ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. lxxxvi.

An Act for better lighting with Gas the Town and Neighbourhood of *Leeds* in the Borough of *Leeds* in the West Riding of the County of *York*.

[21st *July* 1835.]

WHEREAS several of the Streets, Roads, Lanes, Passages, and public Places, and also several of the Houses, Buildings, and Properties, in the Town and Neighbourhood of *Leeds* in the Borough of *Leeds* in the West Riding of the County of *York*, are now lighted with inflammable Air or Gas obtained from Coal: And whereas considerable Sums of Money have been laid out and expended in the Purchase of Lands, and in the Erection of Buildings and Works, and in purchasing or providing and laying down Mains and Pipes and other Apparatus, for the Manufacture and Supply of Gas from Coal, by several Persons associated for the Purpose, and such Persons, or some of them, with others, are willing and desirous of undertaking to extend and complete the said Works at their own Expence, on being incorporated and constituted a Company by the Authority of Parliament, and thereby the better to light the said Town and Neighbourhood with such Gas: 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,

Proprietors incorporated.

That *John Abbott, James Boynton Allison, Joseph Allen, William Andrews, Joseph Armistead, George Ash, Thomas Askam, David Asquith, Barnard Brown, William Best; Robert Baker, Joseph Baxter, James Beaumont, Mary Beckett, John Beckett, Thomas Bell, William Beverley, William Binns, James Binns, Edwin Birchall, Samuel Jowitt Birchall, Thomas Blackburn, William Blackburn, John Bowes, Richard Bramley, James Bradley, Joseph Broadbent, Joseph Broadhead, David Broadhead, John Broadhead, William Brown, William Bruce, William Buchan, William Christopher Buck, James Burgoyne, Israel Burrows, Joseph Burras, Elizabeth Butler, John Rainforth Bywater, Joseph Chadwick, John Clapham, James Platt Clapham, Edward Cockerham, Edward Cooper, John Cooper, Ralph Coulson, John Coultate, Samuel Crabtree, Charles Crabtree, William Cryer, Robert Cussans, Joseph Calverley, James Croisdale, Thomas Dawkins, James Dawson, William Dawson, George Dearlove, William Denison, Robert Derham, Joseph Dickinson, Thomas Park Dickinson, Jonathan Dickinson, Joseph Ditch, Thomas Dixon, William Dobbings, William Henry Dobson, Robert Dorrington, Anthony Eastwood, William Eastwood, Edwin Eddison, Thomas William Embleton, Benjamin Foxcroft, Peter Fairbairn, Edward Farrar, Joseph Thompson Fenton, John Frances, Jeremiah Francis, William Fretwell, John Gale, William Gatliff, George Gill, George Glanville, Samuel Glover, Benjamin Gott, John Gowland, Edward Grace, George Grant, James Green, William Greenwood, William Gregory, Thomas Hall, Joseph Hall, Edward Halliley, William Haley, Joseph Hardacre, Benjamin Hardacre, Robert Hardisty, William Hardwick, Samuel Hare, Thomas Harrison, John Hartley, Robert Harwood, William Haworth, Mary Hawksworth, Mary Ann Hay, Richard Constantine Hay, William Hay, Christopher Heaps, Elizabeth Heath, Elizabeth Heath, John Heaton, John Heaton* junior, *William Helliwell, Thomas Hemmant, Thomas Hepworth, Henry Arnot Hindle, Henry Hirst, George Koster Hirst, William Hodgson, James Holdforth, William Holiday, John Holmes, John Holmes, William Holmes, Abram Holt, John Hornby, James Hotham, John Howard, James Hubbard, Edward Hudson, Jeremiah Hudson, John Hughes, Timothy Hawksworth, Robert Jackson, William Jackson, Edward Jackson, Samuel Smith Jackson, John Jones, Robert Issott, James Kendall, William Kettlewell, Thomas Kettlewell, Thomas Kirkman, James Kitchen, George Lambert, Joseph Layton, Lewis Lewis, David Lewis, James Linfoot, Joseph Linsley, Thomas Liversedge, Timothy Longbottom, Joseph Longfield, Thomas Longley, Peter Mallett, John Mallorie, William Marsden, Frederick Marsden, James Martin, Thomas Maskell, John Mawson, William Metcalf, David Metcalfe, Timothy Myers; Richard Mirfin, John Mitchell, John Moore, Thomas Morgan, George Morgan, Joseph William Moore, Robert Muff, James Musgrave, William Miers, William Roger Neesome, John Nelson, Reid Newsome, Richard Oastler, Thomas Otley, Matthew Outhwaite, John Parish, John Parker, Abraham Parkinson, Thomas Pattison, Joseph Pearson, Thomas Pease, Hannah Pease, Henry Pilling, Benjamin Pollard, Radford Potts, Thomas Prince, William Prince, Richard Pyatt, Samuel Raistrick, William Henry Reid, William Reinhardt, William Reynolds, Frederick Rhodes, William Rhodes, Richard Richardson, Joseph Henry Ridsdale, William Riley, Thomas Robinson, Joseph Roberts, Henry Sampson, Isaac Selby, Frederick Nicholson Settle, Samuel Shann, Thomas Shann, Jonathan Shackleton, George Shaw, Thomas Shillito,*

Thomas Sidney, Jonathan Singleton, William Smeeton, Edward Smeeton, John Smith, Charles Smith, James Smith, Henry Snowdon, Benjamin Sherwood, Jeremiah Sowry, John Spencer, Henry Spink, William Thomas Staley, Margaret Stenson, David Suggitt, Joseph Summersgill, John Sutcliffe, Joshua Sutcliffe, Samuel Swann, William Singleton, William Scholefield, Thomas Tatham, Edward Tatham, Thomas Tempest, Jane Temple, John Thackray, Jane Thompson, Charles Thorne, John Thorpe, Nicholas Tilney, Samuel Trickett, Edwin Turner, James Turner, John Timms, Thomas Everard Upton, George Urwin, William Varley, George Vollans, Martha Ann Walduck, John Wales, John Walker, Robert Walker, William Walker, Thomas Walker, Thomas Walker, Cain Walsh, John Walton, James Ward, Edward Wartzburg, William Tottie Watson, William Watson, Benjamin Watson, Charles Wells, Richard Westerman, William Wheelwright, George Wheatley, William Whitehead, William Whitaker, Daniel Whitworth, William Wildsmith, Ellen Wilkinson, Henry Wilkinson, John Wilkinson, John Wilson, Richard Wilson, Joseph Wilson, Joshua Wordsworth, John Wrigglesworth, Robert Wright, Peter Wright, John Yewdall, and all and every such other Person or Persons, Body or Bodies Politic or Corporate, as shall or may from Time to Time, in such Manner as is herein-after mentioned, become a Proprietor or Proprietors of Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company, and declared to be One Body Politic and Corporate by the Name of "The *Leeds* New Gas Company," and by that Name shall have perpetual Succession and a Common Seal, with full Power and Authority to use the same, and by that Name shall and may sue and be sued, plead and be impleaded at Law and in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment for any Felony, Misdemeanor, or other Offence punishable by the Laws of this Realm, and shall and may have Power and Authority from Time to Time and at all Times to purchase and to hold to them and their Successors and Assigns any Lands, Messuages, Buildings, Tenements, and Hereditaments, for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and to sell and convey any of the Lands, Messuages, Buildings, Tenements, and Hereditaments so purchased or held by the said Company.

Purposes of the Company.

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

Limiting the Amount of the Capital Stock.

III. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves a Sum of Money

Money by way of Capital or Joint Stock for establishing, completing, and carrying on the said Undertaking and the Purposes of this Act, provided that such Capital or Joint Stock shall not exceed in the whole the Sum of Thirty thousand Pounds, and that the Whole of such Sum shall be subscribed before the Powers of this Act shall be put in execution.

Capital or Joint Stock divided into Shares of 20*l.* each.

IV. And be it further enacted, That the said Capital or Joint Stock of the said Company shall be divided into Shares of Twenty Pounds each, and such Shares shall be numbered, beginning with Number One, in regular or arithmetical Progression ascending, whereof the common Excess or Difference shall always be One; and every such Share shall always be distinguished by the Number to be applied to the same; and the said Capital or Joint Stock of the said Company shall be and is hereby vested in the several Persons so raising or contributing to the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum or Sums they shall severally subscribe for and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more such Share or Shares, and who shall contribute or pay the same, or such Sum or Sums as shall be demanded in lieu thereof, for or towards carrying on and completing the said Undertaking and other the Purposes of this Act, shall be entitled to and receive at such Time and Times as the said Company shall direct and appoint, the entire and net Distribution of an equal proportionable Part, according to the Money so contributed, of the net Profits and Advantages of the said Undertaking that shall and may arise and accrue to, or be raised, recovered, or received by the said Company; and every Body Politic, Corporate, or Collegiate, Person and Persons, having or holding any such Share or Shares as aforesaid, shall bear and pay a proportionable Sum towards carrying on the Purposes of this Act in manner herein directed and appointed; and all and every Body and Bodies Politic, Corporate, or Collegiate, or other Person or Persons, who shall have subscribed for or agreed to advance any Money for the Purposes of this Act, or who shall hereafter subscribe for or agree to advance any Part of any such Money, or who shall become entitled to and shall be in the actual Possession of One or more Share or Shares in the Capital or Joint Stock of the said Company, and his or her Executors or Administrators, shall be deemed to be Proprietors or a Proprietor of the Undertaking hereby authorized to be carried into effect; and the Names of such Proprietors, with the Numbers of their respective Shares, shall be registered in the Books of the said Company.

Subscribers to be deemed Proprietors.

Shares to be deemed Personal Estate.

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

Company's Property answerable for the Debts.

VI. And be it further enacted, That the Lands and Hereditaments, of what Tenure soever, Manufactories, Gasometers, Machinery, Apparatus,

Apparatus, and Works, Chattels, and Effects of the said Company, shall be answerable for and subject to the just Debts, Liabilities, Engagements, and Demands of all and every the Creditors of the said Company.

Power to raise Money by Mortgage.

VII. Provided always, and be it further enacted, That in case the said Company shall be desirous of raising any Sum of Money which may be necessary for the Purposes of this Act by Mortgage of the said Undertaking, it shall be lawful for the said Company to borrow and take up at Interest such Sum or Sums for the Use of the said Company as they shall think proper, not exceeding in the whole Fifteen thousand Pounds, and either in One Sum or in several Sums, on the Credit of the said Undertaking, and the Buildings, Land, and Tenements thereof, and the Profits and Advantages, or any Part thereof, arising or to arise to the said Company by virtue of this Act, and thereupon, by Writing under their Common Seal, to assign all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, together with lawful Interest for the same; and the Charges and Expences of such Assignment (to be made as herein-after mentioned) shall be from Time to Time defrayed by the said Company out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say,)

Form of Assignment.

'WE, the *Leeds* New Gas Company, acting in pursuance of an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled *An Act, &c.* [*here insert the Title of this Act*], in consideration of the Sum of advanced and lent to the said Company by of in the County of for the Purposes of the said Act, do hereby grant and assign unto the said [*or* his *or* her *or* their Trustee or Trustees, *as the Case may be*,] his [*or* her *or* their] Executors, Administrators, and Assigns, such Proportion of the Property and Effects belonging to the said Company as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed by virtue of the said Act, to be had and holden from the Day of the Date hereof until the said Sum of with Interest after the Rate of *per Centum per Annum* for the same, shall be fully paid and satisfied. In witness whereof we the said Company have hereunto set our Common Seal the Day of in the Year of our Lord One thousand eight hundred and'

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

Power of transferring Assignments in a prescribed Form.

VIII. And be it further enacted, That it shall and may be lawful to and for the several and respective Persons entitled to any of the Securities for the Money to be borrowed as aforesaid, and their respective Executors, Administrators, or Assigns, (as the Case may be,) at any Time, by Writing under their respective Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say,)

Form of Transfer.

'I *A. B.*, being entitled to the Sum of under or by virtue of an Assignment, bearing Date the Day of under the Common Seal of the "The *Leeds* New Gas Company," in pursuance of an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled *An Act, &c.* [*here insert the Title of this Act*], and in consideration of the Sum of paid by of in the County of to me at or before the Execution of this Deed, do hereby assign and transfer all my Right and Interest in and to the said Sum of and to the Property and Effects assigned to me for securing the said Sum of unto the said his [*or* her] Executors, Administrators, or Assigns. Dated the Day of in the Year of our Lord One thousand eight hundred and '

And every such Transfer shall be produced to the Clerk or Clerks to the said Company, who shall cause an Extract or Memorial thereof to be entered in the Books of the Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred; and for the entering of every such Transfer the said Clerk shall be paid by the Person or Persons to whom such Transfer shall be made the Sum of Two Shillings and Sixpence, and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, or Assigns, to the full Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

Securities not to be assigned except by an Instrument in Writing duly stamped.

IX. Provided always, and be it further enacted, That no Mortgage, or Grant of Annuity, Bond, or other Security, made or issued or to be made or issued by the said Company under the Authority of this Act, shall be assigned or transferred except by Deed or Instrument in Writing, duly stamped according to the Laws in force, in which Deed or Instrument the Consideration for the Assignment or Transfer shall be truly specified and set forth.

No Priority of Mortgages.

X. And be it further enacted, That all Persons to whom any such Assignment shall be made shall be equally entitled, one with the other, to the said Undertaking and Property and Effects of the said Company, and the Profits and Advantages thereof so to be assigned, in proportion and according to the respective Sums in such Securities mentioned to be advanced, without any Preference by reason of the Priority of any such Assignment, or on any other Account; and it shall not be lawful for any Person or Persons who shall have made any such Transfer to make void, release, or discharge the original Mort-

gage, or any Money thereby secured, or any Part thereof; but neither such Mortgagee or Morgagees, nor his or their Assignee or Assignees, (he or they not being previously a Proprietor or Proprietors of Shares in the said Undertaking,) shall be deemed a Proprietor of the said Undertaking, or be capable of acting in any respect as such.

For enforcing Payment of Subscription.

XI. And be it further enacted, That the several Persons, or Body or Bodies Politic, Corporate, or Collegiate, who have already subscribed for and towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the Capital or Joint Stock of the said Company, 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 Directors herein-after mentioned for the Time being; and in case any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, 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 Directors 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, or Body or Bodies Politic, Corporate, or Collegiate respectively; and in like Cases of Neglect or Refusal, where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One or more of such Share or Shares, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

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

XII. And be it further enacted, That the said Company shall and they are hereby required to cause the Names and Designations of the several Persons who are or shall be hereafter Subscribers to or Proprietors of Shares in the said Undertaking, with the proper Number by which every Share possessed by each of the Subscribers and Proprietors shall be distinguished, to be distinctly entered in the Books of the Company; and after the making of such Entry a Certificate under the Common Seal of the said Company shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Subscriber or Proprietor; which Certificate shall be delivered to the Proprietor of such Share, or his or her Executors, Administrators, or Assigns, upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share therein specified, and to the Profits and Advantages accruing in respect of the same; but the Want of such Certificate shall not hinder or prevent the Proprietor or Proprietors of any such Shares from selling or disposing of any such Share or Shares; and in case such Certificate shall not be produced or forthcoming, the said Entry, or a true Copy thereof, certified by the Clerk or Clerks of the said Company, shall be deemed *primâ facie* Evidence of Title, and for which Certificate

ficate and the original Certificate respectively the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence, and no more; and which said Certificate may be in the Words or to the Effect following, *videlicet*;

Form of Certificate.

'*Leeds* New Gas Company.

'Number

'THESE are to certify, That of
'is a Proprietor of the Share Number of the Capital or
'Joint Stock of "The *Leeds* New Gas Company," subject to the
'Rules, Regulations, and Orders of the said Company, and that the
'said his [*or* her] Executors, Administrators,
'[*or* their Successors] and Assigns, is and are entitled to such Pro-
'portion of the Profits and Advantages arising or to arise to the
'said Company as shall belong to such Share. Given under the
'Common Seal of the said Company the Day of
'in the Year of our Lord .'

Shares may be sold.

XIII. And be it further enacted, That it shall be lawful for the several and respective 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 or 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 Part of the
'Capital or Joint Stock of "The *Leeds* New Gas Company," being
'my [*or* our] Share [*or* Shares] Number in the Capital or
'Joint Stock and Property and Effects of the said Company, to hold
'to the said Executors, Administrators, and Assigns,
'subject to the same Rules, Orders, and Restrictions and on the
'same Conditions that I [*or* we] held the same immediately before
'the 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, Restrictions, and Con-
'ditions. As witness our Hands and Seals this Day of
'in the Year of our Lord One thousand eight hundred
'and .'

Transfers to be registered.

Which Transfer shall be executed by all the Parties thereto, and be deposited with the Clerk or Clerks to the said Company for the Time being, to be filed by such Clerk or Clerks, and kept for the Use of the said Company; but for the Security of the Purchaser or Purchasers a Duplicate of such Transfer, executed as aforesaid, shall be made and kept by the Purchaser or Purchasers of such Share or Shares; and every such Transfer which shall appear to be regular shall be registered in the Books of the said Company, by an Entry of the Date of such Registry and the Date of such Transfer, together with the Names of the Parties thereto, and the Number of the Shares transferred, for which Entry and Registry the Sum of Two Shillings and Sixpence shall be paid to the Clerk or Clerks making the same;

and

and a Copy of such Registry, signed by the Clerk or Clerks to the said Company, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes and in all Trials before any Court in the United Kingdom: Provided always, that until such Transfer shall be so entered or registered in the Books of the said Company no Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of Shares in the said Undertaking: Provided also, that after any Call for Money shall be made by virtue of this Act no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking until the Money so called for in respect of his, her, or their Share or Shares intended to be sold shall be paid; and until such Money so called for shall be paid any such Sale or Transfer of any Share or Shares shall not be valid; 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 Company, unless he, she, or they shall at the Time of such Sale or Sales or Transfer pay to the Treasurer or Treasurers of the said Company the full Sum of Money called for upon every Share so to be sold or transferred, subject to the Provisions of this Act.

For ascertaining the Proprietorship of Shares in certain Cases.

XIV. And be it further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-before specified, an Affidavit shall be made and sworn to by Two credible Persons before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace for the said Borough of *Leeds*, 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 such Affidavit shall be submitted to the Clerk or Clerks to 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 Books of the Company; and in all or any of the said Cases, after Three Calendar Months Notice in Writing shall have been given by the said Clerk or Clerks to the Owner or Owners thereof, or Person or Persons claiming by such Affidavit to be 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 or Special Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited; and in such Case the same shall be

be and become forfeited, and shall and may be sold and disposed of in manner herein-after directed as to other forfeited Shares.

Proofs required where Rights accrue by Marriage or Death.

XV. And be it further enacted, That when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company or the Profits thereof in right of Marriage, an Affidavit containing a Copy of the Register of such Marriage or the Purport of such Register shall be made and sworn to by some credible Person before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be delivered to and left with the Clerk or Clerks for the Time being to the said Company, who shall preserve the same, and make an Entry thereof in the Books of the Company; and the said Clerk or Clerks shall be paid for every such Entry the Sum of Two Shillings and Sixpence, and no more, before such Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof; and when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company, or the Profits thereof, under or by virtue of any Will or Bequest or in a Course of Administration, the Probate Copy of the Will, or the Letters of Administration in case the Proprietor shall have died intestate, shall be produced and shown to the said Clerk or Clerks, who shall make an Entry of such Will or of so much thereof as shall relate to the Disposition of the Share or Shares of the Testator, or of the Letters of Administration in case the Proprietor shall have died intestate, in the Books of the Company; and the said Clerk or Clerks shall be paid for every such Entry the Sum of Two Shillings and Sixpence, and no more, before any Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof: Provided nevertheless, that no Bequest or Clause in any such Will contained shall bind or affect or be construed to bind or affect the said Company with Notice of any Trust or Disposition of any Share or Shares in the Joint Stock of the said Company, or the Gains and Profits thereof, but the Registry of any such Share or Shares shall be in the Name or Names of the Executor or Executors who shall prove the Will of such Testator, or the Administrator or Administrators of his Effects, whose Receipt or Receipts to the said Company for the Gains and Profits thereof, and to any Purchaser or Purchasers for the Amount of the Purchase Money paid upon the Sale and Conveyance of such Share or Shares, shall be good and effectual, and shall bind the Cestuique Trusts and all other Persons claiming Interest under such Testator, any Rule of Law or Equity to the contrary notwithstanding.

First and other General Meetings of Proprietors, and Mode of proceeding.

XVI. And be it further enacted, That the said Company shall meet at the Court House in the said Borough of *Leeds*, or at some other convenient Place in the said Borough of *Leeds*, on the Second *Monday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall and may 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 to such other convenient Place in the said Borough

Borough as the Proprietors present shall think proper; and from and after the said First General Meeting of the said Company there shall be in each Year Two General Meetings of the said Company, (that is to say,) on the First *Monday* next after the First Day of *January* and the First *Monday* next after the First Day of *July*, or within Ten Days next after such Days respectively; and it shall be lawful for any Five or more of the said Proprietors at any Time to call a Special General Meeting of the said Company; and Ten Days Notice at the least of such several General Meetings and Special General Meetings (except of the said First General Meeting and of any adjourned Meetings) shall be given by Advertisement in some One or more of the Newspapers circulated in the said Borough of *Leeds*, specifying the Place where the same shall be intended to be held, and in the case of Notice for any Special General Meeting also specifying the Object or Business for which such Special General Meeting shall be called; and the First of the said Two General Meetings shall be holden on the First *Monday* next after the First Day of *January* next, or within Ten Days next after the same; and 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 at all such General Meetings or Special General Meetings to be held as aforesaid, the Number of Proprietors then present, not being fewer than Five, shall and may proceed to Business and act in the Execution of the several Powers by this Act given to the said Company; and if it shall at any Time happen that Five Proprietors shall not appear at any of such General Meetings or Special General Meetings between the Hours aforesaid, then and so often as the Case shall happen such Meeting or any adjourned 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 Meeting ought to have been held as aforesaid; and no Business shall be transacted at any such Special General Meeting besides the Business for which such Meeting shall have been called, and no other Business shall be transacted at any adjourned Special General Meeting than the Business left unfinished at the previous Meeting; and at every such General and Special General Meeting One of the Proprietors present shall be elected to preside as Chairman; and all Questions shall be decided by a Majority of Votes, each Proprietor to have One Vote for any Number of Shares not exceeding Five, and to have Two Votes for any Number of Shares exceeding Five, but nevertheless no Proprietor shall be entitled to vote at any such Meeting in respect of any Shares which he or she may possess in the said Undertaking unless all Arrears due in pursuance of any Call or Calls which shall have been made by virtue of this Act upon or in respect of such Shares shall have been fully paid, nor shall any Proprietor vote at any such Meeting upon any Question in which such Proprietor shall be interested in any other Way than as being such Proprietor; and whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as one of the joint Proprietors of such Share or Shares shall be deemed to be the Proprietor of such Share or Shares for the Purpose of voting, and shall have the sole and entire Right of voting at all such Meetings in respect of such joint Share or Shares,

Special General Meetings may be called.

Manner of voting.

and

and all Notices necessary to be given to the Proprietors of Shares in pursuance of this Act shall in such Cases of joint Ownership of any Share or Shares be given to such Person, and being so given shall be considered as a Notice given to all the Proprietors of such joint Share or Shares.

Votes of Corporate Bodies, Lunatics, and Minors.

XVII. And be it further enacted, That every Body Politic, Corporate, or Collegiate shall have full Power and Authority from Time to Time to give their Vote or Votes in respect of their Share or Shares in the said Undertaking by some Person to be by them named and appointed their Deputy for the Purpose of voting, in Writing under their Common Seal: Provided always, that every such Appointment shall always be produced by the Person so appointed a Deputy before he shall be entitled to vote as such; and in case any Proprietor or Proprietors entitled to vote at any such Meeting as aforesaid shall be a Lunatic or Lunatics or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee or any One of such Committee, and such Minor or Minors shall and may vote by his, her, or their Guardian or Guardians or any One of such Guardians; and the Appointment of such Committee or Guardian shall always be produced by the Person applying to vote as such Committee or Guardian before he shall be entitled to vote as such.

Proceedings to be entered and signed.

XVIII. And be it further enacted, That the Orders and Proceedings of every Meeting of the said Company and of their Directors shall be entered in the Books of the Company to be provided and kept for the 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 or Clerks to the said Company, and being so signed shall be deemed and taken to be original Orders and Proceedings.

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

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

General Meetings to appoint a Treasurer and Clerk.

XX. And be it further enacted, That it shall be lawful for the said Company, at their First General Meeting or at any other General or Special General Meeting, to elect and appoint a Treasurer or Treasurers and a Clerk or Clerks for transacting the Business of the said Company, and from Time to Time to remove and displace such Treasurer or Treasurers, Clerk or Clerks, or either of them, and from Time to Time to elect and appoint any other Person or Persons to act as Treasurer or Treasurers, or Clerk or Clerks, in the Room of such of the said Officers as shall happen to die, or to resign, or be removed from their respective Offices, and to allow such Salaries or other Emoluments to the said Officers or any of them as at any such

General or Special General Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company for the faithful Execution of his Office before he shall enter thereupon. Taking Security from Treasurer.

XXI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Company; and if any Person or Persons shall 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 any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, shall accept the Office of Treasurer or Treasurers, or shall act as Deputy of such Treasurer or Treasurers, or in any Manner officiate for such Treasurer or Treasurers, or being the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk or Clerks in the Execution of this Act, or shall act as Deputy of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company 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, 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed. Offices of Clerk and Treasurer not to be held by the same Person.

XXII. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders in Writing signed by the Chairman of the Directors for the Time being, Three other Directors at least being present at the Time of ordering or directing such Issue of Money to be made. Treasurer not to issue Money without an Order of Directors.

XXIII. And be it further enacted, That Books shall be provided and kept by the said Company for the Purpose of entering and registering Books to be kept by the Company.

tering the Proceedings of the said Company and of their Directors, and all Orders and Resolutions made at any of their Meetings respectively, and the Names and Designations of the Subscribers to the Undertaking, and of all Holders of Shares therein, and the Numbers of such Shares, and all Transfers of such Shares, and all Mortgages of the Undertaking or Securities for Money borrowed, and all Transfers thereof, and all other Proceedings, Matters, and Things to be done in pursuance of the Directions of this Act; and such Books shall (subject to the Orders of the Company and their Directors) be kept by the Clerk or Clerks to the said Company; and such Books, and the Entries therein entered or signed, pursuant to the Directions of this Act, shall be admitted in Evidence by and before all Judges, Justices, and others, and in all Courts and Places whatsoever; and any Person interested shall at all seasonable Times be allowed to inspect such Books without Fee or Reward.

General Meetings may make Calls on Proprietors.

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

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

XXV. And be it further enacted, That if any Subscriber to or Proprietor of any Share or Shares in the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Portion of the Money to be called for by any General or Special General Meeting as aforesaid by the Time appointed for Payment thereof, or within Twenty-one Days then next after, then and in such Case each such Subscriber or Proprietor so neglecting or refusing shall (whether the same shall have been then sued for in any Court of Law or Equity or not) absolutely forfeit all his, her, or their Share and Interest in the said Undertaking, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special General Meeting; and all Shares which shall or may be so forfeited shall be vested in the said Company, and be sold at a public Sale to the highest Bidder, and the Produce thereof shall be applied and disposed of in manner herein mentioned: Provided always, that no Advantage shall be taken of such Forfeiture until after Fourteen Days Notice in Writing, signed by the Chairman of the said Company or Three of the Directors thereof, shall have been given to the Proprietor or Proprietors thereof, or left at his, her, or their last or usual Place of Abode, if they shall reside within the Limits of this Act, and if not then by Letter sent by

the Post; and every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, and their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls; and every Share so sold shall be transferred to the Purchaser or Purchasers thereof by the said Company under their Common Seal, and the Name or Names of the Purchaser or Purchasers shall be registered in the Books of the Company, and such Purchaser and Purchasers shall be subject to all the same Liabilities as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking, and to all the Rules and Directions of this Act; and thereupon the Proprietor or Proprietors of such Shares so sold and transferred shall be and be deemed a Member or Members of the said Company to all Intents and Purposes whatsoever, and shall be entitled to all the same Privileges and Advantages as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking.

If the Purchase Money of forfeited Shares be more than sufficient to pay the Arrears of Calls, Interest, and Expences, the Surplus to be paid to the Owner.

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

Executors, &c. of deceased Persons to be 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, 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 it shall be lawful for the Executors or Administrators of such deceased Subscriber or Proprietor, and the Trustees or Guardians of any Infant or other Person entitled to the Estate and Effects of such deceased Subscriber or Proprietor respectively, to pay out of any Assets or Effects of any such deceased Subscriber or Proprietor, in a due Course of Administration, any Money which shall be duly called for in respect of such Share or Shares as aforesaid.

XXVIII. And

Dividends to be declared at Half-yearly Meetings.

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

Appointment of Directors.

XXIX. And be it further enacted, That *Richard Bramley*, *John Rainforth Byrwater*, *Thomas Bell*, *William Brown*, *Israel Burrows*, *Thomas Blackburn*, *Thomas William Embleton*, *James Hubbard*, *Christopher Heaps*, *Robert Jackson*, *Joseph Linsley*, *Thomas Prince*, *Edwin Turner*, *William Tottie Watson*, and *Robert Wright* shall be and they are hereby constituted and appointed a Committee of Directors for managing the Affairs and Business of the said Company until others shall be chosen in their Stead as herein-after mentioned.

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

XXX. And be it further enacted, That the several Members of the said Committee of Directors shall continue in Office and be respectively Members of the said Committee for the Term of Two Years from the passing of this Act, and until others or another of the Proprietors shall be appointed Directors or Director in their Stead, in pursuance of this Act; and at the Expiration of the said Term, and also at the Expiration of every succeeding Year, Fifteen Proprietors of Shares in the said Undertaking shall in manner herein-after mentioned be elected and appointed the Committee of Directors for managing the Affairs of the said Company, who shall continue in their respective Offices for the Space of One Year to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

Qualification of Directors.

XXXI. Provided always, and be it further enacted, That if any Person appointed or who shall be elected a Member of the said Committee of Directors shall hold any Place or Office of Profit under the said Company, or shall either directly or indirectly offer to take and succeed in taking any Contract, or shall participate in any Manner in any Work to be done for the said Company, every such Person shall be disqualified from interfering and voting in any Matter to be discussed and argued by the said Committee of Directors; or shall refuse or neglect, unless prevented by Illness or Absence from Home, to attend any Three successive Meetings of the said Committee of Directors, every such Person shall thereby be disqualified and cease to act or vote at such Committee of Directors, and thereupon another Proprietor duly qualified shall be elected a Director in his Stead.

XXXII. And

Election of future Directors.

XXXII. And be it further enacted, That at the Half-yearly General Meeting which shall be held on the First *Monday* next after the First Day of *January* which will be in the Year of our Lord One thousand eight hundred and thirty-eight, or within Ten Days then next after, or at some Adjournment thereof, and at every Half-yearly General Meeting which shall be held in subsequent Years on the First *Monday* next after the First Day of *January*, or within Ten Days then next after, or at some Adjournment thereof, Ten of the Proprietors of Five Shares (at the least) in the said Undertaking, and not having any Shares or Interest in any other Gas Company, shall be elected by Ballot to be a Committee of Directors in the Place of the former Committee; nevertheless any Members of the former Committee whose Office shall then have expired shall (if otherwise eligible) be again immediately re-eligible; and every Vacancy in the Committee of Directors by Death, Resignation, or Disqualification shall or may be filled up at the First General or Special General Meeting of the said Company which shall be held next after such Vacancy shall happen or be known; and the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall (being duly qualified) continue in Office upon the same Terms and only for the same Period as the Person whose Place he shall supply would have continued if his Office had not been vacated before the Time at which he would according to the Provisions of this Act have gone out of Office.

Vacancies how to be filled up.

Proceedings for removing Directors for Mismanagement.

XXXIII. And be it further enacted, That in case any Ten or more of the said Proprietors, being collectively possessed of or entitled to Fifty or more Shares in the said Undertaking, shall think that there is any Reason to complain of the Conduct of the Committee of Directors for the Time being, or of any Member or Members thereof, and shall call a Special Meeting of the said Company, it shall be lawful for the said Company to remove all or any of the Members of the Committee of Directors, and by Ballot to elect other Persons duly qualified to be Directors in their Stead; and the Committee for the Time being shall produce their Accounts and report their Proceedings at such Special Meeting, if required by the Notice calling or convening the same; provided that if at any such Special Meeting there shall not be Persons present who shall be entitled to vote in respect of at least Fifty Shares in the said Undertaking the Power hereby given unto the said Company to remove all or any of the Directors, 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 stand adjourned for that particular Purpose to the same Place that Day Fortnight, and so from Time to Time until there shall be Persons present who shall be entitled to vote in respect of Fifty Shares as aforesaid.

Meetings of Directors.

XXXIV. And be it further enacted, That the said Committee of Directors shall or may hold their First Meeting at such Time and Place within the said Borough of *Leeds* as they shall think proper, and shall have full Power and Authority to adjourn such Meeting, and again to meet and adjourn from Time to Time and from Place to Place as they shall think fit; and the said Committee shall from Time to Time appoint One of the Directors present to preside as Chairman;

and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Directors 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, then and in every such Case the Meeting shall be adjourned to the same Day in the following Week, or until such Time as the Directors or Director then present shall appoint; and any Three 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 Three or more Members to be sent by the Post or otherwise to the Residence or Place of Abode of every Member of such Committee.

Powers of Directors.

XXXV. And be it further enacted, That the Committee of Directors for the Time being shall or may have the Custody of the Common Seal of the said Company, and shall have full Power and Authority at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to direct the Affairs and Business of the said Company, (subject to the Orders and Directions of the said Company made at any General or Special General Meeting,) 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 Town and Neighbourhood, and all and every or any of such Streets, Roads, Lanes, and other public Passages and Places, Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings 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 to the said Company,) 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 provided, produced, or manufactured under the Authority of this Act; and in bringing and maintaining any Action or Actions at Law, or Suit or Suits in Equity, in the Name of the Company, for the Recovery of any Debt or Debts to become due to the said Company in respect of any such Sale or Sales or otherwise; and in making, enforcing, and rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the same; subject to such Rules, Orders, Bye Laws, and Regulations as shall at any Time be made by virtue of this Act by the said Company in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted; and the said Committee of Directors may require such Security to be given to the said Company from any Officer or Officers (not being a Treasurer or Clerk to the said Company) or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable.

XXXVI. And

Company may contract for lighting any public or private Places with Gas, and may sell their Coke, &c.

XXXVI. And be it further enacted, That it shall be lawful for the said Company or their Committee of Directors to enter into or make any Contract or Contracts or Agreements with the Commissioners for paving, lighting, and improving the said Town and Neighbourhood, and also with any Body or Bodies Politic, Corporate, or Collegiate, or Corporation Aggregate, or any other Person or Persons whomsoever, for lighting with Gas the said Town and Neighbourhood, or any of the Streets, Roads, Lanes, and other public Passages and Places in the said Town and Neighbourhood, or for supplying with Gas any Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings therein, upon such Terms, or for such Rents, Payments, or Sums of Money, as shall be agreed upon by the said Company and the respective Parties and Persons desirous of being supplied with Gas; and it shall also be lawful for the said Company to sell and dispose of all or any of the Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Essential Oil, and other Matters and Things produced in the Process of making the Gas.

Power to contract for the Purchase of Lands and Buildings.

XXXVII. And in order to enable the said Company to carry the Purposes of this Act into execution, be it further enacted, That it shall and may be lawful to and for the said Company or their Committee of Directors for the Time being, and they are hereby empowered, from Time to Time to treat, contract, and agree for the absolute Purchase of any Lands, Buildings, Tenements, or Hereditaments within the said Town and Neighbourhood, which the said Company shall deem requisite for the Purposes of this Act, with any Person or Persons, or any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, 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 Estate, Right, or Interest therein, for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company to hold to them and their Successors and Assigns such Lands, Buildings, Tenements, and Hereditaments, and any Term, Right, and Interest therein, so purchased, and also to sell, either by public Auction or private Contract, and dispose of, such Lands, Buildings, Tenements, and Hereditaments, or any Part or Parts thereof, and again from Time to Time to purchase and hold other Lands, Buildings, Tenements, or Hereditaments which the said Company shall deem more eligible for the Purposes aforesaid, as they shall think proper, and afterwards to sell and dispose of the same as aforesaid, 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: Provided always, that it shall not be lawful for the said Company

Limiting the Quantity of Land.

Company to purchase or hold at any One Time a larger Quantity of Land than Five Statute Acres.

Bodies Politic, &c. empowered to sell.

XXXVIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life, and in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees, Trustees, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all other Persons whomsoever, who are or shall be seised, possessed of, or interested in any Buildings, Lands, Tenements, or Hereditaments, of what Nature or Tenure soever, or any Part thereof, which shall be thought necessary by the said Company to be purchased for the Uses and Purposes of this Act, such Lands not exceeding Five Statute Acres, to contract and agree with the said Company for the Sale thereof or of any Part thereof, and to sell and convey the same or any Part thereof to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be made by virtue of this Act shall, without any other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or other Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Remainder, Reversion, or Expectancy, and the Issue and Issues of such Person or Persons claiming under them, as effectually as Fines or Common Recoveries would have done if levied, suffered, or executed by proper Parties in due Form of Law, or as the Conveyances substituted in lieu thereof would do, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for any Term or Term of Years absolute or determinable on any Life or Lives, and all Feoffees, Trustees, Executors, Administrators, Husbands, Guardians, Committees, and other Trustees whomsoever, and all and every other Person and Persons, is, are, and shall be hereby indemnified for what he, she, or they shall do by virtue of this Act.

Not to purchase more than Five Acres from

XXXIX. Provided always, and be it further enacted, That in case the said Company shall by virtue of the Powers and Provisions of this Act purchase the aforesaid Five Statute Acres of Land, or any Part

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

XL. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* "The *Leeds* New Gas Company," pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or Part or Parts thereof, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such Application of Compensation Money when amounting to 200*l.* and upwards. 1 G. 4. c. 35.

and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be purchased for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application being made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities or Government or Real Securities 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 or Government or Real Securities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were then actually made.

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

XLI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased for the Purposes of this Act, belonging to any Body or Bodies, Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, or Parts, Estates, or Interests so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Body or Bodies, Person or Persons making such Option, and approved of by Three or more of the Directors of the said Company, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends to arise thereon, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application thereof when not exceeding 20*l.*

XLII. Provided also, and be it further enacted, That where such Money so to be paid as last before mentioned shall not exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents

Rents and Profits of the Lands, Tenements, or Hereditaments, Parts, Estates, and Interests, so to be purchased for the Purposes of this Act, in such Manner as the Directors of the said Company, or any Three or more of them, shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of disputed Titles.

XLIII. And be it further enacted, That where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Share, Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, Share or Shares, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Share or Shares, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Body or Bodies, Person or Persons, was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchases may be allowed by the Court in certain Cases.

XLIV. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the reasonable Expences of all Purchases from Time to Time to be made in pursuance of this Act, and also of the Re-investment of the Purchase Money thereof in Land, or other Disposition of the same, 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 to vest in the Company.

XLV. And be it further enacted, That upon the Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Messuages, Buildings, Tenements, or Hereditaments, by the said Company, to the Party or Parties or Person or Persons respectively entitled to such Money; or their Agents, or upon Payment thereof

thereof into the Bank of *England*, for the Purpose of being disposed of in manner herein directed, (as the Case may be,) all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or in Equity, of the Party and Parties and Person and Persons respectively to whom or for whose Use the same shall be paid, in, to, or out of such Lands, Tenements, and Hereditaments, shall vest in the said Company and their Successors for ever, for the Purposes of this Act.

Form of Conveyance.

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

'I [*or* We, *as the Case may be*,] of in consideration of the Sum of paid to me [*or* us, *or* into the Bank of *England, as the Case may be*,] by "The *Leeds* New Gas Company," established under or by virtue of an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], do hereby grant and release [*or* assign, *as the Case may be*,] to the said Company 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 and their Successors and Assigns for ever [*or*, *as the Case may be*, during all the Remainder of my [*or* our] Term, Estate, or Interest in the said Premises]. In witness whereof I [*or* we] have hereunto set my Hand and Seal [*or* our Hands and Seals, *or* our Common Seal, *as the Case may be*], this Day of in the Year of our Lord One thousand eight hundred and .'

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, as to and against the Person or Persons making the same, and his, her, or their Cestuique Trusts, and all other Persons claiming or to claim by, from, under, or in Trust for him, her, or them respectively; and the same shall be deemed and construed to merge all Terms of Years, and to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever.

Sale of Land not wanted.

XLVII. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of, either by public Auction or private Contract, and by Indenture or Indentures under their Common Seal to grant and convey, or direct to be granted and conveyed, by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part or Parts of any Lands, Tenements, or Hereditaments purchased by or belonging to the said Company, 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 be lawful for the Treasurer or Treasurers for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge or sufficient Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; and such Person or Persons, having *bonâ fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money or any Part thereof.

Company may make Works and lay Pipes, &c.

XLVIII. And be it further enacted, That it shall be lawful for the said Company and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, or other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices, and to sink and lay Pipes, of such Construction and in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into execution; and also to break up the Soil and Pavements of any Streets, Roads, Lanes, and other Passages and Places, or any Part thereof, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying this Act into execution or supplying any such Light as aforesaid; and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, Syphons, and Plugs, or Branches; also to carry, fit up, and furnish any Pipe or Pipes, Cocks, or Branches, or other necessary Apparatus, from any Main or Pipe belonging to the said Company, now laid or hereafter to be laid in any Street, Road, Lane, Passage, or Place in the said Town and Neighbourhood within the said Borough, in, to, or through any Dwelling House or Houses, Manufactories, public or private Buildings, Land, Ground, or Premises, for the Purpose of lighting such Houses, Manufactories, Buildings, or Premises, or any public or private Lamp, from any of such Mains or Pipes; and to erect and set up any Machine or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been placed or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things as the said Company shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, supplying, and using the same.

Pavement, &c. not to be broken up without Notice.

XLIX. Provided always, and be it further enacted, That no Part of the Soil or Pavement of any of the said Streets, Roads, Lanes, Passages, Places, Land, or Ground shall be broken up or opened, nor the Passage upon or over the same in any Manner be obstructed, for any of the Purposes aforesaid, until the said Company, or their Clerk,

Surveyor, or other Officer employed by them and acting under their Authority, shall have first given Twelve Hours Notice thereof at the least, and not more than Three Days next before such breaking up or opening shall commence, by Writing under their or his Hands or Hand, to One or more of the Surveyor or Surveyors of the Highways of the respective Townships or Districts in which such Soil or Pavement shall be situate, either by giving such Notice personally to such Surveyor or Surveyors, or leaving the same at his or their respective Dwelling House or Dwelling Houses or usual Place of Abode, and in such Notice there shall be specified the particular Place or Places wherein and the Day when such Soil or Pavement is intended to be broken and opened; and in case such Soil or Pavement shall be broken or opened by the said Company, or their Officer or Servant, or other Person acting under their Authority, without having first given such Notice as aforesaid, the said Company shall for every such Neglect and Default therein forfeit and pay any Sum not exceeding the Sum of Forty Shillings, save and except in Cases of sudden Escape of Gas or other emergent Cause, in which Cases the said Company shall give the earliest possible Notice thereof in manner aforesaid, and in default thereof shall be subject to such Penalty as aforesaid.

Not to erect Gasometers, &c. within 200 Yards of the existing Station of the Leeds Gas Light Company.

L. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, taken, or construed to extend, to authorize or enable the said *Leeds* New Gas Company, nor shall it be lawful for them, to erect, build, or establish any Gasometers, or any other Buildings or Works used or necessary for the Purpose of creating or making Gas, or any other Matter or Thing, by virtue of this Act, within the Distance of Two hundred Yards from the existing Station belonging to the *Leeds* Gas Light Company, nor to continue the same, without or against the Consent of the Committee of Management of the said Company, on pain of forfeiting to such Company for each and every Day such Buildings or Works shall be so used or established as aforesaid the Sum of Twenty Shillings, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be granted or allowed; and the said Sum, when recovered, shall be paid for the Use of the said *Leeds* Gas Light Company.

Pipes, &c. not to be carried through private Property, &c. without Consent.

LI. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company to carry or lay any Main or Mains, Pipe or Pipes, into or through any private Lands or Grounds, (except into or through the Soil and Pavements of any Streets, Roads, Lanes, and other Passages and Places as aforesaid,) or into or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting any of the Streets or Places, or any other Dwelling House or Dwelling Houses, Manufactory, public or private Building, or so to continue the same, without the Consent in Writing of the Owner and Occupier of every such Land or Ground, Dwelling House or Houses, Manufactory, public or private Building, into or through which any such Main or Mains, Pipe or Pipes, may be carried or laid for the Purposes aforesaid.

LII. Pro-

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

LII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to defeat, abridge, alter, obstruct, or in any Manner interfere with the Powers and Authorities of the Commissioners or Directors or Trustees for lighting, improving, or paving the said Town of *Leeds* and the Neighbourhood thereof within the Borough of *Leeds*, or of the Surveyors of the Highways of the respective Townships and Districts through which the same Mains or Pipes shall or may extend, or any Body Corporate or Politic, Sole or Aggregate, established for the Supply of Water in or for the said Town of *Leeds* and the Neighbourhood thereof within the Borough of *Leeds*, or any Part or Parts thereof, or the Rights of any Person or Persons to make, enlarge, repair, or amend any Vault or Sewer under any Street within the said Town of *Leeds* and the Neighbourhood thereof within the Borough of *Leeds*.

Company to reinstate the Pavements, &c. after laying or altering Pipes.

LIII. And be it further enacted, That when and as often as the said Company shall have broken up or removed the Stones, Pavement, Ground, or Soil, in or of any Street, Road, Lane, Passage, Place, Land, or Ground, or any Part thereof, the said Company shall and they are hereby required immediately thereafter, at their own Costs and Charges, to relay, reinstate, and make good such Pavement, Ground, or Soil, to the Satisfaction of the respective Surveyors or other Person or Persons having the Control, Direction, or Superintendence, or being the Owner or Occupier of such Pavement, Ground, or Soil respectively, as well when the same shall have been broken up or removed for the Purpose of first laying down, as for the Purpose of examining, searching, repairing, relaying, or amending any Mains, Pipes, Cocks, or Plugs, in pursuance of this Act; and the said Company shall, at their own Costs and Charges, also forthwith carry or cause to be carried away all surplus Earth, Filth, and Rubbish occasioned thereby; and during the Time that such Works are carrying on, and until such Pavement, Ground, or Soil shall be reinstated and repaired as aforesaid, the said Company shall provide, set up, and continue necessary Lights between Sunset and Sunrise, and otherwise guard the said Works so as to prevent any Accident, Damage, or Inconvenience happening to Passengers, Cattle, or Carriages; and if after such Pavements, Streets, Roads, Places, Land, or Ground, or any of them, shall have been repaired or made good by the said Company (or in case of their Default the same shall be done by the said Surveyors or other Person or Persons herein-after mentioned), the same shall afterwards, within Six Calendar Months, give way, settle, or lower, or require relaying or repairing, in consequence of such Pavements, Streets, or Roads, Places, Land, or Ground having been broken up for the Purpose of carrying this Act into execution, then and in that Case the same shall again from Time to Time as often as may be necessary during the said Six Calendar Months be forthwith repaired and relayed by and at the Expence of the said Company; and in case the said Company shall make Neglect or Default in reinstating and making good such Pavement, Ground, or Soil as aforesaid, or removing any Rubbish to be occasioned as aforesaid, or in placing, setting up, and continuing such Lights, and otherwise guarding the said Works, so as to prevent Accidents, Damage, and Inconvenience to Passengers, Cattle, and Carriages as aforesaid, then and

and in every such Case the said Company shall forfeit and pay for every such Offence the Sum of Five Pounds for every Day the same shall so continue, one Moiety whereof shall be paid to the Informer, and the other Moiety to the Poor of the Township where any such Neglect or Default shall happen; and it shall be lawful for such Surveyors or other Person or Persons respectively having such Control, Direction, or Superintendence, or being such Owner or Occupier as aforesaid, to reinstate, repair, and make good such Pavement, Ground, or Soil, and carry away all Rubbish to be occasioned as aforesaid; and during the Time that such Works are carried on to provide and continue such necessary Lights and Guards as aforesaid; and the Expences thereof shall be paid by the said Company or their Treasurer, to such Surveyors or other Person or Party so doing or performing any such Matter or Thing as aforesaid; and in default of Payment thereof within Twenty-eight Days next after Demand thereof in Writing shall have been made by or on the Behalf of such Surveyors or such other Person or Persons as aforesaid, (Proof being made thereof by the Oath of One credible Witness before One or more Justice or Justices of the Peace of the said Borough of *Leeds*,) all such Expences so to be occasioned as aforesaid shall and may be levied and recovered, for the Use of such Surveyors, Person, or Party, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, who is and are hereby empowered to grant the same.

Commissioners of Pavement empowered to require Pipes, &c. to be altered.

LIV. And be it further enacted, That if for the Purposes of any Act or Acts in force for the Time being for paving, lighting, or improving the said Town and Neighbourhood, or supplying the same with Water, it shall at any Time or Times be deemed necessary or expedient by the Commissioners for paving, lighting, and improving the said Town and Neighbourhood, or supplying the same with Water, to require the said Company to raise, sink, or otherwise alter the Situation of any of the Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches which shall be laid down for the Purposes aforesaid, the said Company shall at their own Expence, within Three Calendar Months next after being required so to do by Notice in Writing to them given by the said Commissioners, signed by any Two of them, or their Clerk, raise, sink, or alter such Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches according to such Notice, in such Manner and in such Place or Places as the said Commissioners shall think right and proper; and in default thereof it shall and may be lawful to and for the said Commissioners or their Surveyor, or any other Person or Persons acting by their Order or under their Authority, to cause such Mains, Pipes, Stopcocks, 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 shall not be paid within Thirty Days next after Demand shall be made by or on behalf of such Commissioners (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 Borough), all such reasonable Costs and Charges shall and may be

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 any of such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs and Charges shall be paid to such Commissioners or their Treasurer.

Damage occasioned by raising or altering Pipes to be made good to the Company.

LV. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches any Damage or Injury shall be wilfully or negligently done to the same by such Commissioners, or their Servants or Workmen, then and in every such Case Notice thereof shall be given by the said Company to the Commissioners or their Clerk within Twenty-one Days next afterwards, and before any Reparation thereof shall begin to be made by the said Company, and from and after such Notice the said Damage or Injury shall be repaired and made good by the said Company themselves, as soon as Circumstances will permit, and the Costs, Charges, and Expences thereof shall be paid by such Commissioners or their Treasurer to the said Company or their Treasurer or Treasurers; and in case they cannot agree touching the Amount thereof, the same shall be ascertained and settled by Two Justices of the Peace for the said Borough, who are hereby authorized to hear and determine the same, and their Determination therein shall be final and conclusive; and such Damages and Expences, together with the Costs and Charges of ascertaining and recovering the same, may, in default of Payment thereof, be recovered from such Commissioners, together with Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

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

LVI. Provided always, and be it further enacted, That in case any Pipe, Cock, or Branch shall be fixed, carried, or laid from any Main or Pipe of the said Company, into or through or against any Dwelling House or Houses or other Buildings, for the Purpose of lighting the same, or any other Dwelling House or Houses or other Buildings, in pursuance of this Act, and the Owner or Owners or Occupier or Occupiers of any such Dwelling House or Houses or other Buildings into or through or against which such Pipe, Cock, or Branch shall be fixed, carried, or laid, shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such his, her, or their Desire shall give Notice in Writing to the said Company, then and in every such Case the said Company shall, at the Costs and Charges of the Party or Parties requiring the same, within Ten Days after Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon from any such Main or Pipe of the said Company as aforesaid; and in default thereof it shall and may be lawful to and for such Owner or Owners or Occupier or Occupiers, or any other Person or Persons acting under his, her, or their Authority, to

cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require.

Company to remove Pipes when Tenants quit, if required.

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

For the Protection of Water Pipes or other Gas Pipes.

LVIII. And be it further enacted, That if in carrying into execution any of the Powers or Authorities by this Act given or granted any Injury or Damage shall be done to any of the Pipes, Branches, Apparatus, Materials, or Things for the Supply of Water or Gas in or for the said Town and Neighbourhood, or any Part or Parts thereof, of or belonging to any Body Corporate or Politic or Collegiate, Sole or Aggregate, or any Person or Persons, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression and subsequent settling or lowering of the same at any Time or Times afterwards, or

by

by any other Means whatsoever, the said Company shall, at their own Expence, Costs, and Charges, within Three Hours next after Notice in Writing to them given by such Body Corporate, Politic, or Collegiate, or any Person or Persons having the Care or Management of such Pipes respectively, or by the Clerk for the Time being of the said Commissioners, proceed to cause such Pipes, Branches, Apparatus, Materials, and Things to be well and effectually repaired and amended; and in Default or Neglect thereof it shall and may be lawful to and for the Person or Persons having the Care or Management of such Pipes, and he and they is and are hereby authorized and empowered, to cause such Pipes, Branches, Apparatus, Materials, and Things so injured or damaged as aforesaid to be effectually repaired, amended, and made good; and the reasonable Costs, Charges, Damages, and Expences attending the same, together with the reasonable Value of the Gas or Water lost, or other incidental Damage which may arise in consequence of any Injury so done, shall be paid and defrayed by the said Company or their Treasurer; and if they cannot agree touching the Amount or Value thereof, the same shall be ascertained and settled by some Justice or Justices of the Peace for the said Borough of *Leeds*, and be recovered in like Manner as Penalties or Forfeitures are by this Act to be recovered.

Gas Pipes to be laid at a certain Distance from Water Pipes, and in a particular manner.

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

and

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

For the further Protection of Water Pipes.

LX. And be it further enacted, That if in carrying into execution any of the Powers or Authorities by this Act given or granted any Injury or Damage shall be done or committed to any of the Pipes, Branches, Apparatus, Materials, or Things of or belonging to the Commissioners of the *Leeds* Waterworks, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression and subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever, the said Company shall, at their own Expence, Costs, and Charges, within Three Days next after Notice in Writing to them given by Three Commissioners of the *Leeds* Waterworks under their Hands, or by Writing under the Hand of their Clerk or other Officer, cause such Pipes, Branches, Apparatus, Materials, and Things to be well and effectually repaired and amended; and in Default or Neglect thereof it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, to cause such Pipes, Branches, Apparatus, Materials, and Things so injured or damaged as aforesaid to be effectually repaired, amended, and made good; and the reasonable Costs, Charges, Damages, and Expences attending the same shall be paid and defrayed by the said Company or their Treasurer; and if they cannot agree touching the Amount or Value thereof, the same shall be ascertained, settled, and recovered in such and the like Manner as is herein-after mentioned and appointed for or in respect of Compensation and Satisfaction for any Materials, Damages, or Charges, to be ascertained or paid by the said Company or any other Person or Persons.

For preventing Contamination of Water.

LXI. And be it further enacted, That whenever the Water to be supplied by the said Commissioners or their Successors, or by any Company of Proprietors, or Body or Bodies Politic or Corporate, or by any other Party or Person, by Pipes or Conduits, in, under, through, along, across, or round any of the said Streets, Roads, Lanes, or other public Passages or Places within the Limits of this Act, or the Water or Waters of any Well or Pond belonging to or used by any Party or Person or Persons whomsoever, shall be contaminated or affected by the Gas of the said Company, they shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered; and in every such Case the said Company shall within Twenty-four Hours next after Notice thereof in Writing signed by any Inhabitant of the said Town and Neighbourhood, or any Person or Persons whomsoever, to be left at the usual Office or Place of transacting Business of the said Company, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping

from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said Company shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, then and in every such Case the said Company shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated, tainted, or affected by such Gas, to be sued for and recovered as any Penalty is by this Act directed to be sued for and recovered.

For ascertaining if Water be contaminated.

LXII. And whereas it may be or become a Question upon such Complaint as aforesaid whether any such Water be contaminated or affected by the Gas of the said Company; be it therefore enacted, That in every such Case it shall be lawful to and for any Body or Bodies or Person or Persons, being Proprietor or Proprietors of any Waterworks, Well, or Pond, or other Person or Persons using or consuming any such Water, after giving Twenty-four Hours Notice in Writing to the Commissioners, Surveyors, or other Persons under whose Control or Superintendence any public Streets, Roads, Lanes, and other public Passages and Places may be, or to the Party or Person having the Property of or in any Ground, Stones, Soil, or Pavement, as the Case may be, and having an Order signed by any Justice or Justices of the Peace (which Order such Justice and Justices is and are hereby required to grant on Oath made before him or them that such Water is believed to be contaminated), to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Company, for the Purpose of ascertaining whether such Contamination proceeds from or be occasioned by the Gas of the said Company; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Company, the Costs and Expences of the said Digging, Search, and Repair of the Pavement of the Street or Streets or other public Place, or such Part or Parts thereof which shall be so taken up or disturbed, and the filling in of the Soil so broken up, shall be borne and paid by the said Company; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice or Justices, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Company, then and in such Case the said Inhabitant, or Party or Person so complaining, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also forthwith pay and make good to the said Commissioners, Surveyors, or other Persons respectively under whose Control or Superintendence any such public Streets, Roads, Lanes, and other public Passages and Places, or any Part thereof, shall be, or to the Party or Person having the Property of or in the Ground, Stones, Soil, or Pavement, (as the Case may be,) which shall or may have been so broken up for the Purpose aforesaid, all Costs, Charges, and

and Expences which shall or may be incurred by such Commissioners, Surveyors, or Parties or Persons respectively, in repairing, restoring, and making good any public Street, Road, Lane, or other public Passage or Place, or any Part thereof which may have been so broken up; and such Inhabitant or Party or Person so complaining shall also, in the Case aforesaid, forthwith pay and make good to the said Company any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Company in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined in the said Cases respectively, if necessary, by any Justice or Justices of the Peace.

Gas Pipes of new Company not to be laid within certain Distances from Gas Pipes of old Company.

LXIII. And be it further enacted, That all and every the Pipes or Mains to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Highway, Dock, Quay, Square, Court, Yard, Lane, Passage, or other Place within the said Town and Neighbourhood of *Leeds*, shall be laid at the greatest convenient Distance from the Pipes or Mains belonging to the *Leeds* Gas Light Company, and whenever the Width of the Carriageway in such Street or Place will allow thereof at the Distance of Two Feet at the least from the nearest Part of any such Pipes or Mains; and under the Service Pipes of the said *Leeds* Gas Light Company, where such Pipes are not more than Eighteen Inches deep, already laid down or hereafter to be laid down; and in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the Pipes of the said *Leeds* Gas Light Company, then and in which Case the said Gas Pipes of the Company hereby established shall be laid over and above the said Pipes of the said *Leeds* Gas Light Company so as to be at Right Angles; and that in such Cases the said Gas Pipes so crossing shall be at least Five Feet in Length, so that no Joint of any of the said Gas Pipes to be laid by the said Company hereby established shall be nearer to any Part of the Pipes of the said *Leeds* Gas Light Company than Two Feet at least, wherever the same is practicable, upon pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered and applied as any Penalty is herein directed to be recovered and applied: Provided always, that nothing herein contained shall operate or be construed to extend to compel the said Company to place their Pipes nearer to any Water Pipe than the Distance herein-before mentioned and provided for the placing of such Gas Pipes at a Distance from Water Pipes.

Indicators to be placed over Mains of new Company to distinguish same from those of old Company.

LXIV. And be it further enacted, That for the Purpose of distinguishing the Lines of the several Mains to be used by the said Company hereby established from the Mains to be used by the *Leeds* Gas Light Company the said Company hereby established shall and they are hereby required forthwith, and from Time to Time, to provide and fix or place, and continue and renew, an Iron Cap or Indicator, with the Letters N. G. C. P. legibly marked thereon, at the End of each Street, Highway, Dock, Quay, Square, Court, Yard, Lane, Passage, or other Place within the said Town or Neighbourhood of *Leeds*, and in case such Street, Highway, Dock, Quay, Square, Court, Yard, Lane, Passage, or other Place within the said Town and Neighbourhood of *Leeds* shall be more than Fifty Yards in

in Length, then such greater Number of Caps or Indicators shall be fixed or placed and continued over other Part of the Line of such Mains therein, so that such Caps or Indicators shall not be at a greater Distance than Fifty Yards from each other, immediately over the respective Lines along which such Mains now or shall hereafter pass or extend, and as near as possible to the Surface of the Ground, so as to point out and indicate such respective Lines, upon pain of forfeiting the Sum of Twenty Shillings for every Default, to be recovered and applied as any Penalty is by this Act directed to be recovered and applied.

For stopping the Escape of Gas.

LXV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company, the said Company shall at their own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace, and shall and may be recovered and levied, with all reasonable Costs and Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any Justice or Justices of the Peace.

Penalty for conveying Washings into any River, &c.

LXVI. And be it further enacted, That if the said Company, or any Body or Bodies Politic or Corporate, or any Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other Waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or Running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such River, Brook, or Running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Company, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for

and

and recovered, together with full Cost 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 thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or Running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons whomsoever, to the said Company, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, and the said Company, or Body or Bodies Politic or Corporate, or Person or Persons whomsoever, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, and prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company, or Body or Bodies Politic or Corporate, Person or Persons whomsoever, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

Service Pipes to be kept fully charged with Gas.

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

LXVIII. And

Penalty on laying Pipes of Communication, &c. without Consent of Company.

LXVIII. And be it further enacted, That if any Person shall lay any Pipe to communicate with any Pipe belonging to the said Company, or fit or alter any of the Fittings of any Pipes or Lamps belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, or use Burners of larger Dimensions or in any other Manner than he, she, or they shall contract to pay for, or supply any Inhabitant or other Person with any Part of such Gas, every Person so offending in any of the respective Premises, and being thereof convicted on the Oath of One credible Witness before One or more Justice or Justices of the Peace, shall for every separate Act or Offence forfeit and pay to the said Company the Sum of Forty Shillings *per* Day for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished.

Penalty for wilfully damaging Pipes, &c.

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

Damage for accidentally injuring Pipes, &c.

LXX. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, throw down, remove, destroy, damage, or otherwise injure any or any Part of any Pipe, Plug, Lamp, Lamp-post, Lamp-iron, or other Apparatus, Matter, or Thing, set up by or belonging to the said Company, or belonging to any Person or Persons, and set up by him, her, or them, at his, her, or their private Expence, or waste any of the Inflammable Air or Gas supplied by the said Company, and shall not immediately upon Demand by the said Company, or their Directors or Superintendent, or other Person or Persons authorized by the said Company or their Directors, make Satisfaction for the Damage done or the Gas so wasted, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace, and he or they is and are hereby required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations

and Proofs on both Sides, or on Non-appearance of the Party or Parties so complained against, to award such Sum or Sums of Money by way of Satisfaction to the said Company, or to such other Person or Persons, as the Case may require, for such Damages or Waste, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any Sum or Sums of Money so awarded within Four Days after Demand it shall and may be lawful to and for such Justice or Justices, and he and they is and are hereby required, to cause the same, with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, returning the Overplus (if any), on Demand, to the Owner of such Goods and Chattels.

Penalty for interrupting Company's Workmen.

LXXI. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing and 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 the same to be done, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption.

Recovery of Rents.

LXXII. And be it further enacted, That in case any Body or Bodies, Commissioners, Trustees, Surveyor, or any other Person or Persons who shall contract with the said Company, or agree to take or shall use or enjoy the said Gas, either in their private Dwellings, Shops, Inns, Taverns, Warehouses, or other Buildings, Grounds, or Premises, or otherwise, shall refuse or neglect for the Space of Ten Days after the Demand to pay the Sum or Sums of Money then due under their, his, or her Contract for the same to the said Company, according to the Terms and Stipulations of the said respective Parties with the said Company, it shall be lawful for the said Company or Directors, or any other Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Person or Persons refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; or if such Sum or Sums of Money shall exceed the Sum of Twenty Pounds, then the same, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed; and it shall also be lawful for the said Company to cut off and take away the Supply of Gas from the House or Houses, Inn, Tavern, Shop, Warehouse, or other Buildings, Grounds, or Premises of every such Person so making default in Payment of such Sum or Sums of Money then due by his, her, or their Contract to the said Company, for the Space of Ten Days after such Demand as aforesaid, and thenceforth to discontinue the

the Supply of Gas contracted for with the said Company by such Person or Persons.

Recovery of Compensation for Materials or for Damage done by the Company.

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

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

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

Justices may proceed by Summons in the Recovery of Penalties.

LXXV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence

Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Recovery and Application of Penalties.

LXXVI. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, the Manner of levying and recovering and the Application whereof is not herein particularly directed, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice or Justices of the Peace for the said Borough of *Leeds*, in and by the Oath of One or more Person or Persons or on the Confession of the Party offending (which Oath any such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices; and one Half of the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any), on Demand, to the Party whose Goods and Chattels shall be so distrained, the reasonable Charges of such Distress and Sale being first deducted, shall be paid to the Informer, and the other Half thereof to the Overseers of the Poor of the Parish or Place in which the Offence shall be committed, to be by them applied in aid of the Poor's Rates of such Parish or Place; and in case such sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before him or them on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security such Justice or Justices is or are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no such Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders or otherwise, that he, she, or they háth 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 Justice or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his Hand and Seal or their Hands and Seals, to

commit such Offender or Offenders to the House of Correction at *Wakefield* in the said West Riding for any Time not exceeding Three Calendar Months.

Form of Conviction.

LXXVII. 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,)

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

Persons aggrieved may appeal to the Quarter Sessions.

LXXVIII. 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 the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the said Borough within Four Calendar Months after the Cause of Appeal shall have arisen, the Person or Persons appealing having first given at least Ten Days Notice in Writing of such Appeal, and the particular Nature and Matter thereof, to the Person or Persons appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such Borough, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice or Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace, and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall think reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be binding, final, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Proceedings to be within Six Calendar Months.

LXXIX. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act for any Offence or Offences against this Act, unless Infor-

mation respecting such Offence or Offences shall have been lodged before some Justice of the Peace within Six Calendar Months next after such Offence committed.

Compelling Attendance of Witnesses.

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

Distress not unlawful for Want of Form.

LXXXI. 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, 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.

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

Directions as to Service of Notices, &c.

LXXXIII. And be it further enacted, That in all Cases wherein it may be requisite to serve any Notice or Notices upon the said Company, or any Writ or Writs, or Summons or Summonses, or any Proceedings at Law or Proceedings in Equity, the Service of a Copy thereof upon the Clerk or Clerks to the said Company, or delivered to some Inmate at the Office of such Clerk or Clerks, or at his or their last or usual Place or Places of Abode, or left at the Office of the said Company, or upon any One of the said Directors, or delivered to some Inmate at his last or usual Place of Abode, or upon any known Agent or other Officer employed by the said Company, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

LXXXIV. Pro-

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

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

Expences of this Act.

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

Public Act.

LXXXVI. 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.

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