemed and taken to be original Orders and Proceedings, and allowed to be read in Evidence in all Courts and Places whatsoever.

Committee empowered to make Calls.

XXVI. And be it further enacted, That the said Company of Proprietors, or their Committee for the Time being, shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors, or Subscribers of Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Company or their said Committee shall from Time to Time find expedient, for the Purposes of the said Undertaking, so that no one such Call do exceed Ten Pounds upon each Share of Fifty Pounds, and so that no Calls shall be made but at the Interval of Two Calendar Months at least from each other, and so that the total Amount of such Calls shall not exceed the Sums subscribed for by the several Proprietors; and the several Sums of Money which shall be so called for shall be paid into the Hands of the Treasurer of the said Company for the Time being, at such Times and Places as shall be appointed by the said Company or such Committee, of which Times and Places Ten Days Notice at least in Writing shall be given by the Clerk of the said Company to the several Persons liable to pay such Calls, which Notice may be sent by the Post, or in such other Manner as the said Company or such Committee shall direct in that Behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of the Money so to be called for during the Space of Three Calendar Months next after the Time appointed for Payment thereof, with lawful Interest for the same from such appointed Time of Payment, then and in every such Case such Person or Persons so neglecting or refusing shall 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

Shares forfeited on Nonpayment.

account thereof, to and for the Use and Benefit of the rest of the said Company; and all Shares which shall be so forfeited, shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Company; but nevertheless no Advantage shall be taken of any such Forfeiture of any Share or Shares, until after Twenty-one Days Notice in Writing shall have been given by the Clerk of the said Company to the Proprietor or Proprietors thereof, or left at his, her, or their usual Place of Abode, or in case such Proprietor shall not reside within the said City of *Hereford*, then to be put in the General Post Office of and for the said City, directed to such Proprietor at his or her Place of Abode, nor unless the same Share or Shares shall be declared to be forfeited at some General or Special Meeting of the said Proprietors held not sooner than Two Calendar Months after such Forfeiture shall take place; and every such Forfeiture when so declared shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors who shall have incurred such Forfeiture, and his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Proceedings whatsoever at Law or in Equity, for any Breach of Contract between such Proprietor or Proprietors so forfeiting and the said Company, in regard to the future Prosecution of the said Undertaking.

Executors, &c. of deceased Persons indemnified on paying Calls.

XXVII. And be it further enacted, That if any Person who shall be a Subscriber or Proprietor of any Share or Shares in the said Undertaking, shall die before Payment shall have been made by him or her of the full Amount which under the Provisions of this Act may be called for by the said Company in respect of such Share or Shares in Manner aforesaid, without having made any sufficient and effectual Provision, by Will or otherwise, how the future Calls in respect of such Share or Shares are to be answered and satisfied, then and in every such Case the Executors or Administrators of such deceased Subscriber or Proprietor, and the Trustees or Guardians of any Infant or other Persons entitled to the Estate and Effects of such deceased Subscriber or Proprietor respectively, shall be fully indemnified against such Infant, and all Persons whomsoever, in paying any Money which shall be duly called for in respect of such Share or Shares as aforesaid.

Shares may be transferred.

XXVIII. And be it further enacted, That it shall be lawful for the several Proprietors of any Share or Shares in 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 and to the Effect following; (that is to say),

Form of Transfer.

‘ I [*or* we] of in consideration of
‘ paid to me [*or* us] by of
‘ do hereby bargain, sell, and transfer to the said
‘ the Sum of Capital Stock of and in the
‘ Undertaking called ‘The *Hereford* 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,

'Orders, and Restrictions, and on the same Conditions that I [*or* we] 'held the same immediately before the Execution hereof; and I [*or* we] 'the said do hereby agree to take and accept 'the said Share [*or* Shares] subject to the same Rules, Orders, Restric- 'tions, and Conditions. As witness my Hand and Seal [*or* our Hands 'and Seals] this Day of in the Year 'of our Lord '

Transfer to be registered.

And every such Transfer shall be produced and notified to the Clerk of the said Company, and shall be entered and registered in the Books of the said Company, and the Entry or Register thereof shall specify the Date, Names of the Parties, and the Number of Shares transferred; for which Entry and Register the Sum of Two Shillings and Sixpence for each Share shall be paid to the Clerk or other Officer making the same; and a Copy of such Registry, signed by the Clerk or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes and in all Trials before any Court of the United Kingdom; and that until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, his 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 shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to any Vote at any Meeting or Meetings as Proprietor or Proprietors of Shares in the said Undertaking.

For ascertaining the Proprietorship of Shares in certain Cases.

XXIX. And whereas in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become Insolvent or Bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk or Clerks 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, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore 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 specified, an Affidavit shall be made and sworn 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 acting for the City or County of *Hereford*, 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 or Clerks of the said Company, to the Intent that he or they may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the Clerk or Clerks to the said Company; and that in all or any of the said Cases, after Two Calendar Months Notice in Writing shall have been given by the said Clerk or Clerks to the Owner or Owners thereof, or left at his, her, or their last or usual Place or Places of Abode, to pay his, her, or their Proportion of Money so to be called for, and such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such, his, her, or their Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors at any General Meeting after the Expiration of such Notice, to declare at any General Meeting the same Share or Shares to be forfeited; and that in such Case the same shall and may be sold and disposed of, in such Manner as the said Subscribers or Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the General Fund of the said Company.

No Shares to be sold until the Proprietor shall have paid 50 per Cent., or after a Call until the Money is paid.

XXX. Provided always, and be it further enacted, That no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, until he, she, or they shall have paid full Fifty Pounds *per Centum* on such Shares; and after having paid or contributed such Amount, and any subsequent Calls for Money shall have been made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares in the said Undertaking after the Day appointed for Payment of the said Call, until the Money so called for in respect of his, her, or their Share or Shares intended to be sold shall be paid, and that until such Payments or Contributions to the Amount of Fifty Pounds *per Centum* shall have been paid, and afterwards until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void; and all and every Person or Persons making Default herein shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Undertaking, to and for the general Benefit of the said Undertaking, unless he, she, or they shall, at the Time of such Sale or Sales, 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.

Power to contract for the Purchase of Lands and Buildings.

XXXI. And be it further enacted, That it shall and may be lawful to and for the said Company (or their Committee 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 City of *Hereford*, or the Suburbs or Liberties thereof, for the Purposes of this Act (not exceeding Three Statute Acres in the Whole), with any Body Politic, Corporate, Collegiate, or Ecclesiastic, 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

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 *Hereford* 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, so that such Lands and Grounds do not at any Time exceed Three Statute Acres in the Whole in Measure.

Restraining the Company from purchasing more than Three Acres of Land from incapacitated Persons, &c.

XXXII. And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company of Proprietors to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and

Persons

Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disabilities or Incapacity, more than such Three Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Three Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same, or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or instead of such Three Statute Acres, or any Part thereof, so sold or disposed of by the said Company.

Power to re-sell Lands not wanted.

XXXIII. 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.

XXXIV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, Collegiate, or Ecclesiastic, 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

or Hereditaments, or any Part thereof, which the said Company are herein enabled to purchase as aforesaid, for the Uses and Purposes of this Act, to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Company, 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 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, Collegiate, or Ecclesiastic, 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.

XXXV. 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 the Form and to the Effect following; (that is to say),

Form of Conveyance.

'I [*or* we, *as the Case may be*] of in consideration of the Sum of paid to me [*or* us, or into the Bank of *England*, *as the Case may be*] by the *Hereford* Gas Light and Coke Company established under or by virtue of an Act passed in the Fifth 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, or Interest in the said Premises. In witness whereof I [*or* we] have hereunto set my Hand and Seal [*or* our Hands and Seals] this Day of in the Year of our Lord One thousand eight hundred and

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

XXXVI. 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 Politic, Corporate, Collegiate, 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 Court of Exchequer, to be placed to his Account there *ex parte* the *Hereford* 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, and pursuant to the Method prescribed by
1 G. 4. c. 35. an Act of the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Order of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way by the 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 Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXXVII. Pro-

When less than 200*l.* and exceeding 20*l.*

XXXVII. 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 Politic, Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any other 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 case of Infancy, Idiotcy, or Lunacy (to be signified in Writing under their respective Hands), to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, and be placed to the 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 (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 said Court.

When not exceeding 20*l.*

XXXVIII. 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, or any Three or more of them, shall think fit, or in case of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In Cases of doubtful Title, the Person in Possession to be deemed the Owner.

XXXIX. 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 Court of Exchequer, 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 shown to the Satisfaction of the said Court; and the Dividends

or

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 to 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 by whom to be paid.

XL. 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 said Court, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of 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 Company.

XLI. 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 Agent or 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.

Power to make and erect Retorts, &c.

XLII. 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, upon any of the Lands, Tenements, or Hereditaments which the said Company may purchase for the Purpose, in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into Execution; and also to break up the Soil and Pavement of any Streets, Highways, Roads, Ways, Lanes, Passages, and other Places, or any Part of them, and to dig and sink Trenches and Drains, and lay Main or other Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, from the Gasometer or Works, 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

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, into, or through or against 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 Main or other Pipes, and to erect and set up any Machine or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and complete Supply of Gas, and for measuring or ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been placed, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things as the said Company and their Successors shall from Time to Time think necessary 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, or affix any Pipe or Pipes through or against any Dwelling House or Houses, Manufactory, public or private Buildings or Yards, or to continue the same without the Consent of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public or private Buildings or Yards: Provided always, that nothing herein contained shall extend or be construed to extend so as to enable the said Company of Proprietors to enter into or upon, or to break up or cause to be broken up any Land or Ground for the Purpose of laying any Pipe or Pipes, or for any other Purpose whatsoever, without the Consent of the Owners and Occupiers thereof in Writing had and obtained for that Purpose.

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

XLIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company or any of their Officers, Agents, or Servants to break up the Soil or Pavement of all or any Part of any of the Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other public Places in the said City or Neighbourhood, which are now or may be hereafter maintained and supported in repair by and under the Controul and Direction of any Surveyors of Highways, or other Person or Persons, or of the Commissioners acting under or by virtue of the herein-after recited Acts of the Fourteenth, Fiftieth, Fifty-sixth, and Fifty-ninth Years of the Reign of His late Majesty, or either of them, or of any other Trustees or Commissioners acting under the Authority of any other Act or Acts of Parliament, without having first obtained the Consent of such Surveyors, or Person or Persons, or the proper Quorums of the said Commissioners, or of such other Trustees or Commissioners, or the Consent of the Persons having the Property of such Soil or Pavement, in Writing for the Purpose, nor to break up, or into, or to open, or alter the Arches or Coverings of any Cellar or Cellars in or under any such Streets, Squares, Highways, Roads, Ways, Lanes, Market Places, Passages or Places, without the Consent of the Owner or Owners thereof in Writing for that Purpose; provided nevertheless, that nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes through or against any Dwelling House or Houses, Manufactories, public or private Buildings, Yards,

or Grounds for the Purpose of lighting any other Dwelling House or Houses, Manufactory, public or private Building, or any other Place or Places, or to continue the same without the Consent of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public or private Building, Yards, or Grounds through or against which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

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

XLIV. 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, or any Arch or Covering of any Cellar or Cellars in or of any Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places in the said City or Neighbourhood, 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 the said Commissioners, or to such other Trustees or Commissioners, or the Persons 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, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places whatsoever, for the Purpose of laying down or repairing any such Main or Mains, or any Pipe or Pipes whatever, or for any other Purpose which may be required under this Act.

Pavement to be made good where Pipes are laid.

XLV. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Syphons, Branches, or other Works, shall forthwith fill in the Trenches, and make good the Pavements and Roads, and Arches and Coverings aforesaid, and remove, take, and carry away the Rubbish occasioned thereby, and repair any Drainage arising from any Drains, Sewers, or Cuts which may be made for the Purposes of this Act, without any Delay, and shall in the meantime fence or guard, and light by Night and all Night the Place or Places where any Ground shall be opened in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided always, that if there shall be any Delay in filling in any such Trenches or Ground, or making good any such Pavements or Roads, Arches or Coverings, or in well and sufficiently guarding and lighting the same as aforesaid, then and in every such Case it shall and may be lawful to and for the Surveyor or Surveyors of the Highways of the said City of *Hereford*, or the Surveyor of Bridges for the County of *Hereford*, or the Commissioners acting under or by virtue of the said herein-after recited Acts or either of them, or any other Person or Persons acting by or under the Authority of the said Surveyors or Commissioners, to fill in such Ground, and remove such Rubbish, and to repair and make good the Pavement of any Street, Square, Highway, Road, Bridgeway, Lane, Market Place, Passage, or other Place so broken up as aforesaid, and to guard and light the same, and for the Owner or Owners of any such Cellar or Cellars, or any Per-

son or Persons, by his or their Order to make good the same Arches or Coverings, and that the reasonable Costs and Charges thereof shall be paid by the said Company, or their Treasurer, and shall also pay the Penalty or Sum of Ten Pounds for every such Neglect as aforesaid; and that in default of Payment thereof for Four Days next after Demand shall be made by any such Surveyors, Commissioners, or other Person or Persons, Proof of such Demand being made upon the Oath of Two credible Witnesses, before One or more Justice or Justices of the Peace for the said City or County of *Hereford*, all such Costs and Charges, together with the said Penalty or Sum of Ten Pounds, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal, or Hands and Seals of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to such Surveyor or Surveyors, Commissioner or Commissioners, or other Person or Persons as aforesaid, to be applied for the Benefit of the Highways, or for the Purposes of the said herein-after recited Acts, or either of them, as the Case may be.

Company to remove Pipes, &c. when Tenants quit, if required.

XLVI. Provided always, and be it further enacted, That the said Company shall at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers, whose Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, shall be supplied with Gas in pursuance of this Act, or within Ten Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Three Days Notice in Writing for that Purpose, for or on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds as aforesaid, remove, take, and carry away, or cause to be removed, taken, or carried away, any Pipe or Pipes, Cocks or Branches, from any Main or Pipe which shall have been introduced or laid by the said Company in any such Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds as aforesaid, pursuant to the Power for that Purpose herein-before contained, and shall repair and make good such Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds where the same shall have been so introduced, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof, it shall and may be lawful to and for such Owner or Owners, or such new Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks, or Branches to be removed, taken, or carried away, (without being thereby subjected to any Penalty or Costs for thereby unavoidably damaging the Works of the Company), and the Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, where the same shall have been introduced, to be repaired and made good, and the reasonable Costs and Charges for so doing the same shall be immediately paid by the said Company, or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require; provided nevertheless, that if such reasonable Costs and Charges be not paid within Four Days

Days next after Demand shall be made by such Owner or Owners, Occupier or Occupiers, (Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the said City or County of *Hereford*) all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal, or Hands and Seals of One or more Justice or Justices of the Peace for the said City or County of *Hereford* (and which Warrant such Justice or Justices is and are hereby empowered to grant), and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may require.

Pavement to be made good where Pipes are laid.

XLVII. Provided always, and be it further enacted, That the Workmen employed 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 up the Trenches, and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off any Washings or waste Liquids without any Delay; and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, and place and set up Lamps or Lights during the Night, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided always, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads, or in fencing or guarding the Ground which shall be opened, or in placing and setting up such Lamps or Lights during the Night, so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in every such Case it shall and may be lawful for the Commissioners, Directors, or Trustees acting under an Act made and passed in the Fourteenth Year of His late Majesty King *George* the Third, intituled

Provision in case of Default.

14 G. 3. c. 38. *An Act for paving, repairing, cleansing, and lighting the Streets and Lanes in the City of* Hereford *and Suburbs thereof, and removing Nuisances and Annoyances therein; and for creating a Fund towards the Expences thereof, by inclosing divers waste Grounds within the Liberties of the said City, and for the better Application of Charity Money, for setting the poor People of the said City to work, and to enable Bodies Corporate to alienate their Houses and Lands within the said City;* and of another Act made and passed in

56 G. 3. c. 23. the Fifty-sixth Year of the Reign of His said late Majesty, intituled *An Act to enlarge, amend, and render more effectual the Provisions of an Act of His present Majesty, for paving and lighting the City of* Hereford, *and removing Nuisances therein; and for enabling the Corporation of the said City to sell and apply the Produce of certain Messuages and Lands, in establishing Market Places, and otherwise improving the said City;* and of another Act, made and passed in the Fiftieth Year of the Reign of His said late

50 G. 3. c. 73. Majesty King *George* the Third, intituled *An Act for more effectually repairing the Roads leading into the City of* Hereford, *and several Roads communicating therewith;* and of another Act made and passed in the Fifty-

59 G. 3. c. 60. ninth Year of the Reign of His said late Majesty, intituled *An Act to enlarge the Term and Powers of an Act of His present Majesty, for repairing*

the

the Roads leading into the City of Hereford, *and several Roads communicating therewith; for transferring the Road from* Wormelow Tump *to* Harewood, *from the* Madley *to the* Hereford *District; and for making a new Road from the* Tuft Wood *in the Parish of* Hentland *to the Confines of the Parish of* Ganerew, *in the County of* Hereford, *as a Third District*, or their Surveyor or Surveyors, or any Person or Persons acting by or under the Authority of the said Commissioners, Directors, or Trustees, or their Surveyors, to fill up such Ground, and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage or Place so broken up; and that the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors or their Treasurer; and in default of Payment thereof for Twenty Days next after Demand shall be made by such Surveyor, or other Person acting by or under his Authority, Proof of such Demand being made upon Oath of Two or more credible Witnesses before the Mayor, or One or more Justice or Justices of the Peace for the said City of *Hereford*, all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal, or Hands and Seals, of the Mayor, or any Justice or Justices of the Peace for the said City, and which Warrant such Mayor, Justice or Justices, is and are hereby empowered to grant, and such Costs, Charges, and Penalty shall be paid to such Surveyor or Surveyors.

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

XLVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to be construed to defeat, abridge, alter, obstruct, or in any Manner interfere with the Powers and Authorities of the Commissioners or Trustees appointed or elected by virtue of the said recited Acts, or the Rights of any Person or Persons to make, enlarge, repair, or amend any Vault or Sewer under any Street or Highway within the said City of *Hereford*, or Suburbs or Liberties thereof.

Commissioners of Paving empowered to raise, sink, or alter Pipes, &c.

XLIX. And be it further enacted, That if for the Purposes of any Act or Acts in force for the Time being for paving, repairing, and cleansing the Streets, Lanes, and public Passages in the said City of *Hereford*, or of repairing the Roads leading into the said City, it shall at any Time or Times be deemed necessary or expedient by the Commissioners or Trustees acting under or by virtue of the Powers contained in such Acts to require the said Company to raise, sink, or otherwise alter the Situation of any of the Mains, Pipes, Stop-cocks, Plugs, Syphons, or Branches which shall be laid down for the Purposes aforesaid, the said Company shall, at their own Expence, within Two Calendar Months next after being required so to do, by Notice in Writing to them given by the said Commissioners or Trustees, signed by their respective Clerks, raise, sink, or alter such Mains, Pipes, Stop-cocks, Syphons, Plugs, or Branches according to such Notice, in such Manner and in such Place or Places as the said Commissioners or Trustees, or any Five or more of them respectively, shall think right and proper; and in default thereof it shall and may be lawful to and for the said Commissioners or Trustees (as the Case may be) or their respective Surveyors, or any other Person or Persons acting by

by their Order or under their Authority, to cause such Mains, Pipes, Stop-cocks, Plugs, Syphons, or Branches to be raised, sunk, or altered, and the reasonable Costs and Charges for doing the same shall immediately thereafter be paid by the said Company or their Treasurer: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Twenty Days next after Demand shall be made by such Surveyor or other Person, acting by or under the Authority of such Commissioners or Trustees respectively, Proof of such Demand being made by the Oath of One credible Witness, before the Mayor or One or more Justice or Justices of the Peace for the said City of *Hereford*, all such reasonable Costs and Charges shall and may be 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 the Mayor or any such Justice or Justices of the Peace as aforesaid, and which Warrant the Mayor of the said City for the Time being, or such Justice or Justices, is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Commissioners or Trustees, or their respective Treasurers, as the Case may be.

Damage to be made good to the Company.

L. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Mains, Pipes, Cocks, Plugs, Syphons, or Branches, any Damage or Injury shall be wilfully or negligently done to the same by the said Commissioners or Trustees, or their respective Servants or Workmen, then and in every such Case such Damage or Injury shall be repaired and made good by the Company themselves as soon as Circumstances will permit, and the Costs, Charges, and Expences thereof shall be paid by the said Commissioners or Trustees (as the Case may be) to the said Company or their Treasurer, and in case they cannot agree touching the Amount thereof, the same, and also the Costs and Charges of ascertaining and recovering the same shall be recovered in the Manner herein-mentioned and appointed for recovering the Amount of the Injury or Damage done or occasioned or to be done or occasioned by the said Company in making Obstructions, doing Damage, or breaking up the Pavements in the said City or Suburbs and Liberties thereof, and not removing such Obstructions, or replacing the said Pavements in Manner before mentioned.

Company to make good Damage to any public Sewer or Drain.

LI. Provided always, and be it further enacted, That the said Company, or their Successors, Servants, Agents, Workmen, or others, shall not by any Work to be done by virtue of this Act, damage or injure any public Sewer or Drain within the said City, or the Suburbs or Liberties thereof; and if any Damage or Injury shall unavoidably be done to any such Sewer or Drain, the said Company or their Successors shall forthwith well and sufficiently repair and make good every such Damage or Injury; and in default thereof, the Amount of such Damage and Costs of repairing the same shall be recoverable by the said Commissioners or Trustees (as the Case may be) for the Time being, by Distress and Sale of the Goods and Chattels of the said Company, or by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

LII. And

Power to carry off the Washings.

LII. And be it further enacted, That it shall be lawful for the said Company, or any Person or Persons acting under their Authority, to make such Drains of such Breadth and Dimensions, and in such Manner as they shall respectively think expedient, under the Streets, Highways, Ways, Avenues, and Places within the said City and Suburbs and Liberties thereof, for carrying off the Washings or other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company, and all Persons acting under their Authority, doing as little Damage as may be in making the said Drains, and immediately repairing all such Damages; provided that none of such Washings or Liquids, or any Lime or other Ingredient, Matter, or Thing which shall arise or be produced in the manufacturing or producing the said Gas, or in or by the Prosecution of any of the Works aforesaid, shall be conducted or conveyed into any River, Brook, or Stream of Water whatsoever.

Penalty on Washings draining into Rivers, Wells, &c.

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

No Penalty to be recovered unless sued for within 12 Months.

shall have been given to them or him 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, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said 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, and Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Mayor or Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For preventing the Escape of Gas.

LIV. 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 Parole or in Writing of any such Escape of Gas from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not within Twenty-four Hours next after such Notice by Parole or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from further 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 Forty Shillings 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 said respective Penalties shall from Time to Time be recovered in a summary Way, on the Oath of One or more credible Witness or Witnesses, before the Mayor of the said City of *Hereford* for the Time being, or some One or more Justice or Justices of the Peace for the said City, 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 the Mayor or any such Justice or Justices of the Peace as aforesaid.

Charge for Gas not to exceed that of Oil Light.

LV. Provided always, and be it further enacted, That in case the said Company of Proprietors shall at any Time hereafter contract with any Person or Persons, Body or Bodies Politic or Corporate, for lighting any of the public Lamps in any of the public Streets, Roads, Squares, or Market Places or other public Places within the said City and Suburbs, the said Company shall, and they are hereby directed and required to supply such public Lamps, which they shall so contract to light with Gas, of such Quality as shall at all Times afford a better and cheaper Light than could be obtained from Oil Lamps; and whenever the said Company shall fail so to do, the Power and Authority hereby given to the said Company further to break up the Soil or Pavement of any such public Street,

Street, Road, Square, or Market Place, or other public Place in the said City and Suburbs and Liberties thereof, where such public Lamps shall be situated, shall from thenceforth, during such Failure, cease and determine; and every Contract or Agreement which shall be entered into for lighting with Gas such public Lamps by the said Company, shall contain a Clause providing that it shall be obligatory on the said Company that such public Lamps shall at all Times be better lighted by the said Company than could be done by Oil, and at a less Expence.

Service Pipes to be kept fully charged with Gas.

LVI. And be it further enacted, That the Branch or Service Pipes which shall be put up by the said Company for lighting the Streets and other public Passages and Places within the said City and the Suburbs and Liberties thereof, under any Contract or Agreement, shall be kept fully charged with Gas, and the Stop-cocks 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.

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

LVII. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Lead, or other Pipe, to communicate with any Pipe belonging to the said Company, nor use any Burners of larger Dimensions, nor more in Number, than he, she, or they shall respectively contract or pay for, on pain of forfeiting and paying to the Company the Sum of Ten Pounds, and also the further Sum of Ten Shillings a Day for every Day such Pipe shall so remain, or such Burners be so continued, 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 the Mayor of the said City for the Time being, or of any Justice or Justices of the Peace for the said City, and which Warrant such Mayor, Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture, Penalties or Forfeitures, 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 Penalty or Forfeiture, Penalties or Forfeitures shall not be forthwith paid, it shall be lawful for such Mayor, Justice or Justices, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the City or County of *Hereford*, there to remain without Bail or Mainprize for such Time as such Mayor, Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Penalty or Forfeiture, Penalties or Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

Penalty on wilfully damaging Pipes, &c.

LVIII. And be it further enacted, That if any Person shall wilfully or maliciously remove, take away, destroy, damage, or injure any Pipe, Pillar, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or any Part thereof respectively, or shall wilfully or maliciously extinguish or put out any of the public Lamps or Lights, or wilfully or maliciously waste any Inflammable Air or Gas supplied by the said Company, or shall neglect to extinguish or put out any Burner or Burners which shall be by the said Company supplied with such Air or Gas, within One Hour after the Time contracted for, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath or Affirmation of One credible Witness, before the Mayor, or One or more

Justice or Justices of the Peace for the said City, shall forfeit and pay to the said Company any Sum not exceeding Ten Pounds, and the Amount of the Damage to be ascertained by such Mayor, Justice or Justices, to have been done; such Penalty and Damage, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels, or if it shall appear to the said Mayor, Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath or have not any Goods or Chattels sufficient to levy such Forfeiture or Damage aforesaid, such Offender shall and may be committed to the Common Gaol or House of Correction for the said City or County of *Hereford*, there to remain for any Time not exceeding Six Calendar Months, or until such Forfeiture, Damages, and Costs shall be paid or tendered to the Keeper of the Common Gaol or House of Correction, for the Use of the said Company.

Satisfaction for Damage to Lamps, &c.

LIX. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, destroy, throw down, damage, or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or by any Person or Persons, at his, her, or their private Expence, or any Pipe, Pillar, Pedestal, Post, Plug, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or carelessly or accidentally waste any Inflammable Air or Gas supplied by the said Company, or keep the Light or Lights burning for a longer Time than he, she, or they shall contract to pay for, and shall not upon Demand by the said Company, or their Clerk or Superintendent, or other Person or Persons authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, or keeping the Lights burning longer than they shall have contracted for as aforesaid, then and in every such Case it shall and may be lawful to and for the Mayor, or any One or more Justice or Justices of the said City of *Hereford*, and he or they is and are hereby empowered and required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom the Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Nonappearance of the Party or Parties so complained against, to proceed *ex parte*, and to award such Sum or Sums of Money, by way of Satisfaction to the said Company, or to such other Person or Persons (as the Case may be and require) for such Damage or Excess, as such Mayor, Justice or Justices, shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded within Fourteen Days after Demand, it shall and may be lawful to and for such Mayor or Justices, or any One of them, and he and they is and are hereby required to cause the same to be raised and levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied.

Penalty for interrupting Company's Workmen.

LX. And be it further enacted, That if any Person shall hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works, or in Exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure such Interruption or Hindrance to take place, and shall be thereof convicted before the Mayor or any Justice or Justices acting in and for the City of *Hereford*, either on Evidence or on Confession,

fession, every Person so offending shall for every such Offence forfeit and pay to the said Company such Sum or Sums of Money as shall be adjudged by the Mayor, or such Justice or Justices, not exceeding Twenty Shillings; and such Sum or Sums of Money so adjudged shall be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered, or the said Company may at their own Option sue for Damages sustained by them for such Hindrance or Interruption.

Recovery of Rent.

LXI. And be it further enacted, That in case any Person or Persons 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 Dwellings, Shops, Inns, Taverns, or other Buildings or Manufactories, shall refuse or neglect, for the Space of Fourteen Days after Demand, to pay the Sum or Sums then due for the same to the said Company, according to the Terms and Stipulations of the said Company, it shall be lawful for the said Company, by Warrant under the Hand and Seal of the Mayor of the said City, or of any One of the Justices of the Peace for the said City, directed to the proper Officer, to execute the same, to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand to such Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted.

For preventing Nuisances by the Works.

LXII. And be it further enacted, That when any Body or Bodies Politic or Corporate, Inhabitant Householder of the said City of *Hereford* or Suburbs or Liberties thereof, or any other Person or Persons whomsoever, shall be aggrieved by any public or private Nuisance committed by the said Company, or any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Means which shall be employed by them in manufacturing the said Gas, and using the same, or furnishing such Light as aforesaid, or from any other Cause whatever, and shall give Notice in Writing to the said Company of the Existence of any such public or private Nuisance, the said Company shall at their own Expence cause the most speedy and effectual Measures to be taken to remove and abate such public or private Nuisance from continuing; and in case the said Company shall not proceed, within Twenty-four Hours next after such Notice in Writing being given as aforesaid of any such public or private Nuisance, to remove, and shall not abate the same to the Satisfaction of the Mayor, or any One or more Justices of the Peace for the said City, that then and in every such Case the said Company shall forfeit and pay the Sum of Two Pounds for each and every Day during which such public or private Nuisance shall be permitted or suffered to exist after the Expiration of Twenty-four Hours from the Time of receiving such Notice, which Penalty shall and may from Time to Time, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before the Mayor of the said City, or One or more Justice or Justices of the Peace for the said City, be recoverable and recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of such Mayor, Justice or Justices as aforesaid, to be granted in like Manner, and subject to the like Provisions, and to go to and be

paid

paid as herein directed touching other Penalties to be recovered from the said Company.

Company liable to be indicted for Injury sustained by Works.

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

Directions as to Service of Notice, Writs, &c. on the Company.

LXIV. And be it further enacted, That in all Cases wherein it may be requisite to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service of a Copy thereof upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or left at the Office of the said Company, or served upon any Member of the said Committee, or upon any known Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Recovery of Penalties and Forfeitures.

LXV. And be it further enacted, That all Penalties, Forfeitures and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not herein otherwise directed) shall, upon Proof of the Offences respectively before the Mayor or any Justice of the Peace for the City of *Hereford*, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Mayor or Justice is in every such Case hereby fully authorized to administer), be levied together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Mayor or Justice (which Warrant such Mayor or Justice is hereby empowered and required to grant), and the Overplus (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case such Penalties, Forfeitures and Fines shall not be forthwith paid upon Conviction, then it shall be lawful for such Mayor or Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Mayor or Justice, for his or their Appearance before such Mayor or Justice, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security; and which Security the said Mayor or Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress

Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Mayor or Justice, by the Confession of the Offender or Offenders, that he, she, or they hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such Mayor or Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Mayor or Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the City or County of *Hereford*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines respectively, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid and applied as follows, one Moiety thereof to the Treasurer of the said Company for their Use, and the other Moiety thereof to such public Charity, of and in the said City of *Hereford*, as the said Mayor or Justice shall think proper.

Information to be lodged within Six Calendar Months.

LXVI. 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 Penalty, Fine, or Forfeiture imposed by this Act, for any Offence or Offences against the same, or any Order or Bye Law made in pursuance thereof, herein-before made cognizable before the Mayor, or a Justice or Justices of the Peace for the said City, unless Information respecting such Offence or Offences shall have been lodged before such Mayor, Justice or Justices, within Six Calendar Months next after committing such Offence or Offences, (save and except as may be herein excepted).

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

Form of Conviction.

‘ to wit. } BE it remembered, That on the Day of in the Year of our Lord is [*or* are] convicted before me, [*or* us, *as the Case may be*] Mayor, or of His Majesty's Justices of the Peace for the City of *Hereford* [*as the Case may be*] by virtue of an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act, &c.* [*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, as the Case may be,* our Hands and Seals,] the Day and Year first above written.’

Compelling Attendance of Witnesses.

LXVIII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses before the Mayor, or any Justice or Justices of the Peace as aforesaid, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person or Persons accused,

and shall refuse or neglect (without a reasonable Excuse) to appear from Time to Time at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs and Expences, or appearing, shall refuse to be examined upon Oath, (which Oath such Mayor, Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Mayor, 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 Fifty Pounds.

Distress not unlawful for Want of Form.

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

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

LXX. And be it further enacted, That no Proceedings to be had, touching the Conviction of any Offender against this Act, or against 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 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.

Power of Appeal.

LXXI. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate, or Collegiate, or any Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company of Proprietors, or by the Order or Determination of any Mayor, Justice or Justices of the Peace in pursuance of this Act, may, within Six Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their next General or Quarter Sessions of the Peace to be holden for the County of *Hereford*, or any Adjournment thereof, the Person or Persons appealing having first given at least Ten Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk or Clerks of the said Company, and forthwith after such Notice entering into a Recognizance before the Mayor or some Justice of the Peace for the said City, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices at such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or Adjournment thereof, or if they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the same County, and if they see Cause, may mitigate any Forfeiture

ture 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 Justices at such Sessions shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Expences of the Act how to be paid.

LXXII. And be it further enacted, That all Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, shall be paid and discharged by the said Committee out of the Monies already subscribed by virtue of this Act, in preference to all other Payments whatsoever.

Not to prejudice the Rights of the Mayor, Aldermen, and Citizens, or Bishop of Hereford.

LXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, in any way to change, lessen, abridge, impeach, annul, prejudice, or destroy any Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, or lawful Customs belonging, due, or in anywise appertaining to the Mayor, Alderman, and Citizens of the said City of *Hereford*, or to the Lord Bishop of *Hereford* within his Fee called *The Palace Fee*, in any Capacity whatsoever, but all and every such Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, and Customs may be exercised, demanded, exacted, received, and enjoyed in as full and ample Manner, to all Intents and Purposes, as the same were enjoyed before the passing of this Act.

Public Act.

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

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