ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. lvii.

An Act for lighting with Gas the Town of *Newport*, in the *Isle of Wight*, and Places adjacent.

[28th *May* 1821.]

WHEREAS Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil may be procured from Coal: And whereas the said Inflammable Air, being conveyed by means of Pipes or Tubes, may be safely and beneficially used and applied for lighting Streets, Squares, Market Places, and other public Places; and also for lighting Manufactories, Shops, Warehouses and private Houses: And whereas the said Coke may be usefully and beneficially employed as Fuel in private Houses and Manufactories, and the aforesaid Articles may be used and applied in various other Ways with great Advantage: And whereas *John Barlow* and *George Barlow*, of *Sambrook Court*, *Basinghall Street*, in the City of *London*, Iron Merchants and Copartners, are ready to contract with the Commissioners acting under an Act of Parliament passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, repairing, cleansing, lighting, and watching the Streets, Lanes, Ways, Passages, and Places within the Borough of* Newport, *in the* Isle of Wight; *and for the Removal of present and Prevention of future Encroachments, Nuisances, and Annoyances therein;* to erect and build Retorts, Gasometers, Receivers, and other proper Buildings and Works, for lighting with Gas the Streets, Lanes, and public Passages of the said Borough of *Newport*, and for lighting the public Lamps thereof with Gas: And whereas several Persons, being

being desirous of joining the said *John Barlow* and *George Barlow* in the said Undertaking, and to become Proprietors thereof in the Profits and Advantages of the said Concern, in proportion to the Number of Shares they shall respectively hold therein; but such Arrangement cannot be effectually carried into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *John Barlow* and *George Barlow*, and such other Persons as shall from Time to Time, in such Manner as herein-after is mentioned, become Proprietors of Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be One Body Politic and Corporate, by the Name of *The* Newport *Gas Light Company*, and by that Name shall have perpetual Succession, and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and that the said Company shall be established for the Purpose of producing Inflammable Air, Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil from Coal or other Materials, and of lighting the said Borough of *Newport*, and the Places adjacent, with Inflammable Air or Gas, and of selling and disposing of the Coke and other Products of the Manufactory of the said Company in such Manner as they shall think proper; and from Time to Time to enter into and make any other Contracts, or agree with the Commissioners for the Time being under the said Act of Parliament, or any other Commissioners who for the Time being shall have the Controul, Direction, or Management of the lighting of the said Borough, and the Places adjacent, or any Part thereof, or with any other Person or Persons, Bodies Politic, Corporate, or Collegiate, or Corporations Aggregate or Sole, who may be willing to contract with the said Company for the lighting of the said Borough or any Part or Parts thereof, or of any Streets, Roads, Squares, Market Places, Courts, Yards, Passages, Lanes, public Buildings, Manufactories, Shops, Warehouses, private Houses, or other Buildings whatsoever, within the said Borough or adjacent thereto; and to sell or dispose of, as they shall think proper, such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, or other Products as aforesaid.

Company incorporated.

Their Style.

Their general Purposes.

Power to contract for the Purchase of Lands and Buildings.

II. And be it further enacted, That for the Purposes of this Act it shall and may be lawful to and for the said Company, or their Committee of Management, and they are hereby empowered, to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Borough of *Newport*, or adjacent thereto, and the Freehold and Inheritance thereof, with any Body or Bodies 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, not being a Term or Terms of Years at Rack Rent, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trus-

tees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also with all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or with any Person or Persons whomsoever, who shall be willing to sell the same, or his, her, or their Right and Interest for the same, for the Uses and Purposes of this Act; provided that the Quantity of Land to be purchased as aforesaid, shall not exceed Two Acres; and upon Payment of the Purchase Money for the same respectively, to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England* in Manner by this Act directed (as the Case may be), shall vest absolutely in the said *Newport* Gas Light Company, and may be taken and used for the Purposes of this Act, and it shall and may be lawful to and for the said Company to hold such Lands, Tenements, and Hereditaments, without incurring, or being subject and liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever; and also in case of a Resale of the said Lands, Tenements, or Hereditaments, or any of them, under the Provision herein-after in that behalf contained, to purchase and hold other Lands, Tenements, or Hereditaments, in like Manner, provided the Land to be held for the Purposes of this Act, shall not at any Time exceed in Quantity Two Acres.

Bodies Politic empowered to sell.

III. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives (not being a Term or Terms at Rack Rent), and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company to be purchased for the Uses and Purposes of this Act (but under such Restrictions as to Quantity as aforesaid), to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title and Interest whatsoever of, in, and to the same to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall without any Fine or Fines, Recovery or Recoveries, or without any other Conveyances or Assurances in the Law whatsoever, and without Inrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Possibility, Claim, and Demand

whatsoever

whatsoever of their said several Cestuique Trusts, and of all Persons whomsoever claiming or to claim by, from, or under him, her, or them, or claiming or to claim in Remainder or Reversion expectant on any such particular Estate, or by way of Executory Devise or springing Use, and the same shall be deemed and considered to bar the Dower and Dowers of any such Person or Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of any Person or Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, general or special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons is and are and shall be indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Application of Compensation when amounting to 200l.

IV. And be it further enacted, That if there shall be any Money to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte The* Newport *Gas Light Company*, to the Intent that such Money may be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid affecting the said Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by order of the said Court upon Application 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;

Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement thereof were then actually made.

When less than 200l. and exceeding 20l.

V. Provided always, and be it further enacted, That if any Money so to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be named by the Person or Persons making such Option, and approved by Three or more of the Committee of Management 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, or the Interest thereof, 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 High Court of Chancery.

When not exceeding 20l.

VI. Provided also, and be it further enacted, That where such Money so contracted and agreed to be paid as last before mentioned, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased, taken, or used for the Purposes of this Act, in such Manner as the said Committee of Management, or any Three or more of them, shall think fit, or in case of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of questionable Title to the Money, Persons in Possession of the Lands to be

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

deemed entitled thereto until the contrary shall be shewn.

of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments so purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.]

Expences of Purchases may be allowed by the Court.

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

Upon Payment of Purchase Money, Premises to be vested in the Company.

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

Form of Conveyance.

X. 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 to me [*or* us] paid by the *Newport* 'Gas Light Company, established under an Act passed in the Second 'Year of the Reign of King *George* the Fourth, intituled *An Act* [*here* '*insert the Title of this Act*] do hereby grant and release [*or* assign, *as the* '*Case*

'*Case may be*] to the said Company of Proprietors and their Successors, 'all [*here describe the Premises to be conveyed*] and all my [*or* our] Right, 'Title, and Interest, in and to the same and every Part thereof; to hold 'to the said Company of Proprietors, and their Successors 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] this Day of in the Year of 'our Lord One thousand eight hundred and .'

Resale of Lands not wanted.

XI. And be it further enacted, That it shall and may be lawful for the said Company to sell and dispose of, and by Indenture or Indentures under their Common Seal to grant and convey, by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may have been so purchased, and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements or Hereditaments, or of any Part or Parts thereof, it shall and may be lawful for the Treasurer for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge, or sufficient Discharges, to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; and such Person or Persons having *bonâ fide* paid the same shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money, or any Part thereof.

Capital Stock not to exceed 16,000*l.*

XII. And be it further enacted, That the Capital or Joint Stock of the said Company, to be applied and used in establishing and carrying on the said Undertaking, and the Purposes aforesaid, shall be the Sum of Sixteen thousand Pounds; and that the said Company shall not be authorized to exercise any of the Powers granted by this Act until the whole of the said Sum of Sixteen thousand Pounds shall have been subscribed for that Purpose.

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

XIII. And be it further enacted, That the said Capital Sum of Sixteen thousand Pounds shall be raised by a Subscription to be made by the said *John Barlow* and *George Barlow*, and such other Persons as shall be admitted by them as Subscribers, and that every Person by or for whom any Subscription shall be made for or towards raising the said Capital Sum of Sixteen thousand Pounds, his or her Executors, Administrators, and Assigns, shall have and be entitled to a Share of and in the Capital Joint Stock of the said Company, in proportion to the Monies which he, or she, or they shall have so contributed towards making up the same, and shall have and be entitled to a proportionable Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted as a Proprietor or Proprietors in the same.

Property of the Company to be answerable for their

XIV. And be it further enacted, That the Lands and Hereditaments, Manufactories, Gasometers, Machinery, Apparatus, and Works, Goods, Chattels, and Effects of the said Company and their Successors, shall alone be

Debts and Engagements;

be liable and answerable for the just Debts and Demands of the Creditors of the said Company.

Stock to be divided into Shares of 50*l.* Sterling each, and to be Personal Estate.

XV. And be it further enacted, That the said Sum of Sixteen thousand Pounds shall be divided into Shares of Fifty Pounds each, and that no Person shall be a Subscriber for a less Sum than Fifty Pounds; and that all Shares in the said Undertaking, and in the Net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and shall be transmissible accordingly.

Power to raise a further Capital of 4,000*l.*

XVI. And be it further enacted, That in case the aforesaid Sum of Sixteen thousand Pounds shall be found insufficient for establishing, completing, and maintaining the said Undertaking hereby authorized, and defraying all necessary Charges relating thereto, then and in such Case it shall be lawful for the said Company of Proprietors and Subscribers, to raise and contribute amongst themselves, in such Shares and Proportions as to them shall seem meet, or by the Admission of new Subscribers, any further or other Sum of Money for completing and perfecting the said Undertaking, not exceeding the Sum of Four thousand Pounds, and every Subscriber towards raising such further Sum of Money, shall be a Proprietor in the said Undertaking, and shall have a like Vote for himself or herself, or his or her Proxy, in respect of every Share in the said additional Sum so to be raised, and shall also be liable to such Forfeitures, and stand interested in all the Profits and Advantages of the said Undertaking, in proportion to the Sum he, she, or they shall subscribe to the said Undertaking, as generally and extensively to all Intents and Purposes, as if such further or other Sum hereby allowed to be subscribed for or raised, had been originally Part of the said Capital of Sixteen thousand Pounds, any thing herein contained to the contrary thereof in anywise notwithstanding.

To compel Payment of Subscriptions.

XVII. And be it further enacted, That the several Persons who shall subscribe for or towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money by them respectively susbcribed, or which shall have been subscribed for or in respect of his, her, or their Share or Shares respectively, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to or by virtue of the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner, as shall be ordered and directed by the Committee of Management for the Time being hereinafter mentioned; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Times and in such Manner as shall be ordered and directed by the Committee of Management as aforesaid, it shall be lawful for the said Company to sue 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 such appointed Time of Payment, and all Costs of Suit, from such Person or Persons, or in Case where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One Share in the said Undertaking, then from all, any, or either of such Persons.

XVIII. And

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

XVIII. And be it further enacted, That the said Company, or the Committee of Management to be appointed by virtue of this Act, shall and they are hereby required to cause the Names and Designations of the several Persons who shall have subscribed for or may at any Time hereafter be entitled to a Share or Shares in the said Undertaking, with the Number of such Share or Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by their Clerk, and after such Entry a Certificate under the Common Seal of the said Company, shall be delivered to every Proprietor upon Demand, specifying the Share or Shares to which he or she is entitled in the said Undertaking; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate shall not hinder or prevent the Owner from selling or disposing thereof.

Regulations for the General Meetings of the Company.

XIX. And be it further enacted, That the Affairs and Concerns of the said Company shall be conducted and managed under and subject to the several Rules and Regulations herein-after contained, (that is to say), the Proprietors of Shares in the said Undertaking shall assemble together in the Borough of *Newport* aforesaid, at Eleven of the Clock in the Forenoon, within Twenty-one Days next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed in the Execution of this Act, and shall and may adjourn to, or shall assemble at, such other Times and Places as shall be duly appointed in manner herein-after mentioned, and every such Assembly shall be styled a General Meeting; and Two such Meetings shall be held in every Year on the Fourth *Tuesday* in the Month of *January*, and the Fourth *Tuesday* in the Month of *July*, which shall be styled Half-yearly General Meetings; and that at least Six Days previous Notice shall be given of each Half-yearly General Meeting; and that Five or more of the said Proprietors not holding collectively less than Twenty Shares may from Time to Time, by Notice in Writing under their Hands, call a Special General Meeting, so as the Object for which such Special General Meeting shall be called be expressed in such Notice, and so as such Notice be given Fourteen Days at least before the Day of Meeting; and that every General Meeting may be adjourned from Time to Time and from Place to Place as shall be found expedient; and that at least Three Days previous Notice of the Day to which any General Meeting shall be adjourned shall be given; and that at every General Meeting a Chairman shall be appointed, and all Questions shall be decided by a Majority of Votes of the Proprietors present, and not declining to vote (the Number present not being less than Ten, according to their respective Number of Shares;) and every Proprietor shall be entitled to One Vote for and in respect of every Share of which he shall be possessed, but so that no Proprietor shall be entitled to vote for or in respect of more than Ten Shares (except as the legal Representatives of any other Person or Persons, for or in respect of the Share or Shares held by or legally vested in him as such Representative), nor shall any Person be entitled to vote at any General Meeting of the said Company, or any Adjournment thereof, in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid and satisfied all Arrears of Money which shall or may have become due in pursuance of any

Call or Calls made or to be made by the Committee of Management for or in respect of such Share or Shares; nor shall any Person vote at any of the Meetings of the said Company, upon any Question or Questions relating to the Concerns of the said Undertaking, in which such Person or Persons shall be interested otherwise than as a Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Undertaking; and that upon any Difference of Opinion, any Proprietor present may require the Votes at any General Meeting of the said Company to be taken by Ballot, but no Ballot shall be kept open for more than One Hour; and that the Chairman of every such Meeting shall be entitled to vote; and in case the Number of Votes, including the Chairman's Vote, shall be equal, such Chairman shall also have the casting Vote; and if at any General Meeting a sufficient Number of Proprietors to act shall not assemble and proceed to Business in One Hour from the Time appointed for such Meeting, or if the Number of Ten Proprietors be not present when any Business shall be to be decided upon, the Meeting shall adjourn to the same Day in the following Week, or to some other Day to be appointed by the Members present at such Meeting (Two Proprietors only being hereby declared sufficient for the Purposes of Adjournment), or in Default thereof, by the Committee of Management, or any Three or more of them.

Notice of Meetings, &c. to be given by the Clerk of the Company.

XX. Provided always, and be it further enacted, That all Notices hereinbefore directed to be given of any General Meetings or Adjournments respectively, and all Notices to be given to any of the said Proprietors upon any particular Occasion, and not hereby otherwise provided for, shall be given to the said several Proprietors, or to such individual Proprietors respectively, by Letters from the Clerk of the said Company, sent by the Post to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the individual Proprietors entitled to such Notice (as the Case may be); and that the same Notices shall be deemed and considered the same as personal Notices.

General Meetings may make Bye-Laws.

XXI. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General Meetings, to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of the Committee of Management, and for the regulating of all Officers, Workmen, and Servants to be employed in or about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and 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 at a General Meeting shall seem meet and expedient; and all Rules, Orders, and Bye Laws so made as aforesaid (being reduced into Writing and the Common Seal of the said Company thereto affixed), shall be binding upon all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland*

called *England*, or any of the express Directions or Provisions of this Act: Provided also, that Copies thereof shall be printed and fixed and continued in the Office of the Clerk, or some other Building of the said Company; and all such Rules, Orders, and Bye Laws shall be subject to Appeal in manner by this Act directed.

Power to appoint a Treasurer or Treasurers.

XXII. And be it further enacted, That it shall be lawful for the said Company, at any General Meeting of the said Company, to nominate and elect by Ballot, and to appoint under the Common Seal of the said Company, any Person or Persons to be Treasurer or Treasurers, and from Time to Time to remove any such Treasurer or Treasurers of the said Company, and to nominate, elect, and appoint another Person or Persons in his or their Room or Stead: Provided always, that the said Company shall, and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer, Receiver, or Collector for any of the Purposes of this Act, for the faithful Execution of their respective Offices, before they shall enter thereupon respectively.

Treasurers, Receivers, and Collectors, to give Security.

Committee of Management.

XXIII. And be it further enacted, That at the first General Meeting of the said Company, or at some Adjournment thereof, Five Members of the said Company shall be elected and chosen a Committee of Management, for managing the Affairs of the said Company; and such Committee of Management shall continue in Office, and be respectively Members of the said Committee, until the Half-yearly Meeting which shall be held in *January* in the Year of our Lord One thousand eight hundred and twenty-two, or until others or another shall be appointed in their or any of their Stead, in pursuance of this Act; and at the said last mentioned Half-yearly Meeting, or at some Adjournment thereof, and also at the Half-yearly Meeting to be held in *January* in every succeeding Year, or at some Adjournment thereof, a new Committee of Five Members shall from Time to Time be elected and appointed out of the Proprietors of Shares in the said Undertakings, to be the Committee of Management for managing the Affairs of the said Company, who shall continue in their Offices until the next yearly Appointment of a Committee of Management as aforesaid, or until others or another shall be duly elected into their or any of their Places, under the Provision herein-after in that Behalf contained; Provided that nothing herein contained shall render any one of the Committee, whose Office shall have expired, ineligible to be re-elected as a Committee-man, if otherwise duly qualified: Provided also, that no Person shall be qualified to be elected, nor to serve or act as a Member of the said Committee, who shall hold any Place of Profit under the said Company, or who shall be concerned or interested in any Contract or Contracts under this Act, or who shall offer to take, or succeed in taking, or shall participate in any Manner in any Work to be done for the said Company, whether by Contract or otherwise.

For supplying Vacancies in Committee.

XXIV. And be it further enacted, That when and so often as any Member of the Committee of Management to be elected by virtue of this Act shall die or become disqualified, or shall for the Space of Six Calendar Months refuse or neglect to attend the Meetings of the said Committee, it shall be lawful for the said Company, at any General Meeting to be held pursuant to the Directions of this Act, to elect some other

Proprietor

Proprietor to be a Member of the said Committee in his Stead; and every such Proprietor so elected shall continue in Office as a Member of the said Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued, if such Death, Disqualification, Refusal, or Neglect had not happened.

No Person to act as a Committee Man, unless possessed of Two Shares.

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

Meetings of the Committee, and Regulations for their Proceedings.

XXVI. And be it further enacted, That the said Committee of Management shall and may hold their Meetings at such Place within the Borough of *Newport*, and at such Times, and adjourn their Meetings from Time to Time, and from Place to Place, as they shall think fit; and at every Meeting One of the Members of the said Committee present at such Meeting shall be elected Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at any of their Meetings, shall be decided and determined by the Majority in Number of the Members then present, the Number present not being less than Three; and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote, and that if on the Day appointed for any Meeting of the said Committee Three Members qualified to vote shall not attend, that then and in every such Case the Meeting shall be adjourned till the next Day, if not a *Sunday*, and if the next Day shall be a *Sunday*, then to the *Monday* following, by the Member or Members then present, or if none be present, then by the Clerk of the said Company, or such other Person as shall attend in his Place; and that 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 Address of every Member of such Committee.

Power of Committee.

XXVII. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time and Place to Place as aforesaid, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Time and Place of holding General Meetings, and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of, for the Purpose of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and in making and entering into Contracts or Agreements for lighting of the said Borough of *Newport*, and the Places adjacent, or any of such Streets, Squares, Markets, Places, Lanes, Ways, and public or private Houses or Buildings as aforesaid, and nominating, appointing, electing, placing, or displacing any Officer, Clerk, Engineer, Agent, or Servant of the said Company (except the Treasurer or Treasurers herein-before directed to be appointed by a General Meeting of the

the said Company), with such Salary, Gratuities, or Recompence as to the said Committee shall seem proper, and in ordering, directing, or employing the Works and Workmen, and in selling and disposing of all Articles produced as aforesaid, and in making, enforcing, and rescinding all Contracts and Bargains touching or in anywise concerning the same, subject to such Orders, Bye-Laws, Rules, and Regulations as shall at any Time be duly made by the said Company, in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted.

Same Person not to act as Clerk and Treasurer.

XXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or for the Committee of Management to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Proceedings to be entered.

XXIX. And be it further enacted, That the Orders and Proceedings of every Meeting, as well of the Company as of the Managing Committee, shall be entered by the Clerk in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered and signed by the Clerk of the said Company, or by the Chairman of each respective Meeting, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts and before all Judges, Justices, and others; and that no Business shall be transacted at any Special General Meeting besides the Business for which it shall have been called, and no other Business shall be transacted at any adjourned Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

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

XXX. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as a Proprietor of such Share or Shares, shall for the Purposes of this Act be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices required to be given to the Owner or Proprietor of any Share or Shares in the said Undertaking, shall and may be given to such Person whose Name shall so stand first in the Books of the said Company, and such Notice to such Person shall be deemed and taken to be a Notice to all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Notice is intended to be given to the Owner or Proprietor of any such Share or Shares; and that such Owners or Proprietors shall be entitled to give their Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as a Proprietor of such Share or Shares, and his Vote

Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

Power for the Proprietors to vote by Proxy.

XXXI. And be it further enacted, That any Proprietor of any Share or Shares in the said Company's Stock, entitled to vote in respect of such Share or Shares at any General Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General Meetings as aforesaid, either in Person or by Proxy, every such Proxy being a Proprietor in the said Undertaking; provided nevertheless, that no one Person shall deliver in Proxies for more than Ten Proprietors; and the Appointment of such Proxies may be made in the Form or to the Effect following; *videlicet*,

'I *A. B.* of one of the Proprietors of and 'in the *Newport* Gas Light Company, do hereby nominate, constitute, 'and appoint *C. D.* of to be my Proxy, 'in my Name and in my Absence to vote, to 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 Meeting of the said 'Company, in such Manner as he the said *C. D.* shall think proper, 'according to his Opinion and Judgment for the Benefit of the said Un- 'dertaking, or any Thing relating thereto. In witness whereof I have 'hereunto set my Hand the Day of .'

Committee to make Calls.

XXXII. And be it further enacted, That the Committee of Management for the Time being shall have full Power at any Time or Times to make such Call or Calls upon the several Proprietors of the said Undertaking, or their respective Executors, Administrators, Successors, or Assigns, for the Amount of the Subscriptions for their respective Shares, in such Instalments as such Committee shall deem requisite or necessary for the Purposes of the said Undertaking; and every Order for a Call shall be signed by the Chairman of the said Committee of Management for the Time being, and Two of the Members of the said Committee at least present at some Meeting of the said Committee duly held; and the Sum or Sums of Money so to be called for shall be paid into the Hands of the Treasurer to the said Company, for the Time being, at such Time and Place as shall be appointed by such Committee, of which Time and Place Fourteen Days previous Notice shall be given in such Manner as the said Committee shall direct or appoint in that Behalf; and if any Person or Persons shall neglect or refuse to pay his or their Proportion of the Money so to be called for by the Space of Six Weeks next after the Time appointed for Payment thereof, together with lawful Interest for the same from such appointed Time of Payment, then and in such Case it shall and may be lawful to and for the said Company, at some General Meeting to be held after such Neglect or Refusal, to declare all and every or any of the Share or Shares of such Person or Persons so neglecting or refusing as aforesaid to be forfeited, and from thenceforth the said Share or Shares so declared to be forfeited, and all the Profit and Benefit thereof, and all Money theretofore advanced by him, her, or them on account thereof, shall be vested in the said Company, their Successors and Assigns, to and for the Uses and Purposes herein-after mentioned.

On Non-payment of Calls, Shares to be forfeited.

XXXIII. And

For ascertaining the Proprietorship of Shares in certain Cases.

XXXIII. And whereas in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking, shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is or are the Owner or Proprietor, or Owners or Proprietors, of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, or to maintain any Action or Actions, Suit, or other Proceedings against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking, shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer and Conveyance thereof in the Form and Manner hereinafter specified, an Affidavit shall be made and sworn to by Two credible Persons, before a Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace, 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 delivered to the Clerk of the said Company, to the Intent that he may enter into and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Undertaking, to be kept in the Office of the Clerk to the said Company; and in all or any of the said Cases, after Six Weeks Notice in Writing shall have been given by the said Clerk to the Owner or Owners, Person or Persons, appearing by such Affidavit to be Owner or Owners thereof, or left at his, her, or their last or usual Place 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 Proprietors, at any General Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited, and that in such Case the same, and all the Profit and Benefit thereof, and all Money theretofore advanced on account thereof, shall be vested in the said Company, their Successors and Assigns, to and for the Uses and Purposes hereinafter mentioned.

No Share to be forfeited, unless Notice be published in a Newspaper.

XXXIV. Provided always, and be it enacted, That no Share or Shares of any Person or Persons of and in the said Undertaking, shall be forfeited or vest in and accrue to the said Company, until Notice shall have been published in some One of the Daily Newspapers circulated within the said *Isle of Wight* Thirty Days at least before the holding of such General Meeting, in which Notice shall be contained a Statement and Account of the Money due from such Person or Persons for such Call or Calls in respect of his, her, or their Share or Shares in the said Undertaking, exclusive of the Interest thereon, and no such Share or Shares shall

shall be forfeited to or vested in the said Company, if the Owner or Owners of such Share or Shares, or the Person or Persons appearing by such Affidavit to be Owner or Owners of such Share or Shares, shall, before the holding of such General Meeting, pay what shall be due thereon for such Call or Calls as aforesaid, and legal Interest for the same, and all the Expences attending the Application for and advertizing of the same as aforesaid.

Company empowered to sell Shares become forfeited.

XXXV. And be it further enacted, That when any Share or Shares of the said Undertaking shall by virtue of this Act have become forfeited to or vested in the said Company as aforesaid, then and in every such Case it shall and may be lawful to and for the said Company, or their Committee for the Time being, and they are hereby authorized and empowered from Time to Time to sell or cause to be sold by Public Auction or Private Contract, and by Writing under the Common Seal of the said Company to assign and transfer such and so many of the Share or Shares of such Defaulter or Defaulters as the said Company or their Committee shall from Time to Time find necessary and to direct to be sold, unto such Person or Persons as shall become the Purchaser or Purchasers thereof, his, her, or their Executors, Administrators, and Assigns, and such Assignments and Transfers shall be good, valid, and effectual against the Owner or Owners of every such Share or Shares so forfeited to or vested in the said Company, and sold as aforesaid, and all Persons claiming under him, her, or them: Provided always, that in case the Money produced by the Sale of any such Share or Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon, and the Expences attending the 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, or shall appear by such Affidavit or Affidavits to have belonged: Provided also, that the said Company or their Committee shall not by virtue of this Act 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 Payment of all and every of such Call or Calls, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company as aforesaid which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons 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.

If the Purchase Money for such Share shall be more than sufficient to pay the Arrears of Calls, and Interest and Expences thereon, the Surplus to be paid to the Owner on Demand.

Shares unsold to revert to the former Owners.

Executors and Administrators indemnified in paying Calls.

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

be indemnified against such Infant and all other Persons whomsoever for paying any Money which shall be called for as aforesaid, in respect of the Share or Shares of such deceased Proprietor or Proprietors.

Proprietors of Shares forfeited, not to be sued.

XXXVII. Provided also, and be it enacted, That nothing herein contained shall empower the said Company to sue the Proprietors of any Share or Shares which shall be declared to be forfeited in manner and according to the Tenor, true Intent, and Meaning of this Act (except as to any such Share or Shares as shall revert as herein-before directed), for any Call or Calls of Money subsequent to the Declaration of such Forfeiture; but when any such forfeited Share or Shares shall be sold, the Purchaser or Purchasers thereof shall be liable to the future Calls in the same Manner as if he, she, or they had been the original Proprietor or Proprietors of such Shares or Shares.

Shares may be transferred.

XXXVIII. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, to sell and transfer any Share or Shares of which they shall respectively be possessed; and every such Transfer shall be in the Form or to the Effect following; (that is to say),

Form of Transfer.

'I [*or* we] of in consideration of the Sum of paid to me [*or* us] by of do hereby bargain, sell, assign, and transfer to the said the Sum of Capital Stock of and in the Undertaking called *The* Newport *Gas Light Company*, being my [*or* our] Share [*or* Shares], Number [*or* Numbers] therein: To hold to the said Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions as 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 .'

Transfers to be registered.

And every such Transfer shall be registered in the Books of the said Company, by an Entry of the Date, Names of the Parties, and the Number of Shares transferred, for which Entry or Registering the Sum of Five Shillings and no more shall be paid, to the Clerk or other Officer making the same, by the Person at whose Request such Registry shall be made; and a Copy of such Register, signed by the Clerk or other such Officer of the said Company, shall be sufficient Evidence of every such Sale and Transfer, and shall be accounted as such in all Disputes and in all Trials before any Court, and by all Judges, Justices, and others in the United Kingdom; and that until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares in the said Undertaking, or in the Profits and Advantages thereof, or his, her, or their Executors, Administrators, Successors, or Assigns, shall receive any Interest or Dividends for

or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking.

No Share to be sold after Calls are made

XXXIX. Provided always, and be it further enacted, That no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after the Day appointed for the Payment of any Call for Money, until the Money so called for in respect of his, her, or their Share or Shares intended to be sold shall be paid; and that until such Money so called for shall be paid in respect of such Share or Shares intended to be sold, such Sale or Transfer of any Share or Shares shall be void, and such Share or Shares shall be liable to Forfeiture, under the Provisions herein-before contained, in such and the same Manner as if no such Sale or Transfer had been made.

Accounts to be settled.

Meeting to declare Dividends.

XL. And be it further enacted, That any Half-yearly General Meeting, or any General Meeting specially called for the Purpose, shall have full Power to call for, examine, and settle the Accounts of the said Company; and that at every Half-yearly General Meeting to be held on the Fourth *Tuesday* in the Month of *January*, or some Adjournment thereof, a yearly Dividend or Dividends shall be made out of the Interest, Profits, or Advantages of the said Undertaking, unless such Meeting shall declare otherwise; and such Dividend shall be at and after the Rate of so much *per Centum* for every Share upon all and every the Sum and Sums of Money paid to the said Company by the said Subscribers, their Successors, Executors, Administrators, or Assigns, as such Meeting or Meetings shall think fit to appoint and determine; provided that no Dividend shall be made whereby the Capital of the said Company shall in any Degree be reduced or impaired, nor shall any Dividend be paid in respect of any Share or Shares after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid.

Gas to be supplied cheaper than Oil Light.

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

Service Pipes to be kept fully charged with Gas.

XLII. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be put up by the said Company, for lighting the Streets, Squares, and other public Places of the said Town and Places adjacent, or any or either of them, under any Contract or Agreement with the said Commissioners, or other Persons thereunto authorized, shall be kept fully charged with Gas, and the Stop Cocks shall be so formed and turned as not to impede or prevent the said Branch or Service Pipes

being completely filled with Gas during the Time the same shall be lighted.

Power to break up the Soil and the Pavements of Streets.

XLIII. 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 mentioned), by their Servants, Agents, Workmen, and others, from Time to Time to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Resenvoirs, and other Works, and to sink and lay Pipes of such Construction and in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into Execution; and also, in a careful and workmanlike Manner, doing thereby as little Damage as may be, to break up the Soil, Pitchings, and Pavements of any Streets, Highways, Roads, Ways, Footpaths, Lanes, and Passages, within the said Borough of *Newport*, or adjacent thereto; and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stop Cocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along such Streets, Highways, Roads, Ways, Footpaths, Lanes, and Passages, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Light as aforesaid, and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stop cocks, 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, Highway, Road, Way, Lane, Footpath, or Passage, by the said Company, by virtue of this Act, into a Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same from any such Mains or Pipes, and to fix, place, and maintain any Apparatus or Convenience necessary or requisite, or deemed advisable for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and also to alter or amend any Work which shall have been placed, when the same shall be bad and imperfect, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things of the same or the like Nature as shall from Time to Time be necessary and convenient for the Purposes of carrying this Act into Execution: Provided always, that a proper Compensation be made by the said Company of Proprietors for any Damage to be done by the said Acts respectively; and provided also, that nothing herein contained shall extend, or be construed to extend, to authorize or empower the said Company, or their Successors, to sink or make any such Cuts, Drains, Sewers, Watercourses, and Reservoirs in any Situation or Direction where the same can, shall, or may interfere with any present or future public or private Drain, Sewer, or Well, nor to carry or lay any Pipe or Pipes, Cocks or Branches from any Main or Pipe into or against any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, without the Consent in Writing of the Owner or Owners and Occupier or Occupiers for the Time being, of every such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid: Provided also, that the Soil, Pitchings, Gutters, and

and Pavements of any Streets, Highways, Roads, Ways, Footpaths, Lanes, and Passages within the present or future Jurisdiction of the said Commissioners for executing the said Act of the Twenty-sixth Year of His said late Majesty, shall only be broken up with the Consent of such Commissioners, and under the Inspection of their Surveyor: Provided also, that all Works to be done or repaired within the Jurisdiction of such last-mentioned Commissioners, be done under the Inspection of such Surveyor aforesaid, (Emergencies excepted): Provided also, that all other public Streets, Roads, and Highways, shall only be broken up with the Consent of the Commissioners, Trustees, or Surveyors under whose Care or Superintendance the same Streets, Roads, or Highways may be, and under the Inspection of the Surveyor or Surveyors of the Commissioners or Trustees respectively: Provided also, that all private Roads or Ways shall only be broken up with the Consent of the Occupier or Occupiers and Owner or Owners of the Soil thereof respectively.

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

XLIV. Provided always, and be it further enacted, That the said Company and their Successors shall, at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of such Occupier or Occupiers so giving Consent as aforesaid, within Twenty-one Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose, for or on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, remove, take, and carry away, or cause to be removed, taken, and carried away any Pipe or Pipes, Cocks, or Branches, from any Main or Pipe which shall have been introduced or laid by the said Company of Proprietors and their Successors, in or against any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, pursuant to the Power for that Purpose herein-before contained, and repair and make good such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings where the same shall have been so introduced, any thing herein-before contained to the contrary thereof notwithstanding; and in Default thereof it shall and may be lawful to and for such Owner or Owners, or such new Occupier or Occupiers as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipe or Pipes, Cocks, or Branches to be removed, taken, and carried away, and such Dwelling Houses, Manufactories, and public or private Buildings where the same shall have been so introduced to be repaired and made good, and the reasonable Costs and Charges for so doing the same shall be immediately paid by the said Company or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require: Provided nevertheless, that if such reasonable Costs and Charges be not paid within One Calendar Month next after Demand shall be made by such Owner or Owners, Occupier or Occupiers (Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the said Borough of *Newport*) all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such

Distress

Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the said Borough, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may require.

To be subject to all Acts of Parliament relating to Roads.

XLV. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to authorize or empower the said Company, or any other Person or Persons whomsoever, to break, take up, or disturb the Ground, Stones, Soil, or Pavement in or of any Road or Highways within the Limits of this Act, without the Consent in Writing of the Commissioners, Trustees, or other Persons in whom the Superintendance, Property, or Control of any such Road or Highway is by Authority of Parliament, or otherwise howsoever, vested, under the Hand or Hands of their proper Officer or Officers; and that all and every the Works, Matters, and Things, at any Time hereafter to be done or performed by the said Company, or their Servants, Workmen, or others, in, upon, through, or over any such Road or Highway, shall be subject to the Provisions, Regulations, Penalties, and Notices, and all and every the Powers, Authorities, Provisions, Rules, Directions, Forfeitures, Claims, Matters, and Things contained in any Act or Acts of Parliament for the making, amending, repairing, or improving any such Road or Highway, or otherwise relating thereto, so far as the same or any of them are applicable to Gas Light Companies, as fully and effectually as if the same had been amply re-enacted herein.

Situation of Pipes, &c. may be altered, if Commissioners desire it.

XLVI. And be it further enacted, That if for the Purposes of the said recited Act of the Twenty-sixth Year of His said late Majesty, it shall at any Time or Times hereafter be deemed necessary or expedient by the Commissioners acting under and by virtue of the same Act, to raise, sink, or otherwise alter the Situation of any of the Mains, Pipes, Stop-cocks, Plugs, or Branches which shall be laid down for the Purposes aforesaid, within the present or future Jurisdiction of the said Commissioners, the said Company of Proprietors shall, at the Expence, Costs, and Charges of the said Commissioners, within Two Calendar Months next after being required so to do, by Notice in Writing to them given by the said Commissioners, signed by their Clerk, raise, sink, or alter such Mains, Pipes, Stop-cocks, Plugs, or Branches, according to such Notice, in such Manner and in such Place or Places as the said Commissioners shall think right or proper, and in Default thereof, it shall be lawful to and for the said Commissioners or their Surveyor, or any other Person or Persons acting by their Order or under their Authority (at the like Costs and Charges of the said Commissioners) to cause such Mains, Pipes, Stop-cocks, Plugs, or Branches to be raised, sunk, or altered as aforesaid, so that in either of the said Cases as little Damage as possible be done thereby to the said Company or their Successors, and so that they be not thereby prevented from or inconvenienced or obstructed in lighting any public or private Lamp or Lamps, unless such Damage or Obstruction from the Circumstances of the Case be unavoidable.

Owners of private Grounds may

XLVII. Provided also, and be it further enacted, That in case the said Company shall at any Time hereafter break up the Soil, Pitching, or Pavement of

alter the Position of Pipes.

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

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

XLVIII. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Cocks, Plugs, or Branches, either by the said Commissioners, or any such Owner or Owners as last mentioned, any Damage, Loss, or Injury shall be done, accrue, or be sustained to or by the said Company and their Successors, either by losing the lighting of any such public or private Lamp or Lamps as aforesaid, or otherwise, then and in every such Case such Damage, Loss, or Injury to be fixed and ascertained by one or more Justice or Justices of the Peace for the said Borough of *Newport*, shall be made good to the said Company of Proprietors, by the said Commissioners, or by the said Owner or Owners, as the Case may be, as soon as Circumstances shall permit; and in default of Payment thereof by any such Owner or Owners for One Calendar Month, after Demand shall be made by the said Company, or by their Clerk or Superintendant, Proof of such Demand being made by the Oath of one credible Witness before one or more Justice or Justices of the Peace for the said Borough, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Owner or Owners, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of one or more Justice or Justices of the Peace of the said Borough; and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Company, as the Case may require.

Non-attendance of Surveyor of Commissioners not to retard the Works.

XLIX. Provided always, and be it further enacted, That in case the Surveyor for the Time being of the said Commissioners shall refuse or neglect to attend to inspect any of the Works hereby directed to be done under his Inspection, and which shall have been consented to by the said Commissioners, after being thereunto required, by Notice in Writing from the said Company or their Clerk, given to or left at the Place of Abode of the said Surveyor, the said Company are hereby fully authorized to do and perform such Works, without the Inspection of such Surveyor; any thing herein contained to the contrary thereof notwithstanding.

Pavements to be made good when Pipes are laid.

L. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Stop-Cocks, Syphons, Branches, or other Apparatus, shall do as little Damage as may be, and shall forthwith fill in the Trenches, and make good Pavements, Gutters, and Roads, and carry away the Rubbish occasioned by such Works, and repair any Damage arising from any Drains, Sewers,

or Cuts, which may be made for carrying off the Washings or Waste Liquids aforesaid, without any Delay, and shall in the meantime fence, guard, and light the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages; the same several and respective Acts to be done under the Superintendance and to the Satisfaction of the Surveyor for the Time being of the said Commissioners, in all Cases where such Mains, Pipes, Plugs, Cocks, Syphons, Branches, or other Apparatus shall be laid or repaired in or under any of the Public Streets, Roads, Ways, Footpaths, or other Places now or hereafter to be within the Jurisdiction of the said Commissioners, and under the Superintendance and to the Satisfaction of the Surveyor or Surveyors of the said Commissioners, or the Commissioners of any other Roads or Highways which may be so broken up, and under the Superintendance and to the Satisfaction of the Owner or Owners of the Soil for the Time being in all other Places: Provided always, that if there should be any wilful or negligent Delay in the said Company, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads as aforesaid, or in fencing, guarding, and lighting the Place where any such Ground shall be opened as aforesaid, then and in every such Case it shall and may be lawful to and for the said Commissioners, or their Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Commissioners, as to any Street, Highway, Way, Lane, Passage, or Place within their Jurisdictions as aforesaid so broken up, and to and for the Surveyor or Surveyors of the Trustees or Commissioners of any other such Road or Highway as aforesaid, and to and for the Owner or Owners of the Soil for the Time being in all other Places, to fill in such Ground and remove such Rubbish, and repair and make good any Pavement or Road so broken up; and to fence, guard, and light such Place, so opened as aforesaid, and the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors or their Treasurer to the said Surveyor or Surveyors, or Owner or Owners, as the case may require; and in default of Payment thereof for Ten Days next after Demand shall be made by any such Surveyor, or other Person acting by or under the Authority of the said Commissioners, as the Case may require, by such Owner or Owners, Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the Borough of *Newport*, all such reasonable Costs and Charges, together with any Sum not exceeding Ten Pounds, by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace for the said Borough of *Newport*; which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to the said Commissioners or Trustees, or their Treasurer, or as the Case may require, to the said Owner or Owners.

LI. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect of depriving the said Commissioners for **Power of Commissioners of Pave-**

ment, &c. not to be affected.

for carrying into Execution the said Act of Parliament of the Twenty-sixth Year of His late Majesty's Reign, or their Successors, or any other Person or Persons, of any Right, Power, or Authority which they or any of them at present possess, or of interfering with any Right, Power, or Authority which they or any of them may hereafter acquire, of lighting the public Streets, Highways, Ways, Lanes, Passages, and other Places, Houses, Manufactories, or Buildings, in the said Borough of *Newport* in the *Isle of Wight*, in or adjacent thereto as aforesaid, with Gas Lights, or in any other Manner, or to defeat, abridge, alter, obstruct, or in any Manner interfere with the Rights, Powers, and Authorities of the Commissioners appointed by virtue of the said recited Act of the Twenty-sixth Year of the Reign of His said late Majesty, or to remove any of the Disabilities or Restrictions, or to take away any of the Penalties or Forfeitures contained therein or imposed thereby, but that the said Act, and all and every the Matters, Powers, Authorities, Privileges, Disabilities, Restrictions, Provisions, Articles, Rules, Penalties, Forfeitures, and Clauses therein contained shall be and continue in full Force and Effect to all Intents and Purposes whatsoever, so far as the same are not expressly varied, altered, or affected by the Provisions herein contained, or any of them, in such and the like Manner as if this Act had not passed.

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

LII. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe or Tube, to communicate with any Pipe belonging to the said Company, without the Consent of the said Company, under their Common Seal, first had and obtained, nor supply any Inhabitant or other Person with any Gas from any such Pipe belonging to the said Company, on pain of forfeiting and paying to the said Company the Sum of Forty Shillings a Day for every Day such Pipe shall so remain, or such Supply be furnished; every such Penalty of Forty Shillings, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the Borough of *Newport*; and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture, and the Costs and Charges of such Distress and Sale are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; and in case sufficient Distress shall not be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to some House of Correction of the *Isle of Wight*, there to remain without Bail or Mainprize, for such Time as such Justice or Justices shall direct, not exceeding Three Calendar Months, unless such Forfeiture and all reasonable Charges, to be fixed by such Magistrate or Magistrates, in the Event of Commitment, shall be sooner paid and satisfied; and it shall be lawful for the said Company, if they should so think fit, also to take off the Gas from the House and Premises of the Person so offending, notwithstanding any Contract or Contracts, Agreement or Agreements, which may have been previously entered into.

Penalty for interrupting Company's Workmen.

LIII. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents,

Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure such Interruption or Hindrance to take place, and shall be thereof convicted before any Justice or Justices acting in or for the said Borough of *Newport*, either on Evidence of any credible Witness, or by Confession of the Party accused, every Person so offending shall, for every such Offence, forfeit and pay to the said Company of Proprietors any Sum to be adjudged by such Justice or Justices, not exceeding Five Pounds, and such Sum so adjudged to be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered.

Power to convey Washings.

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

Stopping the Escape of Gas.

LV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall at their own Expence, immediately after receiving Notice by Parol or in Writing, to be left or given at their Office or usual Place of transacting their Business, of any such Escape of Gas, 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 after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall, for every such Offence, forfeit and pay the Sum of Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be from Time to Time recoverable, in a summary Way, on the Oath or Affirmation of one or more credible

credible Witness or Witnesses, before one or more Justice or Justices of the Peace for the said Town and County, or other Justice or Justices having Jurisdiction, as the Case may require, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner, and subject to the like Provisions, as are herein directed touching other Penalties to be recovered from the said Company.

Penalty for damaging Pipes, &c.

LVI. And be it further enacted, That if any Person shall wilfully, wantonly, or maliciously remove, take away, break, destroy, damage, or injure any or any Part of any Pipe, Pedestal, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or shall wilfully, wantonly, or maliciously extinguish or put out any or either of the public Lamps and Lights, or wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Company, every Person so offending in any one or either of the respective Premises, and being thereof lawfully convicted on the Oath of One credible Witness before One or more Justice or Justices of the Peace for the Borough of *Newport*, shall for each separate and distinct Act or Offence herein-before enumerated, forfeit and pay to the aforesaid Company any Sum not exceeding Five Pounds and Three Times the Amount of the Damage to be done, as the same shall be ascertained by such Justice or Justices; such Penalty and Damage, together with reasonable Costs, to be levied under the Warrant of such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels, or if it shall appear to the said Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath or have not any Goods or Chattels sufficient to levy such Forfeiture or Damage aforesaid, such Offender or Offenders shall or may be forthwith committed to some House of Correction for the *Isle of Wight* there to remain for any Time to be fixed, not exceeding Three Calendar Months, unless such Forfeiture, Damages, and Costs so directed to be levied, shall be sooner paid and satisfied.

Satisfaction for accidental Damage to Lamps, &c.

LVII. And be it further enacted, That if any Person or Persons should carelessly or accidentally break, destroy, throw down, damage, or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or by any Person or Persons at his, her, or their private Expence, or any Pipe, Pedestal, Post, Plug, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or carelessly or accidentally waste any of the Inflammable Air or Gas supplied by the said Company, or keep the Lights burning for a longer Time than he, she, or they respectively shall contract to pay for, and shall not upon Demand by the said Company, or their Clerk or Superintendent, or other Person or Persons authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, 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 for the said Borough of *Newport* and he or they is and are hereby required, upon Complaint to him or them made, to summon before him the Party or Parties against whom such Complaint

Complaint shall be preferred; and upon hearing the Allegation 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 Excess, as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded, within Three Days after Demand, it shall and may be lawful to and for such Justice or Justices, or any one of them, and he and they is and are hereby required, to cause the same to be raised and levied by Distress and Sale of the Goods and Chattels of such Person or Persons by Warrant under the Hand and Seal of such Justice or Justices.

Appeal may be made to Quarter Sessions.

LVIII. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate or Collegiate, or any other Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Rule, Order, or Bye-law of the said Company of Proprietors, or any Thing done in pursuance thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may, within Six Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace, at the General or Quarter Sessions of the Peace to be holden for the said Borongh of *Newport*, the Person or Persons appealing having first given at least Ten clear Days Notice, of such Appeal and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk of the said Company, as representing such Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said Borough of *Newport*, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notices and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General Quarter Sessions of the Peace, or if they think proper may adjourn the hearing thereof to the next General or Quarter Sessions of the Peace to be held for such Borough, 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 any such Rule, Bye-law, Order or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determination of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Compelling the Attendance of Witnesses, and respecting Service of Notices.

LIX. And be it further enacted, That if any Person or Persons should be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person or Persons accused, and should refuse or neglect to appear from Time to Time at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect of Appearance, or appearing, should refuse to be examined on Oath, or being a Quaker or Quakers, on

on solemn Affirmation, which Oath or Affirmation such Justice or Justices is and are hereby authorised and required to administer, and to give Evidence before such Justice or Justices of the Peace, then and in every such Case any such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds; provided a reasonable Sum shall have been paid or tendered to such Person for his or her Costs and Charges in attending as a Witness.

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

LX. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service thereof upon any Member of the said Committee of Management, or left at his usual Place of Abode, or upon the Clerk of the said Company, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively should not be found or known then Service upon any Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Proceedings to be within Six Calendar Months.

LXI. 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 should have been lodged before a Magistrate of the said Borough of *Newport*, within Six Calendar Months next after such Offence committed.

Recovery and Application of Penalties.

LXII. And be it further enacted, That all Penalties and Forfeitures, for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders, or of applying the Penalties, is not particularly mentioned or directed, shall be adjudged by, and recovered before any Justice of the Peace for the Borough of *Newport*, in a summary Way; and such Magistrate is hereby authorized and empowered to convict the Offender or Offenders upon Information by the Oath of any Person or Persons, or on the Confession of the Party offending, which Oath such Justice is hereby authorized to administer; and in default of Payment of such Pains or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice; and one Moiety of the Penalties and Forfeitures when recovered, after rendering the Overplus (if any) on Demand, to the Party or Parties whose Goods and Chattels shall have been so distrained, (the reasonable Charges of such Distress and Sale being first deducted), shall be paid to the Informer, and the other Moiety thereof shall be paid to the Guardians of the Poor within the *Isle of Wight*, to be by them applied towards the Relief of the Poor in such Isle; and in case sufficient Distress cannot be found, or in case the Offender shall declare before such Justice that he hath not any Goods or Chattels whereon to levy, and such Penalties and Forfeitures shall not be paid, it shall

shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to some House of Correction in the said Isle, for any Time to be fixed, not exceeding Three Calendar Months, unless such Penalties and Forfeitures and Costs shall be sooner paid and satisfied.

Form of Conviction.

LXIII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good without alleging more than the Substance of the Offence; *videlicet*,

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

Expences of the Act how to be paid.

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

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

LXV. 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 against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a Public or Private Nuisance, or from bringing any Actions against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or Method of Lighting, whether such Injury shall proceed from the Nature of such Method of Lighting, or the Carelessness or want of Skill of the Persons employed therein.

General Saving.

LXVI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the said Commissioners for carrying into Execution the said Act of Parliament of the Twenty-sixth Year of His late Majesty's Reign, and to the Mayor, Aldermen, and Chief Burgesses of the said Borough of *Newport*, and their Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not passed.

Public Act.

LXVII. 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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