ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. xxxviii.

An Act to amalgamate the *Liverpool* Gaslight Company and the *Liverpool* New Gas and Coke Company. [30th *June* 1848.]

WHEREAS an Act was passed in the Session of Parliament holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to repeal Two several Acts relating to the* Liverpool *Gaslight Company, and to substitute other Provisions in lieu thereof, and to enable the said Company to raise a further Sum of Money*, by which Act the former Acts relating to the said *Liverpool* Gaslight Company were repealed, and the said Company was dissolved, and the several Persons who immediately before the passing of the now-reciting Act were united in the Company thereby dissolved were again united and incorporated by the Name of "The *Liverpool* Gaslight Company," for the Purpose of carrying into execution the Objects in the said Act mentioned: And whereas an Act was passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for lighting with Oil Gas the Town of* Liverpool *and certain Places adjacent thereto*, whereby certain Persons were incorporated by the Name of "The *Liverpool* Oil Gaslight Company," for the Purpose of carrying the Undertaking into execution: And whereas another Act was passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to empower the* Liverpool *Oil Gaslight Company to produce Gas from Coal and other Materials, and to amend the Act*

10 & 11 Vict. c. 67.

4 G. 4. c. 39.

4&5 W. 4. c. 1.

relating to the said Company, whereby the Name and Style of the said Company was altered to "The *Liverpool* New Gas and Coke Company:" And whereas another Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend and enlarge the Provisions of Two several Acts, for lighting with Gas the Town of* Liverpool *and certain Places adjacent thereto*, which Two several Acts are those last herein-before recited: And whereas the said Companies have respectively proceeded to carry the Provisions of their several Acts into execution, and have respectively established Works and supplied Gas within the Limits authorized by the said Acts respectively: And whereas it would be advantageous to the Public and to the Proprietors of the said *Liverpool* Gaslight Company and *Liverpool* New Gas and Coke Company respectively if the Undertakings of such Companies were amalgamated and consolidated, and if the said Companies were incorporated into One Company, in manner and with such Powers as are herein-after mentioned and contained; but the same cannot be done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 from and immediately after the Thirtieth Day of *June* One thousand eight hundred and forty-eight the said several herein-before recited Acts relating to the *Liverpool* Gaslight Company and the *Liverpool* New Gas and Coke Company respectively shall be and the same are hereby repealed, and the said several Companies by the same Acts or any of them incorporated shall be and the same are hereby dissolved: Provided nevertheless, that the repealing of the said Acts shall not revive any Acts or Provisions of any Acts by the said recited Acts or any of them repealed, and shall not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance, Grant, Contract, Security, Act, Matter, or Thing whatsoever heretofore made, done, committed, or executed under or by virtue or in pursuance of the said repealed Acts or any of them, but all such Purchases, Sales, Conveyances, Grants, Contracts, Securities, Acts, Matters, and Things shall be and the same are hereby declared to be as good, valid, and effectual to all Intents and Purposes whatsoever as if the said Acts had not been repealed.

7 & 8 Vict. c. 13.

Recited Acts repealed.

Short Title of this Act.

II. And be it enacted, That in citing this Act in other Acts of Parliament or in any legal Instrument it shall be sufficient to use the Expression "The *Liverpool* United Gaslight Company's Act, 1848."

Interpretation of Act.

III. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Company" shall mean the "*Liverpool* United Gaslight Company" incorporated by this Act:

The Expression "the dissolved Companies" shall mean the "*Liverpool* Gaslight Company" and the "*Liverpool* New Gas and Coke Company," respectively incorporated under the Acts hereby repealed, and dissolved by this Act.

IV. And

Incorporation of new Company.

IV. And be it enacted, That from and immediately after the Thirtieth Day of *June* One thousand eight hundred and forty-eight the several Persons and Corporations who immediately before the Expiration of that Day shall be united in the *Liverpool* Gaslight Company and the *Liverpool* New Gas and Coke Company respectively by this Act dissolved, and their Successors, Executors, Administrators, and Assigns respectively, shall be and they are hereby united into One Company according to the Provisions herein-after contained or referred to, and shall be and they are hereby declared to be One Body Politic and Corporate by the Name of "The *Liverpool* United Gaslight Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall have Power to purchase and hold and sell and convey Lands, within the Restrictions herein contained or referred to, for the Purposes of this Act.

Purposes of the Company.

V. And be it enacted, That the said Company shall be established for the Purpose of manufacturing Gas, and for supplying and lighting with Gas all or any of the Streets, Roads, Quays, Docks, Houses, Shops, Buildings, and other Places within the Town of *Liverpool*, and the several Townships of *Toxteth Park*, *West Derby*, *Everton*, *Kirkdale*, *Walton-on-the-Hill*, *Bootle-cum-Linacre*, *Litherland*, *Great Crosby*, *Wavertree*, *Allerton*, and *Garston*, in the County of *Lancaster*, and for doing and performing all other Acts, Matters, and Things in anywise necessary or usual in or about or for the Purposes aforesaid or any of them, or in anywise incident or relating thereto.

Effects, &c. of dissolved Companies vested in the new Company.

VI. And be it enacted, That from and immediately after the said Thirtieth Day of *June* all Lands, Buildings, Works, Machinery, Apparatus, Plant, Pipes, Meters, Chattels, Shares, Bonds, Deeds, Securities, Books, Writings, Maps, Plans, and all other Personal Estate and Effects of or to which either of the dissolved Companies was seised, possessed, or entitled at Law or in Equity on the said Thirtieth Day of *June*, shall be vested in and belong to the Company hereby incorporated, for their absolute Benefit; and all Persons and Corporations who on the said Thirtieth Day of *June* shall owe any Sum of Money to either of the dissolved Companies, or to any Person on behalf of either of the dissolved Companies, shall pay the same, together with all Interest, if any, due or to accrue due for the same, to the Company hereby incorporated; and all Monies which on the said Thirtieth Day of *June* shall be due and owing by or recoverable from either of the dissolved Companies, or for the Payment of which either of them was, or but for the passing of this Act would have been liable, shall be paid, with all Interest, if any, due or to accrue due thereon, by or be recoverable from the Company hereby incorporated.

Company subject to Liabilities of dissolved Companies.

VII. And be it enacted, That from and immediately after the said Thirtieth Day of *June* the Company hereby incorporated shall be subject to all Liabilities, Obligations, Contracts, Claims, Demands, and Penalties to which the dissolved Companies were respectively on the said Thirtieth Day of *June* subject, in like Manner as the dissolved Companies

Companies respectively would have been subject to the same if this Act had not been passed.

Contracts and Agreements to remain in force.

VIII. And be it enacted, That all Conveyances, Bonds, Contracts, Agreements, Covenants, and Securities made or entered into upon or before the said Thirtieth Day of *June* to, with, or in favour of or by or for the dissolved Companies respectively, or any Person on either of their Behalves, shall be and remain as good, valid, and effectual in favour of or against and with reference to the Company hereby incorporated as they were in favour of or against and with reference to the dissolved Companies respectively.

Contracts of dissolved Companies to be completed under this Act.

IX. And be it enacted, That in all Cases in which either of the dissolved Companies shall have, upon or previously to the said Thirtieth Day of *June*, entered into any Contract or Agreement for the Purchase or Sale of any Lands or Works, Powers, Rights, or Privileges, which upon or before the said Thirtieth Day of *June* shall not have been effectually conveyed or transferred to or by such Company, or the Purchase Money in respect whereof shall not have been duly paid, then and in every such Case such Contract or Agreement, provided the same shall be valid and subsisting on the said Thirtieth Day of *June*, shall be completed by or in favour of, and such Lands, Works, Powers, Rights, and Privileges shall be conveyed and transferred to or by, the Company hereby incorporated, as the Case may require; and all the Clauses and Provisions of the Act under which such Contract or Agreement may have been entered into, or such Lands or Works, Powers, Rights, or Privileges, purchased, sold, or taken with reference to such Contract, Agreement, Sale, or Purchase, or with reference to the Payment and Application of the Purchase Money, shall be read and construed as though the Company hereby incorporated had been named or referred to therein in lieu of the dissolved Company by whom such Contract or Agreement may have been made, or such Lands or Works, Powers, Rights, or Privileges purchased, sold, or taken.

Rights acquired and Penalties incurred under repealed Acts to continue, and all Matters made Evidence still to be so.

X. And be it enacted, That all Rights and Remedies which upon the said Thirtieth Day of *June* shall be vested in any Person under the said Acts hereby repealed, or any of them, shall continue and the same be enforced as if the said Acts had not been repealed; and all Penalties and Forfeitures to which any Person on the said Thirtieth Day of *June* shall be liable under the said Acts hereby repealed, or either of them, shall continue and the same shall be enforced as if the said Acts had not been repealed; and all Matters by the said Acts or any of them made Evidence of any other Matter or Thing shall continue Evidence of such Matter or Thing as if the said Acts had not been repealed, and as if the said Acts, so far as relate to the said Rights, Remedies, Penalties, Forfeitures, and Evidence, had been herein expressly re-enacted.

Suits by or against dissolved Com-

XI. And be it enacted, That all Suits, Actions, and Proceedings which in any Court or before any Magistrate, but for the passing of this

this Act, might hereafter have been brought or prosecuted in the Name of either of the said dissolved Companies, may be brought or prosecuted in the Name of the Company hereby incorporated; and that all Suits, Actions, and Proceedings in any Court or before any Magistrate which, but for the passing of this Act, might have been hereafter brought or prosecuted against either of the said dissolved Companies, may be brought or prosecuted against the Company hereby incorporated, and the like Judgment and Remedy may be had and obtained for or against the Company hereby incorporated that might have been had and obtained against the dissolved Companies respectively if this Act had not been passed.

panies may be brought by or against the Company.

XII. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced or carried on by or against either of the dissolved Companies previously to the said Thirtieth Day of *June* shall abate or be discontinued or be prejudicially affected by this Act, but the same shall continue and take effect both in favour of and against the Company hereby incorporated in the same Manner in all respects as if the said Action and Prosecution or Proceeding had originally been commenced by or against the Company hereby incorporated: Provided always, that any such Action, Suit, Prosecution, or other Proceeding shall be continued in the Name of the dissolved Company by or against which the same had been originally commenced, and in the same Form, as if this Act had not been passed.

Actions, &c. not to abate.

XIII. And be it enacted, That all Officers and Persons appointed under the recited Acts respectively shall hold their respective Offices and Employments according to the Terms of their Appointments until Appointments of other Officers and Persons shall be made under this Act, or until they shall be removed by the Directors of the Company; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages, and shall be liable to the same Penalties, Obligations, Restrictions, and Regulations, as if they had been appointed under this Act.

Officers under recited Acts to continue until removed.

XIV. And be it enacted, That all Officers and Persons who upon or after the said Thirtieth Day of *June* shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or Effects, under or by virtue of any of the Provisions of the recited Acts respectively, shall be liable to account for and to deliver up all such Money, Books, Documents, Papers, Writings, or other Effects to the Company hereby incorporated, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed and had become possessed of such Money, Books, Documents, Papers, Writings, or other Effects under the Provisions of this Act.

Officers under recited Acts to account.

XV. And be it enacted, That the "Companies Clauses Consolidation Act, 1845," and the "Lands Clauses Consolidation Act, 1845," shall, save as herein-after excepted, and save as to such of the Provisions thereof

8 & 9 Vict. cc. 16. and 18. and 10 & 11 Vict. c. 15.

extended to this Act.

thereof as are or may be inconsistent with the Provisions of this Act, be incorporated with and be read and construed as forming Part of this Act; and the "Gasworks Clauses Act, 1847," shall, save as to such of the Provisions thereof as are or may be inconsistent with the Provisions of this Act, be incorporated with and be read and construed as forming Part of this Act, to all Intents and Purposes as if the Works made under the Powers and Provisions of the said Acts hereby respectively repealed had been made under the Powers and Provisions of the said "Gasworks Clauses Act, 1847," instead of the said repealed Acts, and as if the said "Gasworks Clauses Act, 1847," had been expressly made applicable and had been applied to or authorized to be applied to the Works of the dissolved Companies respectively existing at the Time of the passing of the same Act, as well as to Gasworks which should by any Act which should be passed after the passing of the said "Gasworks Clauses Act, 1847," be authorized to be constructed.

Compulsory Purchase of Lands limited.

XVI. Provided always, and be it enacted, That nothing contained in the said "Lands Clauses Consolidation Act, 1845," shall authorize the Company hereby incorporated to take or use any Land unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof.

As to Conversion of borrowed Money into Capital.

XVII. Provided also, and be it enacted, That nothing herein contained shall be construed to incorporate with this Act so much of the said "Companies Clauses Consolidation Act, 1845," as relates to the Conversion of borrowed Money into Capital.

Capital.

XVIII. And whereas the present Capital of the said *Liverpool* Gaslight Company consists of the Sum of Two hundred and twenty-five thousand Pounds, which has been raised or created as follows, that is to say, the Sum of Two hundred thousand Pounds in Two thousand Shares of One hundred Pounds each, and the Sum of Twenty-five thousand Pounds in One thousand Shares of Twenty-five Pounds each, and the said *Liverpool* Gaslight Company is empowered to issue and sell such and so many distinct and integral Shares of the Amount and Value of Twenty-five Pounds each as shall be sufficient to raise the Sum of One hundred and fifty-nine thousand eight hundred and thirty-seven Pounds, over and above the said Capital of Two hundred and twenty-five thousand Pounds: And whereas the present Capital of the said *Liverpool* New Gas and Coke Company consists of the Sum of One hundred and ninety-eight thousand seven hundred and fifty Pounds, which has been raised as follows; that is to say; the Sum of One hundred and twenty-seven thousand Pounds in One thousand two hundred and seventy Shares of One hundred Pounds each, and the Sum of Seventy-one thousand seven hundred and fifty Pounds in Two thousand eight hundred and seventy Shares of Twenty-five Pounds each, and the said *Liverpool* New Gas and Coke Company is empowered to raise, by the Creation of Shares of the Amount and Value of Twenty-five Pounds each, a further Capital of Fifty-five thousand two hundred and fifty Pounds, over and above the said Capital of One hundred and ninety-eight thousand seven hundred and fifty Pounds; be it enacted, That the

Capital

Capital of the Company hereby incorporated shall, on the Day on which the same shall become so incorporated, consist of the said Two Sums of Two hundred and twenty-five thousand Pounds and One hundred and ninety-eight thousand seven hundred and fifty Pounds, being the respective Capitals of the dissolved Companies actually raised at the Time of the passing of this Act, and making together the Sum of Four hundred and twenty-three thousand seven hundred and fifty Pounds.

Capital to be divided into Shares corresponding to those in dissolved Companies.

XIX. And be it enacted, That the said Capital of the Company hereby incorporated shall be divided into so many Shares of the nominal Amount and Value of One hundred Pounds and Twenty-five Pounds each as will correspond with the Shares of the like Amount and Value in the dissolved Companies, and so that the Shares in the Company hereby incorporated may in their Classification represent the aggregate Number of Shares in the dissolved Companies; and the said Shares in the Company hereby incorporated shall be numbered in arithmetical Progression, beginning with Number One, and every Share shall be distinguished by its appropriate Number, and in such Progression the Shares of One hundred Pounds each shall precede the Shares of Twenty-five Pounds each.

Shareholders in dissolved Companies entitled to similar Shares in new Company.

XX. And be it enacted, That every Person or Corporation who immediately before the Expiration of the said Thirtieth Day of *June* shall be a Proprietor of One or more Shares in either of the Companies by this Act dissolved shall be entitled to the like Number of Shares of the same nominal Amount in the Capital of the Company hereby incorporated, and such Share or Shares in the Company hereby incorporated is and are hereby vested in such Person and Corporation accordingly.

Shares to be held on the subsisting Trusts.

XXI. And be it enacted, That every Person in whom any One of the Shares of and in the Capital of the Company hereby incorporated is hereby vested shall stand and be possessed of every such Share upon the same Trusts and for the same Purposes, and under and subject to the same Liens, Charges, Powers, and Provisions respectively, as those for and under and subject to which he stood and was possessed of the said Share in the said dissolved Companies or either of them in lieu or in respect of which the Share in the Company hereby incorporated is given as aforesaid immediately before the Expiration of the said Thirtieth Day of *June*, and for and under and subject to, and so as to give Effect to and not to revoke, any specific Bequest or other Testamentary Disposition made previously to the Expiration of the said Thirtieth Day of *June*: Provided always, that nothing herein contained shall be construed to bind the Company to see to the Execution of any Trust, whether expressed, implied, or constructive, to which any of the said Shares may be subject.

New Register and Certificates.

XXII. And be it enacted, That the Company hereby incorporated shall, as soon as conveniently may be after the said Thirtieth Day of *June*, enter in the Register of Shareholders directed to be kept by "The Companies Clauses Consolidation Act, 1845," the several Amounts

Amounts and Numbers of Shares respectively to which the several Shareholders of the said dissolved Companies shall have become entitled, under this Act, of and in the Capital of the Company hereby incorporated, distinguishing in such Register by the Letter A opposite to the progressive Number all such Shares as shall have been allotted in lieu or in respect of One thousand two hundred and seventy Shares in the said *Liverpool* New Gas and Coke Company existing at the passing of the said Act passed in the Seventh Year of the Reign of Her present Majesty; and on the Demand of any Shareholder who under this Act shall become entitled to any Share in the Company hereby incorporated, and who shall deliver up the Certificate of the Share held by him in either of the dissolved Companies, for the Purpose of being cancelled, or who shall prove to the Satisfaction of the Directors that his Certificate has been worn out, lost, or destroyed, the Directors shall cause a Certificate of the Proprietorship of the Share in the Capital of the Company hereby incorporated to be delivered to such Shareholder, at the Expense of the Company.

Company empowered to issue Shares of certain Amounts.

XXIII. And be it enacted, That for the Purpose of enabling the Company hereby incorporated to raise, in addition to the said Sum of Four hundred and twenty-three thousand seven hundred and fifty Pounds, further Capital and Monies equal to the Capital and Monies which the dissolved Companies were immediately before the Expiration of the said Thirtieth Day of *June* empowered to raise, it shall be lawful for the Company hereby incorporated, and they are hereby empowered, when and as they shall think fit, by an Order of any General or Special Meeting, and from Time to Time, to issue Two thousand two hundred and ten distinct and integral Shares in the Company of the Amount and Value of Twenty-five Pounds each, and also, in addition thereto, such and so many further distinct and integral Shares in the Company of the Amount and Value of Twenty-five Pounds each as shall be sufficient by the Sale thereof in manner herein-after mentioned to raise the Sum of One hundred and fifty-nine thousand eight hundred and thirty-seven Pounds.

A certain Number of Shares to be offered to the Public.

XXIV. And be it enacted, with respect to the said Two thousand two hundred and ten Shares so to be issued, That before making Distribution of any of the said Shares amongst the Persons herein-after mentioned the Company or the Directors thereof shall and they are hereby required to offer for Sale and sell by public Auction, duly advertised for Three successive Weeks in Two or more Newspapers published in the Town of *Liverpool*, in Lots of not more than Four Shares each, Nine hundred and forty of the said Shares, subject to such Conditions as to the Payment of the Purchase Money and Calls in respect of such Shares as the Company or the Directors thereof may think proper, and that any Sum of Money which shall arise upon such Sale by way of Premium shall be expended in extending or improving the Works of the Company, and shall not be considered as Part of the Capital thereof entitled to Dividend.

A certain Number of Shares to be then offered

XXV. And be it enacted, That after the said last-mentioned Nine hundred and forty Shares shall have been sold as aforesaid, the remaining One thousand two hundred and seventy of the said Two thousand

thousand two hundred and ten Shares shall be offered to the then Proprietors of the said Shares in the said *Liverpool* New Gas and Coke Company existing at the passing of the said recited Act passed in the Seventh Year of the Reign of Her present Majesty, or of Shares in the like Value in the Company hereby incorporated which shall have been issued and substituted in lieu thereof, and herein-before directed to be distinguished in the Registry of Shareholders by the Letter A, in the Proportions of One such Twenty-five Pound Share for every such original or substituted Share; and in case any of such last-mentioned Proprietors shall refuse, or for the Space of One Calendar Month after Offer of the same by Letter under the Hand of the Secretary of the Company given or sent by Post to him, or left at his last or usual Place of Abode, shall neglect to accept any such Share so to be offered to which he may be so entitled, it shall be lawful for the Company or the Directors thereof to offer the same to Sale and sell the same by public Auction in manner herein-before directed with respect to the said Nine hundred and forty Shares, and that any Sum of Money which shall arise upon such last-mentioned Sale by way of Premium shall be expended in extending or improving the Works of the Company, and shall not be considered as Part of the Capital thereof.

to Proprietors of original Shares in the Liverpool New Gas and Coke Company.

XXVI. And be it enacted, with respect to the said Shares herein-before authorized to be issued for the Purpose of raising the said Sum of One hundred and fifty-nine thousand eight hundred and thirty-seven Pounds, That when and so soon as the said Two thousand two hundred and ten Shares shall have been so sold and appropriated in manner aforesaid, it shall be lawful for the Company and they are hereby empowered from Time to Time to sell the same by public Auction, duly advertised for Three successive Weeks in Two or more Newspapers published in the Town of *Liverpool*, in Lots of not more than Four Shares each, subject to such Conditions as to the Payment of the Purchase Money and Calls in respect thereof, and at such Times, as the Company shall think fit; and that any Sum of Money which shall arise upon such Sales by way of Premium shall form Part of the said Sum of One hundred and fifty-nine thousand eight hundred and thirty-seven Pounds, and shall be expended in extending or improving the Works of the Company, or in paying off Money borrowed by the Company under the Powers of this Act or by the said *Liverpool* Gaslight Company hereby dissolved, and shall not be considered as Part of the Capital of the Company entitled to Dividend.

As to Shares issued to raise the Sum of 159,837*l.* to be sold by Auction.

XXVII. And be it enacted, That every new Share to be created in pursuance of the Provisions of this Act shall be deemed Personal Estate, and shall be transmissible and transferable as such, and all such Persons as shall become entitled thereto shall be and they are hereby declared to be Owners and Proprietors of Shares in the said Undertaking to the Amount or nominal Value of such Shares as beneficially as the Owners and Proprietors of the Shares in the said Undertaking immediately after the Expiration of the said Thirtieth Day of *June*, and shall be entitled to a Share of all the general Profits and Dividends

New Shares to be considered as Part of the general Capital.

dends of the Company, in the Proportion which the Amount then actually paid up on their respective Shares shall bear to the Capital then actually paid up of the Company, and all such Persons aforesaid shall be deemed to be and are hereby declared to be thenceforth incorporated with the Company, and all such new Shares so to be created as aforesaid shall be considered as Part of the general Capital Stock of the Company, and be under and subject to the same Provisions, Regulations, Directions, and Management in all respects as Shares in the said Undertaking existing immediately after the Expiration of the said Thirtieth Day of *June*.

Manner of voting in respect of Shares.

XXVIII. And be it enacted, That the several Persons who shall become possessed of any of the Shares in the Capital of the Company shall be entitled to vote at the Special or General Meetings of the Company according to the Scale following; that is to say, for any Number of Shares the nominal Amount or Capital of which when added together shall amount to One hundred Pounds and be less than Five hundred Pounds, One Vote; when the same shall amount to Five hundred Pounds and be less than One thousand Pounds, Two Votes; when the same shall amount to One thousand Pounds and be less than One thousand five hundred Pounds, Three Votes; and when the same shall amount to One thousand five hundred Pounds and upwards, Four Votes: Provided always, that no Shareholder shall be entitled to vote at any of such Meetings unless he shall have paid all the Calls then payable upon the Shares held by him.

Power to borrow Money on Mortgage.

XXIX. And whereas the *Liverpool* Gaslight Company were empowered to borrow on Mortgage or Bond any Sum of Money not exceeding in the whole the Sum of One hundred thousand Pounds, of which Sum they have borrowed at the passing of this Act the Sum of Thirty-four thousand eight hundred Pounds; be it enacted, That it shall be lawful for the Company hereby incorporated and they are hereby empowered to borrow on Mortgage or Bond any Sum of Money, so that the Sums due by the Company on Mortgage or Bond (inclusive of the said Sum of Thirty-four thousand eight hundred Pounds) shall not at any One Time exceed in the whole the Sum of One hundred thousand Pounds; and the Company hereby incorporated shall have all such Powers of reborrowing to the Extent of the said Sum of One hundred thousand Pounds as are granted to Companies by the "Companies Clauses Consolidation Act, 1845."

Company not bound to see to the Execution of Trusts.

XXX. And be it enacted, That the Company shall not be bound to see to the Execution of any Trusts, whether express, implied, or constructive, to which any Mortgage or Bond may be subject; and the Receipt of the Person or One of the Persons in whose Name or Names any Mortgage or Bond shall stand in the Books of the Company shall from Time to Time be a sufficient Discharge to the Company for any Principal Money or Interest in respect of such Mortgage or Bond, notwithstanding any Trusts to which such Mortgage or Bond may be then subject, and whether or not the Company have had Notice of such Trusts, and the Company shall not be bound to see to the Application of the Money paid upon such Receipt.

XXXI. Pro-

Old Mortgages, &c. to have Priority.

XXXI. Provided always, and be it enacted, That all Mortgages, Bonds, and other Securities created by the said *Liverpool* Gaslight Company under the Powers of the said recited Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, shall, during the Continuance thereof respectively, have Priority over any Security to be granted under the Powers of this Act.

Two General Meetings to be held every Year.

XXXII. And be it enacted, That from and after the passing of this Act Two General Meetings of the Company shall be held on the Third *Tuesday* in *February* and the Third *Tuesday* in *August* in each Year, or within Fourteen Days next after any of the said Days respectively.

Appointment of Directors.

XXXIII. And be it enacted, That *Joseph Pilkington Brandreth Hardman Earle, George Hall Lawrence, Alexander Maxwell, William M'Crackan, Lewin Mozley, Nicholas Robinson, William Robertson Sandbach, Samuel Henry Thompson, Jonathan Varty, William Fosbery, James Bateson, James Barton, Daniel Mather, Thomas Muncaster, Richard Sanders, Charles William Reade, Harmood Banner, Lawrence Heyworth*, and *Joseph Cooper*, shall be and the same are hereby rendered the First Directors of the Company, and shall continue in Office until the Ordinary Meeting to be held in the Month of *August* in the Year One thousand eight hundred and forty-nine; and at such Meeting Twelve Proprietors of Shares shall be elected and appointed Directors for managing the Affairs of the Company; and at the End of the First Year after the First Election One Third of such Directors, to be determined by Ballot among themselves, unless they shall otherwise agree, shall go out of Office; and at the End of the Second Year One Half of the remaining Number of such Directors, to be determined in like Manner, shall go out of Office; and at the End of the Third Year the Remainder of such Directors shall go out of Office; and in each Instance the Places of the retiring Directors shall be supplied by an equal Number of qualified Shareholders; and at the Ordinary Meeting in the Month of *August* in every subsequent Year One Third of the Directors, being those who have been longest in Office, shall go out of Office, and their Places shall be supplied in like Manner; nevertheless every Director so retiring from Office may be re-elected immediately or at any future Time, and after such Re-election shall, with reference to the going out by Rotation, be considered as a new Director.

Company to remunerate Directors.

XXXIV. And be it enacted, That it shall be lawful for the Company at any of their General Meetings to fix and determine what Remuneration (if any), not exceeding Five hundred Pounds *per Annum*, shall be made to the Directors, for their Time and Trouble in conducting the Affairs of the Company, and to direct the Amount of such Remuneration to be paid to such Directors out of the Funds of the Company.

Limiting Charge for Gas.

XXXV. And be it enacted, That the maximum Price which the Company shall be entitled to charge for the Supply of Gas shall be at the Rate of Four Shillings and Sixpence *per* Thousand Cubic Feet.

XXXVI. And

Limiting Amount of Profits to be divided.

XXXVI. And be it enacted, That the Profits of the said Undertaking divisible amongst the Proprietors of the Company shall not exceed Ten Pounds *per Centum per Annum* in any One Year on the actual Capital of the Company which shall at the Time of making any Dividend have been actually paid up, exclusive of any Premium on the Sale of any new Shares created and sold by the Company under the Powers of this Act or of the said repealed Acts or any of them.

Reserved Fund under repealed Acts transferred to new Company.

XXXVII. And whereas the said *Liverpool* Gaslight Company is possessed of a reserved or contingent Fund amounting to the Sum of Five thousand one hundred and ninety-three Pounds Fourteen Shillings and One Penny, and the said *Liverpool* New Gas and Coke Company is possessed of a reserved or contingent Fund amounting to the Sum of Three thousand eight hundred and fifty-four Pounds Nineteen Shillings and Nine-pence; be it enacted, That the said reserved or contingent Funds, and all Interest accrued due thereon, and all Benefit and Advantage therein, shall immediately upon the Expiration of the said Thirtieth Day of *June* be transferred to and vested in the Company hereby incorporated, to be held by them for the Purposes of and to be amalgamated with the reserved Fund constituted under this Act, and under the Provisions of the "Gasworks Clauses Act, 1847," with respect to the Amount of Profits to be received by the Undertakers when the Gasworks are carried on for their Benefit, as herein-after provided.

Surplus after paying 10 per Cent. to be invested and form a contingent Fund.

XXXVIII. And be it enacted, That if the clear Profits of the said Undertaking shall in any Year amount to a larger Sum than shall be sufficient to make Distribution among the Proprietors of the Company of Ten Pounds *per Centum per Annum* on the Capital, as hereinbefore provided, the Excess beyond the Sum which may be necessary for such Purposes shall from Time to Time be invested in Government or other Securities, and the Dividends and Interest arising from such Securities shall also be invested in the same or the like Securities, in order that the same may accumulate at Compound Interest along with the said reserved or contingent Funds of the dissolved Companies by this Act transferred to the Company hereby incorporated until the Fund so formed shall amount to a Sum which shall be equal in Amount to a Per-centage of Three Pounds upon every One hundred Pounds of Capital then raised by the Company and actually paid up, which Sum shall form a reserve Fund under the Provisions of this Act, and of the "Gasworks Clauses Act, 1847," herewith incorporated, to answer any Deficiency which may at any Time happen in the Amount of divisible Profits of the Company, or to meet any extraordinary Claim or Demand which may at any Time arise against the Company; and when such Fund shall by Accumulation or otherwise amount to a Sum which shall be equal in Amount to a Per-centage of Three Pounds upon every One hundred Pounds of Capital then raised by the Company, the Interest and Dividends thereon shall no longer be invested, but shall be applied to any of the general Purposes of the said Undertaking to which the Profits of the Company are applicable; and if the said reserved Fund shall have been at any Time reduced or exhausted, according to the Provisions of this Act and

and the said "Gasworks Clauses Act, 1847," the same may again be raised and applied in the same Manner as herein-before directed, and so *toties quoties* as often as Occasion shall require for the Purposes herein-before mentioned.

Copy of Account to be transmitted to the Recorder of Liverpool.

XXXIX. And be it enacted, That a Copy of the annual Account directed by the "Gasworks Clauses Act, 1847," to be kept, and whereof a Copy is thereby directed to be transmitted to the Clerk of Peace of the County where the Gasworks are situate, together with an Account of the said contingent Fund, shall be annually laid before the Recorder of *Liverpool* at the Quarter Sessions of the Peace in and for the Borough of *Liverpool* next or next but one after the Time of making up such Accounts, and be filed with the Clerk of the Peace of the said Borough; and it shall be lawful for any Consumer of the Gas supplied by the Company to inspect and peruse the Accounts so filed, on Payment to the Clerk of the Peace of the said Borough of the Sum of One Shilling for every such Inspection, and to take or make such Copies thereof, paying for every such Copy the Sum of Sixpence for every One hundred Words.

Powers given to Quarter Sessions by 10 & 11 Vict. c. 15. to be exercised by the Recorder of Liverpool.

XL. And be it enacted, That the Recorder of the Borough of *Liverpool*, at the Quarter Sessions of the Peace in and for the Borough of *Liverpool*, shall have and exercise all the Powers given to the Court of Quarter Sessions by the Clauses of the "Gasworks Clauses Act, 1847," with respect to the Amount of Profit to be received by the Undertakers when the Gasworks are carried on for their Benefit; and this Act, and the said "Gasworks Clauses Act, 1847," as incorporated herewith, shall be read and construed as if the Words "Recorder of *Liverpool*, at the 'Quarter Sessions of the Peace "in and for the Borough of *Liverpool*,'" were substituted for the Words "Court of Quarter Sessions," in the said Clauses, with respect to the Amount of Profit to be received by the Undertakers when the Gasworks are carried on for their Benefit.

Company to contract for lighting public Lamps.

XLI. And be it enacted, That the Company shall and they are hereby required from Time to Time to light the public Lamps within the Borough of *Liverpool*, in such Manner, at such Time and Times as may from Time to Time be fixed, concluded, and agreed upon by and between the Company and the Mayor, Aldermen, and Burgesses of the said Borough acting by the Council thereof.

Quality of Gas.

XLII. And be it enacted, That all the Gas supplied by the Company to the public Lamps within the Borough of *Liverpool* shall be of the best and purest Quality, and shall produce a Light from each Batwing Burner equal in Intensity to the Light produced by Eighteen Wax Candles of Six in the Pound, each of such Candles being not less than Thirteen Sixteenths of an Inch in Diameter, and Nine Inches and Five Eighths of an Inch in Length, and One thousand one hundred and seventy Grains in Weight.

Power to purchase Lands for the Purposes of this Act.

XLIII. And be it enacted, That it shall be lawful for the Company, in addition to the Lands of or to which the dissolved Companies or either of them were or was immediately before the Expiration of

the said Thirtieth Day of *June* seised, possessed, or entitled at Law or in Equity, and which Lands are intended by this Act to become vested in the Company hereby incorporated, to contract with any Party willing to sell the same for the Purchase of and to purchase any additional Lands for the Purposes of the Undertaking, not exceeding in Quantity Ten Acres, and to hold such last-mentioned Lands, together with the Lands of the dissolved Companies by this Act vested in the Company hereby incorporated, for the Purposes of the Undertaking; and it shall and may be lawful for the Company, or the Directors for the Time being, at any Time or Times hereafter, whenever expedient so to do, to sell and dispose of and convey by Deed under the Seal of the Company the Lands vested in the Company by this Act, or purchased under the Powers hereof, or any of such Lands, or any Part or Parts thereof, and from Time to Time to purchase any other Lands more suitable or convenient for the Purposes of the Company.

Limiting Quantity of Land held.

XLIV. And be it enacted, That the total Quantity of Land which the Company may hold at one and the same Time shall not exceed Twenty-eight Acres.

Company may grant Compensation to Officers of dissolved Companies.

XLV. And be it enacted, That in case any Officer or Person who shall be employed by the *Liverpool* Gaslight Company, or by the *Liverpool* New Gas and Coke Company, on the said Thirtieth Day of *June*, shall not be employed and retained by the Company hereby incorporated in an Office of equal Value under this Act, it shall be lawful for the Company hereby incorporated, or the Directors thereof, if they think fit, to make such Compensation by way of Annuity or otherwise to such Officer or other Person as the Company or Directors, at their Discretion, shall think right.

Rent for Gas and Fittings under 20*l.* may be recovered under 9 & 10 Vict. c. 95.

XLVI. And be it enacted, That nothing in this or any Act incorporated herewith shall prevent the Company from recovering the Rent of any Gas, or the Price or Rent of any Pipe, Burner, Meter, Lamp, or Fittings, supplied, sold, delivered, or let to Hire by the Company, by such Action or Proceeding or in such Manner as is provided for the Recovery of Debts under Twenty Pounds by an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for the more easy Recovery of Small Debts and Demands in* England.

Rents of Gas may be levied by Distress.

XLVII. And be it enacted, That any Sum of Money which shall be determined by any One Justice or any Two Justices by virtue of the "Gasworks Clauses Act, 1847," incorporated herewith, to be due to the Company for the Rent of Gas, or the Hire of any Meter or Fittings, shall or may be levied by Distress.

To prevent the fraudulent Consumption of Gas.

XLVIII. And be it enacted, That every Person who shall knowingly and wilfully prevent any Meter from duly registering the Quantity of Gas supplied by the Company shall for every such Offence forfeit and pay to the Company a Penalty not exceeding Five Pounds: Provided always, that nothing herein contained shall prevent the Operation of the Provisions contained in the "Gasworks Clauses

Clauses Act, 1847," with respect to Waste or Misuse of the Gas, or Injury to the Pipes or other Works of the Company.

On Application of Owner any House to be supplied with Gas.

XLIX. And be it enacted, That upon the Application of the Owner or Occupier of any Building or Premises within the Limits of this Act the Company shall supply Gas as may be required to such Building or Premises, and that although there may be Rent in arrear for Gas supplied to a former Tenant of such Building or Premises; and if for the Space of Ten Days after such Application, and a Deposit of a reasonable Sum, as herein-after mentioned, if required, the Company shall neglect to supply Gas as required, they shall forfeit and pay a Sum of Five Pounds, and the like Sum for every Day during which such Neglect shall continue; provided that the Company shall not be compelled to lay down Mains where none exist, and provided that the Company may, if they shall think fit, require a reasonable Sum, according to the Number and Size of the Lights required by such Owner or Occupier, to be deposited with them as a Security for the Payment of the Gas Rent to become due to the Company for the Period for which such Building or Premises shall be required by such Owner or Occupier to be lighted.

Company, at their own Expense, to convey Gas into Houses.

L. And be it enacted, That the Company shall and they are hereby required, at their own Expense, to provide and lay down proper and sufficient Pipes and Apparatus for carrying and conveying the Gas into and within the Walls of every House, Building, or Premises to be supplied with Gas by them within the Limits of this Act; provided that the Company shall not be required to lay down such Pipes and Apparatus for a greater Distance than Fifteen Yards from any Main of the Company, or upon any private Property.

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

LI. And be it enacted, That if any Pipe, Cock, or Branch shall before the passing of this Act have been carried by the Company in or against any Building, with the Consent of the Owner and Occupier thereof, but without any Compensation or special Agreement made in respect thereof, and the Owner and Occupier of such Building for the Time being shall give Notice in Writing to the Company to alter or remove the same, the Company shall, within Ten Days after the Service of such Notice, alter or remove any such Pipe, Cock, or Branch, or in default thereof it shall be lawful for such Owner and Occupier, or any other Person acting under their Authority, to cause such Pipe, Cock, or Branch to be altered or removed, as the Case may require: Provided always, that the Expense of removing or altering any such Pipe, Cock, or Branch shall be paid by the said Owner and Occupier.

Company to remove Pipes after Notice.

LII. And be it enacted, That if the Company shall before the passing of this Act have placed any Main or Pipe in or on any Land other than a Highway, with the Consent of the Owner and Occupier of such Land, and the Owner and Occupier of such Land shall give to the Company Notice in Writing to alter the Position of such Pipe, and to relay the same in the Manner mentioned in such Notice, the Company shall, within One Month after the Service of such Notice, remove such Pipe, and relay the same in the Manner required by such Notice, and the Expenses of the said Operation shall be paid to the Company by the Owner and Occupier requiring the same to be done.

LIII. And

Gas Pipes to be laid Four Feet from Water Pipes in a particular Manner.

LIII. And be it enacted, That all and every the Pipes or other Conduits hereafter to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street or other Place within the Borough of *Liverpool*, which shall be at any Time removed or altered in Situation, shall be laid or relaid (as the Case may be), and the Pavement and Surface of the Street reinstated, under the Direction of the Borough Engineer for the Time being, and to his Satisfaction, and the Pipes placed in such Situation as he shall approve; and in case the Company shall lay or relay (as the Case may be) any such Pipes or Conduits beyond the Limits of the Borough, but near to any Mains or Water Pipes belonging to the said Mayor, Aldermen, and Burgesses, the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and that in laying down the said Gas Pipes the 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 properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials; and in case the Company, their Officers, Servants, or Workmen, shall infringe any of the above Provisions relative to the Manner of laying or relaying the Pipes of the Company, and of reinstating the Streets, the Company shall forfeit and pay, for every Offence against such Provisions committed by their or any of their Officers, Servants, or Workmen, a Sum not exceeding Five Pounds, and the like Sum for every Day during which such Offence shall continue unremedied.

For the Protection of Water Pipes.

LIV. And be it enacted, That when and as often as the Company, or their Servants, Agents, or Workmen, shall dig or sink any Trench for laying any Pipe for the Conveyance of Gas, or other Apparatus, or shall open any Ground for the Purposes of this Act or any of them, in, upon, or near to which any Water Pipe belonging to the Mayor, Aldermen, and Burgesses, or any Branch or Service Pipe for the Supply of any Dwelling House or Building, shall be laid, the Company, their Servants, Agents, or Workmen, shall and they are hereby required to give Three Days previous Notice thereof in Writing to the Borough Engineer; and on every such Occasion the Company, their Servants, Agents, or Workmen, shall, under the Direction and Inspection of the said Engineer, protect and secure such Water Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe on any such Occasion; and in default of repairing and making good any such Damage the Company shall for each and every such Default forfeit and pay to the said Mayor, Aldermen, and Burgesses any Sum not exceeding Forty Shillings, and also the Costs and Expenses which shall have been incurred by the said Mayor, Aldermen, and Burgesses in and about the securing and protecting of any such Water Pipe, or in repairing and making good any Injury or Damage that may have been done to any such Water Pipe by the Means aforesaid, such Costs and Expenses to be ascertained by any Justice of the Peace for the said Borough of *Liverpool*, and to be recovered in the same Manner as any Expenses or Penalty under this Act may be recovered.

LV. And

Furnaces employed by the Company to consume their own Smoke.

LV. And be it enacted, That from and after the First Day of *January* next all Furnaces employed or to be employed in the Works of the Company shall, in all Cases where the same is practicable, be so constructed as to consume or prevent their own Smoke; and that if any of the Persons employed in the said Works shall after that Day use any Furnace which shall not be so constructed, or shall negligently use the same, whereby the Smoke thereof shall not be prevented or consumed as aforesaid, he or they so offending, and being convicted thereof before any Two or more Justices of the Peace acting for and within the Jurisdiction wherein the said Works are, on Complaint being made within One Month after the Cause of such Complaint shall have arisen, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, or be committed to the Common Gaol or House of Correction of the Borough of *Liverpool*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless the said Penalties, and all Costs, Charges, and Expenses, shall be sooner paid or satisfied: Provided always, that nothing herein contained shall extend or be construed to extend to any Furnace or Furnaces in which Coke only shall be used.

Application of Penalties.

LVI. And be it enacted, That all Penalties to be recovered by virtue of the Provisions of this Act, or of any Act incorporated therewith, for any Offence committed within the said Borough, shall be paid over to the said Mayor, Aldermen, and Burgesses, to be by the Council placed to the Credit of the Paving Rate of the District of the Borough in which the Offence was committed.

No Gasometer, &c. to be erected within 500 Yards of any Reservoir belonging to the Mayor, &c. without Consent.

LVII. Provided always, and be it enacted, That no Gasometer, or any other Building or Works used or necessary for creating or making Gas, Hydrogen, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, or Essential Oil, or any other Matter or Thing, by virtue of this Act, shall be erected, built, or established within the Distance of Five hundred Yards from any Station or Reservoir belonging to the said Mayor, Aldermen, and Burgesses, without the Consent of the said Mayor, Aldermen, and Burgesses, (which Consent, under the Hand of the Town Clerk of the said Borough for the Time being, the said Committee are hereby authorized to give,) on pain of forfeiting, by the Company hereby incorporated, for every Day such Gasometer, Buildings, or Works shall be used or established as aforesaid, the Sum of Fifty Pounds, to be recovered in the same Manner as other Penalties and Forfeitures are by this Act directed to be recovered, or, at the Option of the said Mayor, Aldermen, and Burgesses, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*.

No Gasometer to be erected within 400 Yards of the Stations of the London and North-western Railway.

LVIII. Provided always, and be it enacted, That no Gasometer, or any other Building or Work used or necessary for creating or making Gas, Hydrogen, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, or Essential Oil, or any other Matters or Things, by virtue of this Act, shall be erected, built, or established within the Distance of Four hundred Yards from the Passenger Stations or the Works of the *London and North-western* Railway Company situate at or near to *Edge Hill* within the Township of *West Derby* aforesaid, and in or near to *Lime Street* in *Liverpool* aforesaid, or within One hundred

and fifty Yards of the Goods Station or Warehouses of the said Company situate in or near to *Park Lane*, *Wapping*, and *Ironmonger Lane*, and the *King's Dock*, in *Liverpool* aforesaid, or within One hundred and fifty Yards of either of the existing Tunnels of the said Railway in *Liverpool* or *West Derby* aforesaid terminating in *Lime Street* and *Wapping* respectively, or within One hundred and fifty Yards of the Goods Station or Warehouses about to be constructed by the said Company in or near to *Stuart Street* in *Liverpool* aforesaid, notwithstanding any thing herein contained.

Property belonging to the London and North-western Railway Company not to be taken without Consent.

LIX. And be it enacted, That, notwithstanding any thing in this Act contained, it shall not be lawful for the Company, either for or by virtue or in execution of this Act, or for any other Purpose, or in any Manner, either permanently or temporarily, to enter upon, excavate, bore under, take, appropriate, or use any of the Buildings, Lands, Stations, or Property whatsoever of or belonging to the *London and North-western* Railway Company, or in any Manner to alter, vary, or interfere with the said Railway, or any of the Works appertaining thereto, without the special Licence and Consent of the said Railway Company in Writing first had and obtained for any such Purpose from Time to Time: Provided always, that nothing contained in the Provision last aforesaid shall extend to prevent the Company from laying down in a proper Manner, and after reasonable Notice, under the Authority of this Act, any Main or other Pipes under any public Highway across which the said Railway passes, so that such Pipes be laid and at all Times maintained by the Company in a substantial and workmanlike Manner, and to the Satisfaction of the said Railway Company, and in such Manner as not in any way whatever to alter the Level of or to injure the said Railway or any of the Works from Time to Time connected therewith, nor to interfere with, prevent, or in anywise or at any Time impede the free, uninterrupted, and safe Passage upon and along the said Railway or any Part thereof.

No Gasometer to be erected within certain Distances of Stations of the Lancashire and Yorkshire Railway Company.

LX. Provided always, and be it enacted, That no Gasometer, or other Building or Work used or necessary for creating or making Gas, Hydrogen, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, or Essential Oil, or any other Matter or Thing, by virtue of this Act, shall be erected, built, or established within the Distance of One hundred and fifty Yards from the intended Station of the *Lancashire and Yorkshire* Railway Company near the Borough Gaol in the Parish of *Liverpool* aforesaid, or within Two hundred Yards of the intended Station of the same Company at or near to *Tithebarne Street* in the same Parish.

No Gasometer or Works to be erected within 150 Yards of the Dock Quays.

LXI. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed, taken, or construed to extend, to authorize or to enable the Company, nor shall it be lawful for them, to erect, build, or establish any Gasometer, or any other Building or Works used or necessary for the Purpose of making or creating Gas, or any other Matter or Thing, by virtue of this Act, within the Distance of One hundred and fifty Yards from the Quays of any of the present or future Docks or Basins belonging to the Trustees of the *Liverpool* Docks, on pain of forfeiting for every Day such

such Building or Works shall be so used or established as aforesaid the Sum of Fifty Pounds, to be recovered by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*; and the said Sum, when recovered, shall be paid to the Mayor, Aldermen, and Burgesses of *Liverpool* for the Time being.

Not to enter upon Works of the Liverpool Docks, without Consent.

LXII. And be it enacted, That nothing herein contained shall authorize the Company to enter into or upon any of the Docks, Quays, Wharfs, or other Works of the Trustees of the *Liverpool* Docks, nor to break up the Soil or Pavement of the same Docks, Quays, or Wharfs, or any Part thereof respectively, for the Purposes of this Act, without the Consent in Writing of the said Trustees of the *Liverpool* Docks being from Time to Time first had and obtained; and the said Company shall give Seven Days Notice in Writing to the said Trustees of the *Liverpool* Docks, or to their Surveyor for the Time being, describing the Line or Place in which they propose to lay or place any Pipes or other Apparatus from such Pipes, and if the said Trustees shall require the Line or Place thereof to be varied, then the said Company shall cause such Pipes or other Apparatus to be laid or placed in such other Place suitable for the Purpose as the said Trustees or their Surveyor for the Time being shall, previous to the Expiration of such Seven Days, prescribe and point out.

General Saving.

LXIII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* and their Successors, and to the Trustees of the *Liverpool* Docks and their Successors, and to the Company of Proprietors of the *Liverpool* Exchange and their Successors, and to the Proprietors of the *Mersey and Irwell* Navigation and their Successors, and to the Company of Proprietors of the Canal Navigation from *Leeds* to *Liverpool* and their Successors, and to the Heirs and Assigns of the late Duke of *Bridgewater*, and to the Right Honourable the Earl of *Derby* his Heirs and Assigns, and to the Right Honourable the Earl of *Sefton* his Heirs and Assigns, and to the Heirs, Devisees, and Representatives of the late *John Leigh* Esquire, and to all other Bodies Politic or Corporate, and other Person and Persons, all their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

Expenses of Act.

LXIV. And be it enacted, That all Costs, Charges, and Expenses attending the applying for, obtaining, and passing of this Act shall be paid and discharged by the Company out of the Monies received or to be received by them under the Authority of the said recited Acts and this Act, or any or either of them, in preference to any other Payments whatsoever.

Public Act.

LXV. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such.

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