ANNO NONO

GEORGII IV. REGIS.

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Cap. xxiv.

An Act for lighting with Gas the City of *Lincoln*, and the Bail and Close of *Lincoln*, in the County of *Lincoln*. [9th *May* 1828.]

WHEREAS the City of *Lincoln*, together with the Bail and Close of *Lincoln*, in the County of *Lincoln*, adjoining and lying contiguous to the said City, constitute a large and populous Place, and it would be of great Advantage to the Inhabitants thereof, and to the Public resorting thereto, if the Streets, Roads, Lanes, and other public Passages and Places in the said City of *Lincoln*, and in the Bail and Close of *Lincoln*, were to be better lighted than they are at present: And whereas Inflammable Air, Carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be produced from Coal and other Substances: And whereas such Inflammable Air, Carburetted Hydrogen or Coal Gas, being conveyed by means of Pipes, may be beneficially used for lighting the said Streets, Roads, Lanes, and other public Passages and Places, and also for lighting Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings therein, and such Coke may be beneficially employed as Fuel in private Houses and Manufactories, and such Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be used and applied in various other Ways with great Advantage: And whereas the several Persons hereinafter named are willing and desirous of undertaking the Accomplish-

ment of the Purposes aforesaid, at their own Expence, on being incorporated and constituted a Company for the Purpose by the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Allison*, *John Ashton*, *Matthew Ashton*, *Mary Sarah Ashton*, *Robert Bristow*, *William Bedford*, *William Bedford* junior, *Philip Bullen* Esquire, *William Brocklesby*, *Henry Boot*, *Benjamin Coleman*, *Mary Cooling*, *James Bartholomew Cuttill*, *Edward Parker Charlesworth* Doctor of Medicine, *Sarah Clapham*, *Thomas Colton* Alderman, *Page Cartledge* Alderman, *George Calder*, *James Chambers*, *Joseph Dickenson*, *Edward Bell Drury*, *John Dudding*, *John Fardell* Esquire, *Charles Foster*, *Thomas Foster*, *Henry Gibson*, *John Gardiner* Esquire, *George Gordon* Doctor in Divinity, *Charles Hayward* Alderman, *Richard Sutton Harvey*, *Wilson Hickson*, *John Keyworth*, *John Lyon*, the Corporation of *Lincoln*, *Richard Mason*, *George Marr*, *Thomas Mason*, *Thomas Norton* Alderman, *William Norton*, *Anselm Odling*, *James Sandby Padley*, *Thomas Pickslay*, *Richard Pretyman* Clerk, *William Rudgard*, *John Walker Reeve*, *William Squires*, *John Stephenson*, *John Smith*, *Thomas Skepper*, *Thomas Silvester Christus Seward*, *James Snow* Alderman, *George Steel* Alderman, *Matthew Smith*, *John Sharp*, *John Slack*, *Charles Delaet Waldo Sibthorp* Esquire, *Robert Swan*, *Samuel Trotter*, *Anne Tallant*, *John Turner*, *Thomas Wilson Winter*, *William Widdowson*, *Matthew White*, *William Wrigglesworth* Alderman, *John Ward*, *Henry Williams*, 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 *Lincoln* Gas Light and Coke Company," and by that Name shall have perpetual Succession and a Common Seal, with full Power and Authority to use the same, and by that Name shall and may sue and be sued, plead and be impleaded, at Law and in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment for any Felony, Misdemeanor, or other Offence punishable by the Laws of this Realm.

Proprietors incorporated.

Name 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 City of *Lincoln* and Bail or Close of *Lincoln*, 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.

Purposes of the Company.

III. And

Capital Stock to be 8,000*l.*

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, by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the said Undertaking, and the Purposes aforesaid, not exceeding in the whole the Sum of Eight thousand Pounds, the whole of which Sum shall be subscribed before the Powers of this Act shall be put in execution.

Capital or Joint Stock shall be divided into Shares of 25*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-five 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.

VI. And

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, 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 Two 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 *Lincoln* Gas Light and Coke Company, acting in pursuance of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for lighting with Gas the City of* Lincoln, *and the Bail and Close of* Lincoln, *in the County of* Lincoln, 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 Pounds *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 .'

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

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.

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 *Lincoln* Gas Light and Coke Com-
' pany, in pursuance of an Act passed in the Ninth Year of the Reign
' of King *George* the Fourth, intituled *An Act for lighting with Gas*
' *the City of* Lincoln, *and the Bail and Close of* Lincoln, *in the County*
' *of* Lincoln, do hereby assign and transfer all my Right and Interest
' in and to the same Sum, and to the Property and Effects assigned
' to me for securing the same, unto of
' 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.

No Priority of Mortgages.

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

Mortgagees not to be deemed Proprietors.

Proprietor of the said Undertaking, or be capable of acting in any respect as such.

For enforcing Payment of Subscriptions.

X. 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 furnished them.

XI. 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, her, or their Executors, Administrators, or Assigns, upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share therein specified, 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, and the original Certificate respectively, the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence,

and

and no more; and which said Certificate may be in the Words or to the Effect following; *videlicet*,

'*Lincoln* Gas Light and Coke Company. Form of Certificate.

'Number

'THESE are to certify, That

'of is a Proprietor of the Share

'Number of the Capital or Joint Stock of the

'*Lincoln* Gas Light and Coke 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 Proportion 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 .'

XII. 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,) Shares may be sold and transferred.

'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 *Lincoln* Gas Light and Coke 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 Conditions. As witness our Hands and Seals, this Day of in the Year of our Lord One thousand eight hundred and .' Form of Transfer.

And every such Transfer shall be produced and notified to the Clerk or Clerks to the said Company, and shall be entered or registered in the Books of the said Company, and the Entry or Registry thereof shall specify the Date, Names of the Parties, and the Number of 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 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 Transfers to be registered.

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.

XIII. 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 City of *Lincoln*, 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 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 ac-

XIV. 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.

Crue by Marriage or Death.

XV. And be it further enacted, That the said Company shall meet at the Guildhall in the said City of *Lincoln*, or at some other convenient Place within the said City, 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 such other convenient Place in the said City 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 Twenty-fifth Day of *March*,

First and other General Meetings of Proprietors, and Mode of Proceeding at Meetings.

and the first *Monday* next after the Twenty-ninth Day of *September*, 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 the *Lincoln and Stamford Mercury*, or in some other Newspaper circulated in the said City of *Lincoln*, 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 Yearly General Meetings shall be holden on the first *Monday* next after the Twenty-ninth Day of *September* 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 Proprietors then present, not being fewer than Five in Number, 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 there shall not appear at any of such General Meetings or Special General Meetings, between the Hours aforesaid, Five Proprietors, 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 of the Proprietors present in Person, (or by their respective Proxies, to be appointed as herein-after mentioned); 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, and all Notices necessary to be given to the Proprietors of Shares in pursuance of this Act shall, in such Cases of joint Ownership

Manner of voting.

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.

Empowering Persons to vote by Proxy.

XVI. And be it further enacted, That every Person, being a Proprietor of any Share or Shares in the said Undertaking, shall have full Power and Authority from Time to Time to give his or her Vote or Votes in respect of such Share or Shares, at any such General or Special General Meeting, by Proxy, every such Proxy being a Proprietor in the said Undertaking, and entitled to vote; and the Appointment of such Proxies may be made in the Form or to the Effect following; (*videlicet*,)

Form of Proxy.

'I *A. B.* of One of the Proprietors of and in
'the *Lincoln* Gas Light and Coke Company, do hereby nominate,
'constitute, and appoint *C. D.* of
'to be my Proxy, and in my Name to vote or give my Assent to or
'Dissent from any Business, Matter, or Thing relating to the said
'Undertaking, that shall be mentioned or proposed at any General
'or Special General Meeting of the said Company, in such Manner
'as the said *C. D.* shall think proper, according to his Opinion and
'Judgment, for the Benefit of the said Undertaking, or any thing
'relating thereto. In witness whereof I have hereunto set my Hand,
'the Day of .'

Corporate Bodies may vote by Proxy under their Common Seal.

And 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 Proxy appointed as aforesaid under their Common Seal: Provided always, that every such Appointment shall always be produced by the Proprietor so appointed a Proxy, before he shall be entitled to vote as such.

Committees of Lunatics and Minors may vote.

XVII. And be it further enacted, That 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.

XIX. And

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 within the County of *Lincoln*; and such Notices when so published shall be deemed and considered the same as or in lieu of personal Notices.

General Meetings may make Bye Laws.

XX. And be it further enacted, That it shall be lawful for the said Company from Time to Time, at any of their General Meetings, to make such Rules, Orders, and Bye Laws, as to them shall seem meet and proper, for the Management and good Government of the said Undertaking, and for regulating the Conduct of all Officers, Workmen, and Servants employed in or about the Affairs and Business of the said Company, and for regulating the Proceedings of the Committee of Directors in all respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any One Offence, as to the said Company shall seem expedient; and all such Rules, Orders, and Bye Laws shall be reduced into Writing, and entered in the Books of the Company, and the Common Seal of the said Company shall be affixed thereto, and such Rules, Orders, and Bye Laws shall then be binding upon all such Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the express Directions or Provisions of this Act: Provided also, that printed Copies thereof shall be fixed and continued in the Office of the Clerk or Clerks to the said Company, and also inserted in some public Newspaper circulated in the said City of *Lincoln*; and all such Rules, Orders, and Bye Laws shall be subject to Appeal in manner by this Act directed.

General Meetings to appoint a Treasurer and Clerk, taking Security.

XXI. 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 and 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

said Company, for the faithful Execution of his Office, before he shall enter thereupon.

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

XXII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Company; and if any Person or Persons shall 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.

Treasurer not to issue Money without Order of Directors.

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

Books to be kept for registering the Proceedings of the Company.

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

XXV. 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 to be forfeited, after due Notice.

XXVI. 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 usual or last Place of Abode, if they shall reside within the Limits of this Act, and if not, then by Letter sent by the Post; and every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, and their Executors, Administrators, Successors, and

Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls; and every Share so sold shall be transferred to the Purchaser or Purchasers thereof by the said Company, under their Common Seal, and the 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 be more than sufficient to pay the Arrears of Calls, Interest, and Expences, the Surplus to be paid to the Owner.

XXVII. Provided also, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Call as aforesaid, and lawful Interest thereon, with the Expences attending such Sale or Sales, the Surplus 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 Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

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

XXVIII. 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 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, shall be fully indemnified against such Infant, and all Persons whomsoever, in paying any Money which shall be duly called for in respect of such Share or Shares as aforesaid.

Dividends to be declared at Half-yearly Meetings.

XXIX. And be it further enacted, That it shall be lawful for the said Company, at any General or Special General Meeting, from Time

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.

Directors.

XXX. And be it further enacted, That *Thomas Norton* Esquire, the present Mayor of *Lincoln*, the Reverend *Richard Pretyman*, *James Snow* Gentleman, Alderman, *Page Cartledge* Gentleman, Alderman, *Robert Swan* Esquire, *John Keyworth*, *Thomas Mason*, *William Bedford* the elder, *William Brocklesby*, and *Edward Bell Drury*, 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.

XXXI. 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, Ten 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.

Directors interested in any Contracts, or neglecting to attend, to be disqualified.

XXXII. 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

another Proprietor, duly qualified, shall be elected a Director in his Stead.

Election of future Directors.

XXXIII. And be it further enacted, That at the Half-yearly General Meeting which shall be held on the first *Monday* next after the Twenty-ninth Day of *September* which will be in the Year of our Lord One thousand eight hundred and thirty, 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 Twenty-ninth Day of *September*, or within Ten Days then next after, or at some Adjournment thereof, Ten of the Proprietors of Shares in the said Undertaking 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.

XXXIV. 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, either as Principals or Proxies, who shall be possessed of or entitled unto 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, either as Principals or Proxies, who shall be possessed of Fifty Shares as aforesaid.

Meetings of Directors.

XXXV. 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 City of *Lincoln* 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.

Power of Directors, &c.

XXXVI. 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 City of *Lincoln*, and the Bail and Close of *Lincoln*, 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 Com-

pany, 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.

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

XXXVII. 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 City of *Lincoln*, and the Bail and Close of *Lincoln*, and also with any Body or Bodies Politic, Corporate, or Collegiate, or Corporation Aggregate, or any other Person or Persons whosoever, for lighting with Gas the said City of *Lincoln*, and the Bail and Close of *Lincoln*, or any of the Streets, Roads, Lanes, and other public Passages and Places in the said City of *Lincoln*, and the Bail and Close of *Lincoln*, 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 Buildings, and Lands not exceeding Two Acres.

XXXVIII. And be it further enacted, That in order to enable the said Company to construct or make Gasometers and other necessary Works, and to erect any Manufactory or Manufactories or other Buildings for the Purposes of this Act, it shall and may be lawful to and for the said Company, or their Committee of 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, Tenements, or Hereditaments within the said City of *Lincoln*, or Bail and Close of *Lincoln*, which the said Company shall deem requisite for the Purposes of this Act, (not exceeding Two Statute Acres of Land in the whole,) with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, 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, Tenements, and Hereditaments, and any Term, Right, and Interest therein, so purchased, and also to sell and dispose of such

Land,

Land, Tenements, and Hereditaments, or any Part or Parts thereof, and to purchase and hold other Lands, Tenements, or Hereditaments, as they shall think proper, not exceeding the Quantity aforesaid, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever.

Bodies Politic, &c. empowered to sell.

XXXIX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life and in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees, 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 Two Statute Acres, to contract and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all 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 Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or other Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Remainder, Reversion, or Expectancy, and the Issue and Issues of such Person or Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees, 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.

XL. Pro-

Company not to purchase more than Two Acres from incapacitated Persons.

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

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

XLI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the *Lincoln* Gas Light and Coke Company, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of 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

1 G. 4. c. 35.

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

XLII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased for the Purposes of this Act, belonging to any Body or Bodies, Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, or Parts, Estates, or Interests so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank 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.

XLIII. Pro-

Application thereof when not exceeding 20*l.*

XLIII. 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 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 Cases of disputed Titles.

XLIV. And be it further enacted, That where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or 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.

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

XLVI. And

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

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

Form of Conveyances of Land.

XLVII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments to be made to the said Company 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 *Lincoln* Gas Light
' and Coke Company established under or by virtue of an Act passed
' in the Ninth Year of the Reign of King *George* the Fourth, in-
' tituled [*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 Succes-
' sors 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 .'

For the Sale of Land not wanted.

XLVIII. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of, and by Indenture or Indentures under their Common Seal to grant and convey, 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 the Lands, Tenements, or Hereditaments which may have been so purchased and taken, and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, 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

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.

Power to make and erect Retorts, &c.

XLIX. 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 or place, subject to the Restrictions in this Act contained, such Buildings, Gasometers, Retorts, Receivers, Cisterns, Engines, Machines, and other Works and Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Mains, Pipes, and other Works and Devices, upon any of the Lands, Tenements, or Hereditaments which the said Company may purchase for the Purpose, in such Manner as the said Company, or their Committee of Directors for the Time being, shall think necessary or proper, for lighting with Gas the Streets, Roads, Lanes, and other public Passages and Places in the City of *Lincoln*, and in the Bail and Close of *Lincoln*, and any Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings and Premises therein, and for carrying the Purposes of this Act into Execution.

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

L. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorized and empowered, subject to the Provisions and Restrictions herein-after mentioned, by their Servants, Agents, Workmen, and others, from Time to Time, with such Consent as is herein-after mentioned, to break up the Soil and Pavements of any Streets, Roads, Lanes, and other public Passages and Places, or any Part of them, or either of them, and to erect Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus, in the same Streets, Roads, Lanes, and other public Passages and Places, or any of them, or against any Wall or Walls erected on, or adjoining to them or any of them, and to dig and sink Trenches and Drains, and lay Mains and Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along such Streets, Roads, Lanes, and other public Passages and Places, and also in, under, across, and along any private Ways, Passages, Grounds, and other Places, in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Lights as aforesaid, and from Time to Time to alter the Position of, and repair, relay, and maintain such Pipes, Stopcocks, Syphons, and Plugs or Branches, and also to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Road, Lane, Passage, or Place, public or private, by the said Company by virtue of this Act, into or through or against any Dwelling House or Houses, or other private Buildings or Premises, or any public Buildings or Premises, for the Purpose of lighting the same, or any other public or private Lamp or Lamps, from any of such Mains or Pipes, and to erect and set up any Machine or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, or 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, or public or private Buildings, and to do all such other Acts, Matters, and Things as the said Company shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, supplying, and using the same, and for carrying into Effect the Purposes and Meaning of this Act, a proper Compensation being made for any Damage done thereby: Provided always, that no Gas Pipes shall be laid down in any of the said Streets or Places at a less Depth than Twenty Inches beneath the Pavement, except in passing over Bridges and Vaults.

Pavement, &c. not to be taken up without Consent.

LI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company, or any of their Officers, Agents, or Servants, to break up the Pavement or Soil of all or any Part of any of the said Streets, Roads, Lanes, or other public Passages or Places, without the Consent in Writing first obtained of the Commissioners for paving, cleansing, lighting, and improving the City of *Lincoln*, and the Bail and Close of *Lincoln*, or of any other Commissioners who for the Time being shall have the Control, Direction, or Management of the paving, cleansing, lighting, and improving the said City of *Lincoln*, or the said Bail and Close of *Lincoln*, under the Authority of any Act or Acts of Parliament passed or to be passed, or which shall be in force for that Purpose, nor otherwise than subject to the Superintendance and Inspection of such Commissioners, or of their Surveyor or Surveyors, nor to lay down or place any Mains or Pipes therein, nor to erect, set up, or place any Posts, Pillars, Pilasters, Lamp Irons, or Lamps, or other Apparatus therein, or against any public or private Buildings therein, except with the Approbation of such Commissioners, nor to break up any other Ground or Soil whatever, except with the Consent and Approbation of the Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons having the Property of or in such Ground or Soil.

Company not to act within the Close of Lincoln without the Consent of the Dean and Chapter.

LII. Provided also, and be it further enacted, That no Contract to be made by the said Company with the Commissioners for executing *An Act for paving, lighting, watching, and improving the City of* Lincoln, *and the Bail and Close of* Lincoln, *in the County of* Lincoln, *and for regulating the Police therein*, or with any Body Politic or Corporate, or Person or Persons, for lighting any Streets, Lanes, or other public Passages and Places situate within the Close of *Lincoln*, shall be put in force within the said Close, without the Consent of the Dean and Chapter of the Cathedral Church of *Lincoln*, to be signified by the Person for the Time being acting as their Chapter Clerk.

Pipes, &c. not to be carried or continued in Houses, &c. without Consent.

LIII. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes, Cocks or Branches, through, into, or against any Dwelling House or Houses, or other private Buildings or Premises, or any public Buildings or Premises, or so to continue the same, without the Consent of the Owner and Occupier of every such Dwelling House or Houses, or private or public Buildings or Pre-

mises, through, into, or against which any Pipe or Pipes, Cocks or Branches, may be carried or laid for the Purposes aforesaid.

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

LIV. Provided always, and be it further enacted, That in all Cases where any such Consent shall be obtained by the said Company to break or take up or remove any Pavement, Ground, or Soil in or of any Street, Road, Lane, Passage, or Place as aforesaid, nothing in this Act contained shall, after such Consent obtained as aforesaid, and after Twenty-four Hours previous Notice (or in case of Emergency after Three Hours previous Notice) in Writing from the said Company duly served upon such Commissioners, or given to or left at the Place of Abode of such Person or Persons, or at the Office of the Clerk or Agent, or at the other Place of transacting Business of such Body or Bodies Politic, Corporate, or Collegiate, having the Property of such Pavement, Ground, or Soil, be deemed or construed to extend to prevent the said Company from repairing such Main or Mains, Pipe or Pipes, or from breaking or taking up or removing any Pavement, Ground, or Soil in or of such Street, Road, Lane, Passage, or Place, for the Purpose of laying down or repairing any such Main or Mains, or any Pipe or Pipes whatsoever, or for any other Purpose which may be required under this Act, subject nevertheless to such Superintendance and Inspection as is herein-before mentioned.

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

LV. 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, or Place, 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 Surveyor to the Commissioners, or other Person or Persons having the Control, Direction, or Superintendance 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 repairing, relaying, and amending any Mains, Pipes, Cocks, or Plugs in pursuance of this Act; and the said Company shall carry or cause to be carried away all surplus Earth, Filth, and Rubbish occasioned thereby, at their own Costs and Charges; and during the Time that such Works are carrying on, and until such Pavement, Ground, or Soil is reinstated as aforesaid, the said Company shall provide necessary Lights at Night, and otherwise guard the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company shall make Default in reinstating and making good such Pavement, Ground, or Soil as aforesaid, or removing any Rubbish occasioned thereby, or in placing and setting up such Lights at Night, and otherwise guarding the said Works, so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in every such Case the said Company shall forfeit and pay for every such Offence the Sum of Five Pounds, one Moiety whereof shall be paid to the Informer, and the other Moiety to the Poor of the Parish where any such Neglect shall happen; and it shall be lawful for such Commissioners, or other Person having such Control, Direction, or Superintendance as aforesaid, to reinstate such Pavement,

Pavement, Ground, or Soil, and carry away all Rubbish occasioned thereby, and during the Time that such Works are carried on to provide necessary Lights at Night, and the Expences thereof shall be repaid by the said Company, or their Treasurer, to such Commissioners or their Treasurer, or to the Person or Party so reinstating the same; and in default of Payment thereof within Twenty-eight Days next after Demand thereof in Writing shall have been made for and on the Behalf of such Commissioners or other Persons, (Proof being made thereof by the Oath of One credible Witness before One or more Justice or Justices of the Peace,) all such Sum or Sums of Money so paid shall and may be levied and recovered for the Use of such Commissioners, 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.

LVI. And be it further enacted, That if for the Purposes of better paving the said City of *Lincoln*, or Bail and Close of *Lincoln*, it shall at any Time or Times be deemed necessary or expedient by such Commissioners as aforesaid to require the said Company to raise, sink, or otherwise alter the Situation of any Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches, which shall be laid down for the Purposes of this Act, 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, 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 such Commissioners shall think right and proper; and in default thereof it shall and may be lawful to and for such 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; and 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,) all such reasonable Costs and Charges shall and may be recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace, 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 to be made good to the Company.

LVII. 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 such Damage or Injury

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 acting in and for the City of *Lincoln* or for the County of *Lincoln*, within their respective Jurisdictions, 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.

Position of Pipes in private Grounds may be altered if Owners and Occupiers desire it.

LVIII. Provided also, and be it further enacted, That in case the said Company shall at any Time hereafter break up the Soil, Pitchings, Gutters, or Pavements of any private Ground, Road, or Way, for the Purpose of laying, and shall lay any Main or Pipe along, under, or across the same, with the Consent of the Owner or Owners and Occupier or Occupiers thereof for the Time being, and such Owner or Owners and Occupier or Occupiers shall at any Time or Times thereafter deem it necessary or expedient to alter and vary the Position of such Main or Mains, Pipe or Pipes, the said Company shall, at the Expence, Costs, and Charges of such Owner or Owners and Occupier or Occupiers respectively, within One Calendar Month next after being required so to do by Notice in Writing to them given by the said Owner or Owners, and Occupier or Occupiers, alter and vary the Position of such Main or Mains, Pipe or Pipes, and relay the same, according to such Notice, in such Manner and in such Place or Places as the said Owner or Owners and Occupier or Occupiers shall think right or proper; and in default thereof it shall be lawful to and for the said Owner or Owners and Occupier or Occupiers, or their Agents, Servants, or Workmen (at the like Costs and Charges of the said Owner or Owners and Occupier or Occupiers), to cause the Position of such Main or Mains, Pipe or Pipes, to be altered, varied, and relaid as aforesaid.

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

LIX. 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

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.

LX. Provided always, and be it further enacted, That on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers so giving Consent as aforesaid, or within Ten Days after 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 as aforesaid, 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, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall be lawful for such Owner or Owners, Occupier or Occupiers, or such new Owner or Owners, Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away, and the Dwelling House or Houses 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.

LXI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, through,

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 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 Carriage-way will allow thereof, at the Distance of Four Feet at least from the nearest Part of any such Water Pipe, (unless in Cases where it shall be unavoidably necessary to lay the Gas Main Pipes across any of such Water Pipes, in which Cases the said Gas Pipes shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith as near as possible a Right Angle; and in such Cases the said Gas Pipes so crossing any such Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of any such Water Pipes than Four Feet at least); and in laying down the said Gas Pipes the said *Lincoln* Gas Light and Coke Company shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes 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 preventing Contamination of Water.

LXII. And be it further enacted, That whenever the Water to be supplied by any Company of Proprietors, or Body or Bodies Politic or Corporate, or by any other Party or Person, by Pipes or Conduits, in, under, through, along, across, or round any of the said 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 City of *Lincoln*, or of the said Bail and Close of *Lincoln*, 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

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 the Water is contaminated.

LXIII. And be it further enacted, That in case it shall at any Time or Times 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, then and in every such Case it shall be lawful to and for the Inhabitant or Person or Persons so complaining, after giving Notice in Writing to the Commissioners, Surveyors, or other Persons under whose Control or Superintendance 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 Superintendance 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 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

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.

For stopping the Escape of Gas.

LXIV. 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.

LXV. 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 recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case,

or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and the whole 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.

Gas to be supplied cheaper than Oil Light.

LXVI. Provided always, and be it further enacted, That in case the said Company, or their said Committee of Directors, shall at any Time hereafter contract for lighting any of the public Lamps in any of the Streets, Roads, Lanes, Passages, or Places within the Limits of this Act, the said Company shall and they are hereby directed and required to supply such public Lamps which they shall so contract to light with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil Lamps; and every Contract or Agreement which shall be entered into for

lighting with Gas such public Lamps by the said Company or their Committee of Directors, shall contain a Clause, providing that it shall be obligatory on the said Company that such public Lamps shall at all Times be better and cheaper lighted by the said Company than could be done by Oil Lamps.

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.

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 in Writing 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 Shilings *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.

Damages by 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,

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 Superintendant, 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.

Remedy for Recovery of Rents.

LXXII. And be it further enacted, That in case any Body or Bodies, Commissioners, Trustees, Surveyors, or any other Person or Persons who shall contract with the said Company, or agree to take, or shall use or enjoy the said Gas, either in their private Dwellings, Shops, Inns, Taverns, 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

Person or Persons refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; or the same Sum or Sums of Money, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record 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 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 and Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same, within Fourteen Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, and delivered to the said Company, or to their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Action at Law against the said Company or their Treasurer, or by Distress and Sale of the Goods and Chattels of the said Company, or of their Treasurer for the Time being, or of the Goods and Chattels of the Party or Person required to pay the same Sum or Sums of Money (as the Case may be), under a Warrant, to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Surplus shall be returned, on Demand, to the said Company, or their Treasurer for the Time being, or to such Party or Person (as the Case may be).

Damages and Charges, in Cases 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

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 Summonses 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 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, or by any Rule, Order, or Bye Law inflicted or imposed, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice or Justices of the Peace for the said City of *Lincoln*, or County of *Lincoln*, within their respective Jurisdictions, (as the Case may be,) 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 or Parties whose Goods and Chattels shall be so distrained, the reasonable Charges of such Distress and Sale being first deducted, shall be paid to the Informer, and the other Half thereof to the Overseers of the Poor of the Parish 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

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 hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such 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 for the City or County wherein such Offence shall arise, 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,)

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

Appeal 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 any Rule, Order, or Bye Law to be made by virtue of this Act, or any Alteration thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the said City or County (as the Case may be), 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 City or County (as the Case may be), with Two sufficient Sureties, conditioned to

to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace; and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Order, Bye Law, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall think reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be binding, final, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Proceedings to be within Six Calendar Months.

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

Compelling Attendance of Witnesses.

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, or any Order or Bye Law made in pursuance thereof, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for special Damages by Action on the Case.

LXXXII. And

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 Order or Bye Law made in pursuance thereof, or any Judgment or Determination to be made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

Directions as to Service of Notices, &c.

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 left 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 left at his last or usual Place of Abode, or upon any known Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

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.

For paying the 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.

General Saving.

LXXXVI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made; and nothing in this Act contained shall extend, or be deemed or construed to extend, to interfere with, alter, lessen, or in any Manner affect the Rights, Powers, and Authorities heretofore given

or granted to or vested in any Commissioners, Trustees, Bodies Politic or Corporate, or other Persons having the Superintendance, Control, or Management of any Street, Road, Lane, or public Place, or of any Pavement, Ground, or Soil of or in any Street, Road, Lane, or public Place; or to rescind, abrogate, alter, lessen, or in any Manner affect any Contracts, Agreements, Rights, Powers, and Authorities subsisting at the Time of passing this Act, and not being repugnant to or inconsistent with the Provisions of this Act, of or concerning the completing of the aforesaid Gas Works, or the lighting with Gas any Streets, Roads, Lanes, or other public Places, or any Buildings or Premises aforesaid, or furnishing such Gas to any Person or Persons, Body or Bodies whomsoever.

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

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