ANNO SEPTIMO

# GULIELMI IV. REGIS.

***

**Proprietors incorporated.**

Commons, in this present Parliament assembled, and by the Authority of the same, That *Dennis Brundritt*, *Thomas Hazlehurst*, *Philip Whiteway*, *John Johnson*, *Thomas Johnson*, *Josiah Rigby*, *Peter Ward*, *Gilbert Greenall*, *Thomas Ward*, *Thomas Greenall*, *John Rigby*, *Job Wilson*, *William Banton Gibson*, *William Pearson*, *John Ward*, *John Wylde*, *Thomas Rigby*, *Richard Jones*, *Jonathan Potter*, *John Fletcher*, *George Tobias*, *David Fletcher Atkinson*, and all and every such other Persons and Person, and Bodies and Body Politic, Corporate, or Collegiate, as from Time to Time shall become Subscribers or a Subscriber, and be duly admitted Proprietors or a Proprietor in such Manner as herein-after is mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into One Body Politic and Corporate by the Name of "The *Runcorn* 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 the said Company shall be established for the Purpose of producing Inflammable Air, Carburetted Hydrogen, Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, or other Materials, and for lighting with Gas the said Town of *Runcorn* otherwise called *Higher Runcorn* and *Lower Runcorn*, and the said Township or Chapelry of *Halton*, or either of them, or any Part thereof; and the said Company shall have full Power from Time to Time to sell and dispose of such Coal, Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Materials as aforesaid, in such Manner as the said Company shall think proper.

**Power to contract for the Purchase of Land.**

II. And be it further enacted, That it shall be lawful for the said Company and they are hereby respectively empowered from Time to Time to treat, contract, and agree, and to confirm any Contract or Agreement already made, for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town of *Runcorn* or the said Township or Chapelry of *Halton*, or either of them, or any Part thereof, for the Purposes of this Act (not exceeding Three Statute Acres in the whole), with any Body Politic, Corporate, or Collegiate, or with any Person or Persons whomsoever, who shall be willing to sell the same, or his, her, or their Right and Interest in the same, for the Uses and Purposes of this Act; and upon Payment of the Purchase Money for any such Lands, Tenements, or Hereditaments to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England* in manner by this Act directed (as the Case may be), such Lands, Tenements, or Hereditaments may be taken and used for the Purposes of this Act, and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title, Claim or Reversion, to such Lands, Tenements, or Hereditaments, and the same Lands, Tenements, or Hereditaments shall vest in the said "*Runcorn* Gas Light Company"; and it shall be lawful for the said Company to hold any such Lands, Tenements, or Hereditaments, and any Term, Right, and Interest therein, so purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever, and from

Time to Time and at any Time or Times thereafter to sell or dispose of the said Lands, Tenements, or Hereditaments, or any of them, as they shall think proper, and from Time to Time to purchase and hold other Lands, Tenements, or Hereditaments, and again to sell the same in like Manner, so that such Lands, Tenements, or Hereditaments do not at any one Time exceed Three Statute Acres in the whole in Measure.

Limiting the Quantity of Land to be taken.

III. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastic, Corporations Aggregate or Sole, 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 for Persons having any other partial or qualified Estate or Interest, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and for all and every Persons and Person whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, to contract for, sell, and convey the same or any Part thereof unto the said Company; and all such Contracts, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company, and shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

Bodies Politic, &c. empowered to sell.

Form of Conveyance.

'I [*or* We, *as the Case may be*,] of in consideration of the Sum of paid to me [*or* us, *or* 'into the Bank of *England*, *as the Case may be*,] by the *Runcorn* Gas 'Light Company, established under or by virtue of an Act passed in 'the Year of the Reign of King *William* the Fourth, intituled '[*here insert the Title of this Act*], do hereby grant and release [*or* assign, '*as the Case may be*,] to the said Company and their Successors all [*here* '*describe the Parcels to be conveyed*], and all my [*or* our] Right, Title, 'and Interest in and to the same and every Part thereof, to hold to the 'said Company and their Successors and Assigns for ever [*or*, *as the Case* '*may be*, during all the Remainder of my [*or* our] Term, Estate, and '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 .'

And all such Conveyances and Assurances as aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes, and shall operate and be as a Merger of all outstanding Terms of Years, and be a complete Bar of all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever.

IV. Provided always, and be it further enacted, That in case the said Company shall by virtue of the Powers of this Act purchase the aforesaid Three Statute Acres or any Part thereof from any Corporation or Person or Persons under any Disability or Incapacity as aforesaid, and in case

The Company not to purchase more than once from

incapacitated Persons.

case the said Company shall afterwards sell the Whole or any Part of such Three Statute Acres so purchased, then it shall not be lawful for the said Company to purchase of, or for the same or any other Corporation or other Person or Persons under any Disability or Incapacity as aforesaid to sell to the said Company any other Lands, Tenements, or Hereditaments in lieu or stead of those Three Statute Acres or any Part thereof so sold or disposed of by the said Company.

Power to sell any Part of purchased Land not wanted for the Purposes of this Act.

V. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of, to such Person or Persons as shall be willing to purchase the same, and by Indenture or Indentures under their Common Seal to grant and convey to such Purchaser or Purchasers by way of absolute Sale in Fee Simple, or to such Uses or in such Manner as the Purchaser or Purchasers thereof shall direct, for a competent Consideration in Money, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may have been so purchased and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall be lawful for the Treasurer (if only One, or if more than One for the Treasurers, who, if engaged in Partnership together, may sign in their Style or Firm by any One of such Firm,) for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge to any Purchaser or Purchasers for the Money therein and thereby expressed or acknowledged to be received; and such Purchaser or Purchasers, having *bonâ fide* paid the same, and obtained such Receipt or Receipts for the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof, or be bound to inquire or ascertain whether or not such Treasurer or Treasurers shall have been duly appointed to such Office, or shall be duly qualified according to the Directions of this Act.

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

VI. And be it further enacted, That if any Money shall be contracted or agreed to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, to be purchased by virtue of the Powers of this Act for the Purposes thereof, shall belong or be payable to any Corporation or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall (in case the same shall amount to or exceed the Sum of Two hundred Pounds) with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The *Runcorn* Gas Light Company," pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the

1 G. 4. c. 35.

Body

Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or in or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing 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 Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto 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; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were then made.

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

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

Application when not exceeding 20*l.*

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

In case of disputed Titles.

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

The Court may order reasonable Expences of Purchases to be paid by the Company.

X. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of any Party entitled to any Lands to be taken or used, or in respect of which any Satisfaction, Recompence, or Compensation shall be payable, under the Authority of this Act, the Purchase Money for the same, or the Money paid for such Compensation, shall be required to be paid into the Bank of *England*, to be applied in the Purchase of other Lands to be settled to the like Uses in pursuance of this Act, or until such Purchase to be invested in Consolidated or Reduced Bank Annuities or in Government or Real Securities, it shall be lawful for the said Court to order the reasonable Expences of all such Purchases, and of the Reinvestment of the Purchase Money in Land, or of the Investment in Consolidated or Reduced Bank Annuities or Government or Real Securities, together with the necessary Costs and Charges of obtaining the proper Orders for such Purposes, and for the Payment of the Dividends or Interest and annual Produce thereof, for the Payment of the said Purchase or Compensation Money, and the Stocks, Funds, or Securities on which the same may be invested, out of Court, to be paid by the said Company out of the Monies to be received by virtue of this Act, and the

said Company shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XI. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments by the said Company to the Body or Bodies 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 in Equity of the Body or Bodies and Person and Persons respectively to whom or for whose Use the same shall be paid, in, to, or out of such Lands, Tenements, and Hereditaments, shall vest in the said Company and their Successors for ever for the Uses and Purposes of this Act.

Power to raise a Capital or Stock not exceeding 4,000*l.*

XII. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves, by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the Undertaking and Purposes aforesaid, a Sum of Money not exceeding in the whole the Sum of Four thousand Pounds; provided that the whole of the said Sum of Four thousand Pounds shall be subscribed before the Powers of this Act shall be put into execution.

Capital may be increased.

XIII. And be it further enacted, That it shall be lawful for the said Company at any Time or Times hereafter and from Time to Time to raise any further Sum or Sums of Money, not exceeding, together with the said Sum of Four thousand Pounds, the Sum of Eight thousand Pounds, for increasing the Capital or Joint Stock of the said Company, either by a Subscription among themselves, or by the Admission of new Subscribers, or by both the said Ways.

Capital or Joint Stock to be divided into Shares of 5*l.* each.

XIV. And be it further enacted, That the said Capital or Joint Stock of Eight thousand Pounds, and also any additional Sum or Sums to be hereafter raised as aforesaid, shall be divided into One thousand six hundred Shares of Five Pounds each, and such Shares shall be numbered, beginning with Number One and ending with Number One thousand six hundred, in regular arithmetical Progression, and every such Share shall be distinguished by the Number to be applied to the same; and the said Shares shall be and the same are hereby vested in the several Bodies Politic, Corporate, and Collegiate, and Persons, by or for whom any Subscription shall be made or accepted pursuant to the Orders of any General Meeting or Meetings to be held as herein-after is mentioned for or towards the said Principal Sum or Sums, his, her, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they shall respectively contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more such Share or Shares, and who shall contribute and pay the same, or such Sum or Sums as shall be demanded in lieu thereof, towards the said Undertaking, shall be entitled to receive the entire net Distribution of an equal

equal proportionable Part according to the Money so contributed of the net Profits and Advantages of the said Undertaking that shall and may arise and accrue to, or be raised, recovered, or received by the said Company in manner herein-after provided; and every Body Politic, Corporate, or Collegiate, Person and Persons, having or holding any such Share or Shares as aforesaid, shall bear and pay a proportionable Sum towards carrying on the Purposes of this Act in manner herein-after directed and appointed; and all and every Body and Bodies Politic, Corporate, or Collegiate, or other Person or Persons, who shall have subscribed for or agreed to advance any Money for the Purpose of this Act, or who shall hereafter subscribe for or agree to advance any Part of such Money, or who shall become entitled to and shall be in the actual Possession of One or more Share or Shares in the Capital or Joint Stock of the said Company, their, his, or her Successors, Executors, or Administrators, shall be deemed to be Proprietors or a Proprietor of the said Undertaking hereby authorized to be carried into effect.

Subscribers to be deemed Proprietors.

Proprietor not to be called upon for more than his Share.

XV. And be it further enacted, That no Proprietor of the said Company shall in any Case be called upon to advance any Sum or Sums of Money whatever beyond the Amount of the Share or Shares he or they may have in the Capital Stock of the said Company.

Shares to be deemed Personal Estate.

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

Property of the Company to be subject to the Debts of the Concern.

XVII. And be it further enacted, That the Lands, Tenements, and Hereditaments, Manufactories, Apparatus, Works, Chattels, and Effects of the said Company, shall be answerable for and subject to the just Debts and Demands of the Creditors of the said Company, and shall be answerable for the due Performances of every Contract entered into by the Committee of the said Company, and for all Damages which shall be recovered by reason of any Breach or Nonperformance thereof.

Power to raise Money by Mortgage.

XVIII. Provided always, and be it further enacted, That in case the said Company shall be desirous of raising the said further Sum of Four thousand Pounds or any Part thereof by Mortgage of the said Undertaking, it shall be lawful for the said Company or the Committee for the Time being, by and with the Advice and Direction of any General Meeting of the said Company, from Time to Time to borrow and take up at Interest, for the Use of the said Company, all or any Part of the said Sum of Four thousand Pounds, and thereupon by Writing under their Common Seal to mortgage, assign all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, Assignee or Assignees, as a Security for the Principal Money to be advanced, together with lawful Interest for the same; and the Charges and Expences of such Mortgage or Assignment shall be from Time to Time defrayed by the said Company out of the Monies so borrowed; and every such Mortgage or Assignment shall or may be in the Words or to the Effect following; (that is to say)

'WE,

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

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and Advantages thereof, according to the Form of Words of such Mortgage or Assignment, and the true Intent and Meaning of this Act, and without any Preference over each other by reason of the Priority of Date of any such Mortgage or Assignment, or on any other Account whatsoever.

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

'I *A.B.*, being entitled to the Sum of under or by virtue of a Mortgage or Assignment bearing Date the Day of under the Common Seal of the *Runcorn* Gas Light Company, in pursuance of an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*], in consideration of the Sum of do hereby assign and transfer all my Right and Interest in and to the same, and in and to the Property and Effects assigned to me for securing the same, unto his [*or* her] Executors, Administrators, and Assigns. Dated the Day of in the Year of our Lord .' Form of Assignment.

And a Copy of every such Mortgage or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk of the said Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby secured and transferred, to which Book any Person interested shall at all reasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of

Two Shillings and Sixpence, and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

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

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

No Priority of Mortgages.

XXI. And be it further enacted, That all Persons to whom any such Assignment shall be made shall be equally entitled one with the other to the said Undertaking, and Property and Effects of the said Company, and the Profits and Advantages thereof, so to be assigned, in proportion and according to the respective Sums in such Securities mentioned to be advanced, without any Preference by reason of the Priority of any such Assignment, or on any other Account; and it shall not be lawful for any Person or Persons who shall have made any such Transfer to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; but neither such Mortgagee or Mortgagees, nor his or their Assignee or Assignees (he or they not being previously a Proprietor or Proprietors of Shares in the said Undertaking), shall be deemed a Proprietor of the said Undertaking, or be capable of acting in any respect as such.

In case Mortgages are paid off, the Company may raise the Amount again.

XXII. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the Money herein-before authorized to be raised by Mortgage as aforesaid, and shall afterwards pay off all or any Part of the Principal Money so secured upon Mortgage as aforesaid, then and in every such Case it shall be lawful for the said Company immediately or at any Time thereafter again to raise in lieu of the Principal Money so paid off by them such Sum of Money as they shall from Time to Time have paid off, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any event borrow upon Mortgage as aforesaid in such Manner or to such Extent as that more than the Sum of Five thousand Pounds in the whole shall be owing at any one Time on Mortgage upon the said Undertaking.

Payment of Calls.

XXIII. And be it further enacted, That the several Persons who have already subscribed or shall hereafter subscribe for and towards the said Undertaking, or shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed or to be subscribed, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall from Time to Time be ordered and directed by any General or Special General Meeting of the said Company to be held for that Purpose, or by the Committee for the Time being of the said

Company; and in case any Person or Persons shall refuse or neglect to pay any such Money at such Time or Times and in such Manner as shall be ordered and directed by the said Company or their Committee as aforesaid, it shall be lawful for the said Company to sue for and recover the same from him, her, or them 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 or Times of Payment, and full Costs of Suit; and in like Cases of Refusal or Neglect, where Two or more Persons shall have jointly subscribed for or be jointly possessed of One or more Share or Shares in the said Undertaking, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

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

XXIV. And be it further enacted, That the said Company or their said Committee for the Time being shall cause the Names and Designations of the several Persons who are at present and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the Number of Shares possessed by each of the Subscribers and Proprietors, and also the proper Number by which every Share shall be distinguished, to be distinctly entered in a Register Book to be kept by the Clerk to the said Company, to be appointed as herein-after mentioned; and after the making of such Entry the same shall be signed by the Chairman of the Committee of the said Company; and a Certificate under the Common Seal of the said Company shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Proprietor or Proprietors thereof, which Certificate shall be delivered to the Proprietor of such Share upon Demand, and for every such Certificate such Proprietor shall pay to the Clerk of the said Company the Sum of One Shilling, and no more; and such Certificate shall be admitted in all Courts and Proceedings whatsoever as Evidence of the Title of such Proprietor or Proprietors, his, her, or their Executors, Administrators, or Assigns, to the Share therein specified, but the Want of such Certificate shall not hinder or prevent the Proprietor or Proprietors of any of the said Shares from selling or disposing thereof; and the said Certificate may be in the Words or to the Effect following; (that is to say,)

Form of Certificate.

'*Runcorn* Gas Light Company.

'Number

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

Power to Proprietors to sell Shares.

XXV. And be it further enacted, That it shall be lawful for the several Proprietors of any Share or Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, to sell and transfer any Share or Shares of which they shall respectively be possessed; and every

every such Transfer shall or may be in the Form or to the Effect following; (that is to say,)

Form of Transfer.

'I [*or* We] of in consideration
'of paid to me [*or* us] by
'of do hereby bargain, sell, and transfer to the
'said the Sum of Capital Stock
'of and int he Undertaking called "The *Runcorn* Gas Light Company,"
'being my [*or* our] Share [*or* Shares], Number [*or* Numbers ]
'in the said Undertaking, to hold to the said
'Executors, Administrators, and Assigns, subject to the same Rules,
'Regulations, and Orders, and on the same Conditions, that I [*or* we]
'held the same immediately before the Execution hereof; and I [*or* we]
'the said do hereby agree to take and accept the
'said Share [*or* Shares,] subject to the same Rules, Regulations, Orders,
'and Conditions. As witness my Hand and Seal [*or* our Hands and
'Seals] this Day of in the Year
'of our Lord .'

And every such Transfer shall be produced and notified to the Clerk of the said Company, and shall be entered and registered by him in the Books of the said Company, and the Entry or Registry thereof shall specify the Date, Names of the Parties, and the Number of Shares transferred, for which Entry and Registry the Sum of Two Shillings and Sixpence, and no more, shall be paid to the Clerk or other Officer making the same by the Person requiring such Transfer; and a Copy of such Registry, signed by the Clerk or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes and in all Trials before any Court or other Judicature; and 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, or his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to any Vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking in respect of such Share or Shares.

No Proprietor to sell or transfer any Share till after Payment of Calls then made.

XXVI. Provided always, and be it further enacted, That after any Call for Money shall have been made by virtue of this Act no Proprietor or Proprietors shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after the Day appointed for Payment of the said Call, until the Money so called for or in respect of his, her, or their Share or Shares intended to be sold shall be paid, and until such Money so called for shall have been paid every such Sale or Transfer of any Share or Shares shall be void.

In case of Death, &c. of any Proprietor a Declaration thereof to be made.

XXVII. And whereas by reason of Death, Insolvency, or Bankruptcy, or by the Absence from this Kingdom of the said Proprietors, or by the Transfer of their, his, or her Right and Interest to some other Person or Persons without any Registry being made thereof with the Clerk of the said Company, it may not be in the Power of the said Company to know who is or are the Proprietor or Proprietors of such Share or Shares; be it

it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-before specified, a Declaration in lieu of an Oath shall be made and subscribed by Two credible Persons before a Master or Master Extraordinary in His Majesty's High Court of Chancery, or any One of His Majesty's Justices of the Peace, in the Manner prescribed by the Act made and passed in the Fifth and Sixth Years of the Reign of His Majesty, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken andmade in various Departments of the State, and to substitute 'Declarations in lieu thereof, and for the more entire Suppression of voluntary 'and extra-judicial Oaths and Affidavits;' and to make other Provisions for the Abolition of unnecessary Oaths*, 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 Declaration shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book to be kept in the Office of the Clerk to the said Company; and in all or any of the said Cases the Person or Persons who for the Time being shall appear by the Registry to be kept by the Clerk of the said Company as aforesaid to be the Owner or Owners of any Share or Shares in the said Undertaking shall for all the Purposes of Notice and Liabilities be deemed and considered as the Proprietor or Proprietors thereof. 5 & 6 W. 4. c. 62.

Regulations of the Company as to General Meetings.

XXVIII. And be it further enacted, That the said Company shall meet together at some convenient House or Place within the said Town of *Runcorn* within One Calendar Month next after the passing of this Act between the Hours of Ten of the Clock in the Forenoon and Five of the Clock in the Afternoon, of which Meeting Ten Days Notice shall be given by some one of the Proprietors or Subscribers once in some Newspaper published in the Town of *Liverpool*, or by Letter through the Post Office at *Runcorn* addressed to each of the other Proprietors or Subscribers at their usual Residences, and such Meeting shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time to such other Time and Place as shall be decided by a Majority in Value of available Votes of the said Proprietors; at which said General Meeting and also at all other Meetings of the said Company to be held under the Authority of this Act one of the Proprietors then present shall be elected by the Majority in Value of available Votes of the Proprietors to preside as Chairman, and all Questions shall be decided by a Majority of Votes of the Proprietors present or entitled to vote, as herein-after mentioned, according to their respective Number of Shares; (that is to say,) One Vote in respect of every such respective Share to the Number of Five Shares, and also One Vote in respect of every additional Five Shares over and above such first-named Five Shares, but no Proprietor shall be entitled to more than Thirteen Votes in the whole, nor shall any Proprietor be entitled to vote at any such Meeting of the said Company in respect of any Share or Shares which he or she may possess in the said Undertaking unless such

Proprietor shall have fully paid all Arrears due in pursuance of any Call or Calls which shall have been made as herein-after is directed or authorized upon or in respect of such Share or Shares, although the Time limited for Payment thereof, as herein-after is mentioned, may not have expired, nor shall any Proprietor vote at any Meeting of the said Company upon any Question in which such Proprietor shall be interested in any other Way than as being a Proprietor in the said Undertaking: Provided always, that if at any Meeting of the said Company the Number of Votes, including the Vote of the Chairman, shall be equal, then and in every such Case the Chairman for the Time being shall have an additional or casting Vote.

If Two or more Persons be joint Proprietors, One only shall vote.

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

Votes of Lunatics, Idiots or Minors.

XXX. And be it further enacted, That in case any of the said Proprietors entitled to vote as aforesaid shall be a Lunatic or Lunatics, Idiot or Idiots, or Minor or Minors, such Lunatic or Lunatics, Idiot or Idiots, may vote by any one of his, her, or their Committee, and such Minor or Minors shall or may vote by his, her, or their Guardian or any one of such Guardians.

Power to vote by Proxy.

XXXI. And be it further enacted, That any Proprietor of any Share or Shares in the said Undertaking, entitled to vote in respect of such Share or Shares at any General Meeting or Special General Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General Meetings or Special General Meetings as aforesaid either in Person or by Proxy (every such Proxy being a Proprietor in the said Undertaking, and entitled to vote in respect of his own Share or Shares,) duly constituted under his or her Hand, or, in Cases of Minors, Lunatics, or Idiots, under the Hand or Hands of his, her, or their Guardian or Guardians or Committee or Committees: Provided nevertheless, that no one Person shall deliver in Proxies for more than Three Proprietors; and the Appointment of such Proxies may be made in the Form or to the Effect following; (that is to say,)

Form of Proxy.

‘ I of one of the Proprietors of Shares
‘ in “The *Runcorn* Gas Light Company,” do hereby nominate, con-
‘ stitute, and appoint of to be my Proxy,
‘ in my Name and in my Stead to vote or give my Assent to or Dissent
‘ from any Business, Matter, or Thing relating to the said Undertaking
‘ that shall be mentioned or proposed at the General Meeting *or* Special
‘ General Meeting of the said Company to be holden on the
‘ Day of or any Adjournment thereof, if I shall not
‘ be

'be present, in such Manner as the said shall think
'proper, according to his Opinion and Judgment, for the Benefit of
'the said Undertaking, or any thing relating thereto. In witness whereof
'I have hereunto set my Hand the Day of
'One thousand eight hundred and .'

General Meetings or SpecialGeneral Meetings may examine Accounts.

XXXII. And be it further enacted, That at any General Meeting or at any Special General Meeting called for the Purpose the said Company shall have full Power to call for, examine, and settle the Accounts of the said Company and of the said Committee, and such Accounts shall lie open at the Office of the Clerk or Treasurer of the said Company, or at such other convenient Place as the Committee for the Time being shall direct, for the Inspection of any Proprietor or Proprietors of the said Undertaking, without Fee or Reward, every Day, except *Sunday*, between the Hours of Ten and Four of the Clock, for the Space of Seven Days before the same shall be signed or passed at such Meeting, and after such Accounts shall have been passed the same shall be final and conclusive; and at every General Meeting, or some Adjournment thereof, a Dividend or Dividends shall be made out of the Interest, Profits, or Advantages of the said Undertaking, unless such Meeting shall declare otherwise, and such Dividend or Dividends shall be at and after the Rate of so much *per Centum* for every Share upon all and every the Sum and Sums of Money paid to the said Company by the said Subscribers, their Executors, Administrators, Successors, or Assigns, as such Meeting shall think fit to appoint and determine: Provided always, that no Dividend shall be made whereby the Capital of the said Company shall in any degree be reduced or impaired, nor within Twelve Calendar Months next after the passing of this Act; nor shall any Dividend be paid in respect of any Share or Shares after a Day appointed for the Payment of any Call for Money in respect thereof, by virtue of this Act, until such Call shall have been paid.

General Meeting to declare Dividends.

Notices of General or SpecialGeneral Meeting to be inserted in Newspapers.

XXXIII. And be it further enacted, That all Notices herein directed to be given of any General Meeting or Special General Meeting, or Adjournments respectively, to any of the said Proprietors upon any Occasion not herein otherwise provided for, shall be given by Advertisement inserted in some Newspaper published in the said Town of *Liverpool*, and by Letters from the Clerk or other Officer duly authorized by the said Company, sent by the Post to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the individual Proprietor entitled to such Notice (as the Case may be), and that such Notice and Letters shall be deemed and considered the same as personal Notice.

General or SpecialGeneral Meeting to be adjourned in case a sufficient Number of Proprietors not present.

XXXIV. And be it further enacted, That at all General Meetings or Special General Meetings of the said Company the Proprietors then present, being collectively possessed of One hundred Shares at least in the said Undertaking, and not fewer in Number than Five Proprietors, shall and may proceed to Business and act in the Execution of the several Powers hereby given to the said Company; and if it shall happen that there shall not be present at any such General Meetings or Special General Meetings a sufficient Number of the said Proprietors, then and so often as it shall so happen such Meeting shall stand over and be deemed to be adjourned

adjourned to the same Day in the following Week at the same Place and Hour as the same ought to have been held as aforesaid; but no Business shall be transacted at any Special General Meeting of the said Proprietors besides the Business for which such Meeting shall have been called, and no other Business shall be transacted at any adjourned Special General Meeting besides the Business left unfinished at the Meeting from which such Adjournment took place.

Appointment and Qualification of Committee of Management.

XXXV. And be it further enacted, That at the said First General Meeting of the said Company, or at some Adjournment thereof, a Committee for managing the Affairs of the said Company shall be elected out of such of the Proprietors or Subscribers of Shares of and in the said Undertaking as shall be possessed in their own Right of Ten Shares at the least, and such Committee shall consist of Eight Proprietors or Subscribers, and when elected they shall be the Committee for managing the Affairs of the said Company until others or another shall be chosen in their or any of their Stead as herein-after mentioned: Provided always, that it shall not be lawful for any Person who shall be a Member of the said Committee to enter into any Contract for, undertake to do, or perform any Work under or by virtue of this Act; and if any such Person shall be or become a Dealer, either directly or indirectly, in any of the Articles to be provided or manufactured by the said Company, or shall be otherwise interested in the said Company further than as a Proprietor, every such Person shall be disqualified to be a Member of the said Committee, and shall immediately thereupon cease to act and vote in such Committee; and if any Person to be appointed by virtue of this Act a Member of the said Committee shall at any Time cease to be a Proprietor of the said Undertaking to the Extent of Ten Shares, or shall refuse or neglect, unless prevented by Illness or Absence from Home, to attend any Three successive Meetings of the said Committee, every such Person shall thereby cease to act or vote at such Committee, and shall be disqualified as aforesaid; and thereupon, or on the Death of any Member 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, or at a Special General Meeting of the said Company to be called for that Purpose, to elect some other Proprietor qualified as aforesaid in the Stead of such defaulting or dead Member to be a Member of the Committee, and every such Proprietor so elected shall continue in Office as one of such Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued if such Death or Disqualification had not happened.

Disqualification.

Four Members of the Committee of Management to be annually elected.

XXXVI. And be it further enacted, That on the Third *Monday* in the Month of *April* in each Year, or as soon after as may be convenient, a General Meeting of the said Company shall be holden (of which Ten Days Notice shall be given in some Newspapers published in the Town of *Liverpool* aforesaid, and by Letters through the Post Office at the said Town of *Runcorn* addressed to each of the said Proprietors or Subscribers); and at every such General Meeting of the said Company to be holden after the First General Meeting herein-before mentioned, or Adjournment thereof, Four Members of the said Committee, qualified as aforesaid, who shall have been Members of the said Committee in the preceding Year, shall be re-elected Members of the said Committee, and

Four other Proprietors of the said Undertaking, qualified as aforesaid, shall be elected in the Place of the Four retiring Members of the former Committee; nevertheless all the Members of the said former Committee whose Office shall have then expired, or any of them, may (if otherwise qualified) be again immediately re-chosen; and after such Elections and Re-elections as aforesaid shall have taken place the Member or Members of the said Committee (if any) who shall not be re-elected shall go out of Office.

Power for General Meeting to vary Qualifications.

XXXVII. Provided always, and be it further enacted, That it shall be lawful for the said Company, at any General Meeting or Special General Meeting thereof, from Time to Time to increase or decrease or vary, as to the said Company shall seem meet, the Qualification of the Person to be chosen a Member of the said Committee, so that such Qualification shall not exceed Twenty Shares or be less than Five Shares in the said Undertaking; but no Proposal for such Variation shall be made at any Meeting of the said Company until Notice thereof shall have been given Fourteen Days at least before any such Meeting in some Newspaper published in *Liverpool* aforesaid, or usually circulated in the said Town of *Runcorn*, and by Letter delivered to or sent by Post to each of the Proprietors entitled to vote at any such Meeting, or to their respective Residences.

Five Proprietors holding collectively Fifty Shares may require a Special General Meeting to be called;

and in case of Refusal by the Committee may call it themselves.

XXXVIII. And be it further enacted, That in case any Five or more of the said Proprietors, being collectively possessed of or entitled to Fifty or more Shares in the said Undertaking, shall think that a Special General Meeting of Proprietors should be holden, then it shall be lawful for them, by Writing under their Hands left at the Office of the said Company, or given to any Member of the Committee for the Time being of the said Company, or left at his last or usual Place of Abode, to require the said Committee to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case the Committee for the Time being shall refuse or neglect to call such Meeting for the Space of Ten Days after such Requisition given as aforesaid, the same may be called by such Proprietors, to be held at such Hour and Place within the said Town of *Runcorn* as they shall think fit; provided Fourteen Days Notice of the Time and Place and Purport of such Special General Meeting be given by the Persons calling the same by Advertisement in One of the Papers printed at *Liverpool* aforesaid, or in some other Paper circulated in the Town or Neighbourhood of *Runcorn*, such Notice to specify the Reason and Intention of requesting such Special General Meeting, and the Time when and the Place where the said Meeting shall be held; and the said Company are hereby authorized to meet in pursuance of such Notice, and at each Special General Meeting it shall be lawful for the Proprietors then present, provided they shall be possessed of or entitled to, either as Principals or Proxies, at least Fifty Shares available for the Purpose of voting, but not otherwise, to proceed to the Execution of the Powers by this Act given to the said Company, with respect to the Matters specified in such Requisition and Notice only; and such Proprietors met together at every such Special General Meeting shall have the same Powers, and the Acts of them or the Majority of them shall be as valid and effectual with respect to the Matters specified

cified in such Requisition and Notice, as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

First General Meeting to elect a Treasurer and a Clerk.

XXXIX. And be it further enacted, That the said Company of Proprietors shall at their said First General Meeting, or at some Adjournment thereof, elect and choose a Treasurer or Treasurers to the said Company, and also a Clerk for transacting the Business of the said Company, and it shall be lawful for the said Company at any subsequent General Meeting or Special General Meeting to be holden as herein-before directed from Time to Time to remove and displace such Treasurer or Treasurers and Clerk, or any or either of them, or any other Person or Persons who shall be hereafter elected and appointed to their respective Offices, and from Time to Time to elect, choose, and appoint in manner aforesaid any other Person or Persons to act as Treasurer or Treasurers or Clerk of the said Company in the Room of such of the said Officers who shall be so removed from their respective Offices; and whenever any such Treasurer or Clerk shall die, or resign, or otherwise quit the Service of the said Company, it shall be lawful for the Committee for the Time being of the said Company from Time to Time to appoint some other Person or Persons in the Place of the Treasurer or Treasurers or Clerk so dying, resigning, or otherwise quitting the Service of the said Company, until the next General Meeting or Special General Meeting of the said Company, when such Appointment of Treasurer or Treasurers or Clerk by the said Committee shall be confirmed under the Common Seal of the said Company, or some other Treasurer or Treasurers or Clerk shall be elected and appointed as aforesaid; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers or any of them as at any such General Meeting or Special General Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person or Persons who shall be appointed Treasurer or Treasurers of the said Company, for the faithful Execution of his or their Office or Offices, before he or they shall enter thereupon.

Treasurer to give Security.

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

XL. 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 their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any

Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under this Act other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person 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 upon the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

No Monies to be issued by Treasurer without the Order of a General Meeting or of the Committee.

XLI. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders in Writing made at a General Meeting or Special General Meeting of the said Company, and signed by the Chairman of such Meeting, or without an Order or Orders in Writing signed by the Chairman of any Meeting of the Committee for the Time being, or by any Three or more Members of the said Committee; and the Receipt or Receipts of such Treasurer or Treasurers for all Monies payable to the said Company shall be effectual Discharges for the same.

Clerk to enter in a Book an Account of all Sums received and expended.

XLII. And be it further enacted, That the said Company shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the Proprietors of the said Undertaking, and all Persons and Bodies respectively possessing or entitled to any Securities affecting or charged upon the Estate and Effects, Rents and Profits of the said Company, by virtue of this Act, who may take Copies thereof or Extracts therefrom without Fee or Reward; and in case the said Clerk shall refuse to permit or shall not permit the said Proprietors or other Persons as aforesaid to inspect the same at all seasonable Times, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds.

Officers to account and deliver up Papers.

XLIII. And be it further enacted, That all such Officers appointed by the said Company or the said Committee shall from Time to Time when thereunto required deliver to such Committee, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing under their respective Hands of all Monies which they and every of them respectively shall have received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their respective Hands to the said Committee for the Time being, or to such Person or Persons as they shall appoint to receive the same; and if any such Officer shall refuse or neglect to deliver up or produce such Accounts and the Vouchers relating to the same in manner aforesaid, or shall refuse

refuse or neglect to pay the Money due on such Account, or if any such Officer shall refuse or neglect to deliver up to the said Committee or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Committee, all the Books, Papers, or Writings in his Custody or Power relating to the Execution of this Act, then and in every or any of the said Cases it shall be lawful for any Two Justices of the Peace for the said County of *Chester*, upon Complaint made before them by or on behalf of the said Committee, and such Justices are hereby required, by Warrant under their Hands and Seals, to cause such Officer or Person to be brought before them, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts if produced; and if upon Confession of the Officer against whom any such Complaint shall be made, or by the Oath or Oaths, or, being a Quaker or Quakers, by the Affirmation or Affirmations of any Witness or Witnesses, (which Oath or Affirmation such Justices are hereby empowered and required to administer and take without Fee or Reward,) or upon Inspection of the said Accounts if produced, it shall appear to such Justices that any of the Money which shall have been collected or received shall be in the Hands of such Officer, such Justices may and they are hereby authorized and required, on Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the same, or if such Officer shall not appear before the said Justices at the Time and Place by them appointed for that Purpose, unless for some sufficient Reason, or if appearing shall refuse or neglect to give and deliver to such Justices an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to such Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in any or either of the Cases aforesaid such Justices may and they are hereby authorized and required, by a Warrant under their Hands and Seals, to commit such Officer to the Common Gaol or House of Correction for the County of *Chester*, there to remain without Bail or Mainprize, in case he or she should be committed for Nonpayment of any Money received by him or her or in his or her Hands, until he or she shall have accounted for and paid the full Amount thereof, or compounded with the said Committee, and paid such Composition in such Manner as the said Committee shall appoint (which Composition the said Committee are hereby empowered to make), or in case he or she shall be committed for not delivering any Accounts, Books, Papers, or Writings as aforesaid, until he or she shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof to the said Committee; provided that no Person who shall be so committed for Want of sufficient Distress shall be detained in Prison by virtue of this Act for a longer Space of Time than Three Calendar Months.

Mode of enforcing such Payment and Delivery.

Committee of Management to appoint Chair-

XLIV. And be it further enacted, That the said Committee or any Five of them shall hold their Meetings at such Time and Place within the said Town of *Runcorn* as a Majority of them from Time to Time shall

shall think proper and appoint, and shall at their First Meeting choose from among themselves a Chairman and Deputy Chairman of the Meetings of the said Committee; and if it shall so happen that at any future Meeting of the said Committee neither the Chairman or Deputy Chairman so to be chosen as aforesaid shall attend, one of the Members of the said Committee then present shall be elected to preside as Chairman for that Occasion; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee at any of their said Meetings shall be decided and determined by a Majority in Numbers of Members present (the Number present not being less than Five); and in case of there being an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee Five Members thereof shall not attend, then and in every such Case the Meeting shall be adjourned till such Time and to such Place as the Members or Member then present, or if none be present, then as the Clerk of the said Company, or such other Person as shall attend in his Place, shall appoint; and any Two or more Members of the Committee may at any Time when they shall think fit call a Meeting of the Committee, by a Notice in Writing signed by such Two or more Members, to be sent by the Post or otherwise to the Residence or Address of every Member of such Committee, and also may renew the Meetings of the Committee, although they may have been discontinued for Want of Adjournment, or may institute a new Meeting independent of any Meeting appointed by Adjournment.

man and Deputy Chairman.

XLV. And be it further enacted, That the Committee for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to use the same, and to meet and adjourn from Time to Time and from Place to Place, 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 Times and Places in the said Town of *Runcorn* of holding the General Meetings herein-before mentioned, and Special General Meetings, and to direct the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of for the Purposes of the same Company, as in contracting for and purchasing Lands, Tenements, or Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and entering into Agreements or Contracts for supplying with Gas all Persons whomsoever, and the said Roads, Streets, Ways, Lanes, and other public Passages and Places, and Shops, Inns, Manufactories, Warehouses, private Houses, Buildings, or private Places as aforesaid, and in nominating, electing, appointing, placing, or displacing any Officer, Agent, Tradesman, or Servant of the said Company, (not being a Treasurer or Clerk of the said Company, who are to be elected and appointed at a General Meeting or Special General Meeting of the Company, as herein-before mentioned, and not by the said Committee, except for a temporary Purpose, as herein-before is mentioned,) and with such Salaries, Gratuities, or other Recompence as to the said Committee shall seem proper, and in ordering, directing, and employing the said Works and Workmen, and in selling and disposing of all Articles produced as aforesaid in the manufacturing

Committee of Management to have the Custody of the Common Seal, and the Power to call Meetings and direct the Affairs of the Company.

manufacturing of such Gas, and in making, enforcing, and rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the said Undertaking, subject to such Rules, Orders, and Regulations as shall at any Time be duly made by the said Company, or to any special Resolution or Resolutions of the said Company, in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted, and to all which Rules, Orders, Regulations, and Resolutions, not being contrary to any express Provisions or Directions in this Act, the said Committee shall pay due Obedience; and the said Committee may require and take such Security from any Officer or Officers (not being a Treasurer or Clerk of the said Company), or other Person, for the faithful Execution of their respective Offices or Duties, as they may think proper or reasonable.

No Member of the Committee to be personally answerable for Acts illegally done as such Member of the Committee.

XLVI. And be it further enacted, That no Member of the Committee for the Time being of the said Company shall be personally answerable for the Performance of any Contract or Agreement into which he shall or may have entered as one of such Committee on behalf of the said Company, but all Persons with whom any Contracts or Agreements shall from Time to Time be entered into by the said Committee shall have full Power to resort to and proceed against the said Company, either at Law or in Equity, for the Performance of every such Contract or Agreement, or for Damages occasioned by any Breach or Nonperformance thereof.

All Proceedings at Meetings to be entered in a Book.

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

Power of General or Special General Meetings to make Calls.

XLVIII. And be it further enacted, That the said Company, at any General Meeting or Special General Meeting to be called for that Purpose, or at any Adjournment thereof respectively, or the said Committee for the Time being, shall have full Power and Authority from Time to Time to make such Call or Calls for Money from the several Proprietors or Subscribers of Shares in the said Undertaking, their Executors, Administrators, Successors, or Assigns, as the said Company or Committee shall from Time to Time find expedient for the Purposes of the said Undertaking, so that no such Call do at any One Time exceed One Pound upon each Share of Five Pounds, and so that no Call or Calls shall be made but at the Interval of One Calendar Month at least from each other, and so that the total Amount of such Call or Calls shall not exceed the respective Sums subscribed for by the several Proprietors, and so that Fourteen Days Notice at the least shall be given of every such Call as aforesaid in some Newspaper published in *Liverpool* and usually circulated in the said Town of *Runcorn*, and by Letters sent to each Proprietor, or to his or her Residence, by Post or otherwise; and the respective Proprietors shall pay their entire Proportions of the several Sums of Money

which shall be so called for into the Hands of the Treasurer or Treasurers of the said Company for the Time being, at such Times and Places as shall from Time to Time be appointed by the said Company or Committee in such Advertisements or Notices.

In Default of Payment of Calls the Shares to be forfeited and sold.

XLIX. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay his, her, or their Proportion of the Money so called for as aforesaid during the Space of Three Calendar Months next after the Time appointed for Payment thereof, with lawful Interest for the same from such appointed Time of Payment, then and in every such Case such Person or Persons so refusing or neglecting shall (whether the same shall have been sued for in any Court of Law or Equity or not) absolutely forfeit all his, her, or their Share or Shares in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof, unless otherwise determined by a Special General Meeting; and all Shares which shall be so forfeited shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall be applied and disposed of in manner by this Act directed, and the said Committee or any Five of them shall have Power to assign or transfer such forfeited Shares or Share to the respective Purchasers thereof; but nevertheless no Advantage shall be taken of any such Forfeiture until after Twenty-one Days Notice in Writing shall have been given by the Chairman of the said Company, or by Five of the Committee for the Time being, or by the Clerk of the said Company, to the Proprietor or Proprietors thereof, or left at his, her, or their last or usual Place of Abode, if he, she, or they reside within the Limits of this Act, and if not then by Letter sent by Post, nor unless the same Share or Shares shall be declared to be forfeited at some General Meeting or Special General Meeting of the said Proprietors held not sooner than Two Calendar Months next after the Day on which Notice of such Forfeiture shall have been given as aforesaid; and every such Forfeiture, when so declared, shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors who shall have incurred such Forfeiture, and his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Proceedings whatsoever, at Law or in Equity, for any Breach of Contract between such Proprietor or Proprietors so forfeiting and the said Company, for or on account of not paying such Call or Calls, or in regard to the future prosecuting of the said Undertaking.

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

L. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share or Shares as shall be forfeited as aforesaid 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 thereof, the Surplus of such Money shall be paid, on Demand, to the Person or Persons to whom such Share or Shares shall 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 Sale, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all such Calls, and the Interest and Expences attending

ing the same, any Share or Shares vested in the same 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.

Company may erect Works and lay Pipes, &c.

LI. And be it further enacted, That it shall be lawful for the said Company and their Successors, and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make, erect, and fix such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, and other Apparatus and Works upon any of the Lands, Tenements, or Hereditaments which the said Company may purchase for that Purpose, in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into execution, and also, when and so often as the said Company may think it necessary and proper, to break up the Soil and Pavement of any of the Footways or Carriageways of any Roads, Streets, Ways, Lanes, and other public Passages and Places, or any of them, or any Part thereof, and also of any private Grounds, Wharfs, Ways, Passages, and other Places, or any Part of them, and also to make and construct any Culvert, Tunnel, Sough, or Drain under any Part of the Duke of *Bridgewater*'s Canal and the *Mersey* and *Irwell* Navigation, or either of them, which may be within the Limits of this Act, and to dig and sink Trenches and Drains, and lay Main or other Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes from the Gasometer or other Works, in, under, across, and along such public Places as aforesaid, or within or through any Culvert, Tunnel, Sough, or Drain which the said Gas Company may at any Time hereafter make, and also, with such Consent as herein-after is mentioned, in, under, across, and along such private Places as aforesaid, in such Manner as shall be necessary for the Purpose of carrying this Act into execution, or supplying any such Lights as aforesaid, and to erect Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in the same Roads, Streets, Ways, Lanes, and other public Passages and Places, or any of them, against any Wall or Walls erected on or adjoining to them or any of them, and from Time to Time to alter the Position of, and to repair, relay, and maintain, such Pipes, Stopcocks, Syphons, and Plugs or Branches, and also, with the Consent herein-after mentioned, 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 Road, Street, Way, Lane, Passage, or other Place, public or private, by the said Company, by virtue of this Act, into, through, or against any Dwelling House or Houses, Manufactories, public or private Buildings or Grounds, for the Purpose of lighting the same, or any public or private Lamp, from any of such Main or other Pipes, and to erect and set up any Machine or Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Work which shall have been placed or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things as the said Company or their Successors shall from Time to Time think necessary for completing, amending, repairing, improving, supplying, and using the same, reasonable

reasonable Compensation being made for any Damage occasioned thereby: Provided nevertheless, that nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes through, into, or against any Dwelling House or Houses, Manufactory, public or private Buildings, Wharfs, or Yards, or to continue the same, without the Consent in Writing of the Owner or Owners and Occupier or Occupiers for the Time being of every such Dwelling House or Houses, Manufactory, public or private Buildings, Wharfs, or Yards, nor to enable the said Company to enter into or upon any private Lands or Grounds without the Consent in Writing of the Owner or Owners and Occupier or Occupiers for the Time being of such Lands or Grounds for that Purpose first had and obtained.

Company to remove Pipes from Dwelling Houses on Expiration of Tenancy.

LII. Provided always, and be it further enacted, That in all Cases where it shall not have been otherwise stipulated by an Agreement in Writing the said Company shall, at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers whose Dwelling House or Houses, Manufactories, public or private Buildings, Wharfs, or Yards, shall be supplied with Gas, in pursuance of this Act, or of any Occupier or Occupiers who shall have given such Consent as aforesaid, or within Ten Days next after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Two Days Notice in Writing for that Purpose for or on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Houses, Manufactories, public or private Buildings, Wharfs, or Yards 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 other Pipes, which shall have been introduced or laid by the said Company through, into, or against any such Dwelling House or Houses, Manufactories, public or private Buildings, Wharfs, or Yards as aforesaid, pursuant to the Power for that Purpose herein-before and herein-after contained, and shall repair and make good any such Dwelling House or Houses, Manufactories, public or private Buildings, Wharfs, or Yards, where the same shall have been so introduced or have been placed, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall be lawful for such Owner or Owners, or such new or succeeding Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under his, her, or their respective Authority, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away, (without being thereby subjected to any Penalty or Penalties or Costs for thereby unavoidably damaging the Works of the said Company,) and the Dwelling House or Houses, Manufactories, public or private Buildings, Wharfs, or Yards, where the same shall have been introduced or placed, 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; and if such reasonable Costs and Charges be not paid within Twenty Days next after Demand shall be made by such Owner or Owners, Occupier or Occupiers, (Proof of such Demand being made by the Oath, or, being a Quaker, by the Affirmation of One credible Witness, before One or more Justice or Justices of the Peace for the said County of *Chester*,) all such reasonable Costs and Charges shall and

may be levied and recovered by such Owner or Owners, Occupier or Occupiers, as the Case may require, by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County, which Warrant such Justice or Justices is and are hereby empowered to grant.

Company to remove any Pipe or Branch on private Property, upon Notice.

LIII. Provided also, and be it further enacted, That in case any Pipe, Cock, or Branch shall be carried or laid from any Gas Main or Gas Pipe of the said Company into, through, or against any private Dwelling House, Manufactory, Warehouse, Wharf, Building, Yard, or Ground, for the Purpose of lighting the same, or any other Dwelling House, Manufactory, Warehouse, Wharf, Building, Yard, or Ground, in pursuance of and conformably to the Powers and Authorities in this Act contained, and the Owner or Occupier of any such private Dwelling House, Manufactory, Warehouse, Wharf, Building, Yard, or Ground into or through which such Pipe, Cock, or Branch shall pass or be laid shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such their Desire shall give Notice in Writing to the said Company, then and in every such Case the said Company shall, at the Cost and Expence of the Party or Parties requiring the same, within Seven Days after the Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon from any such Main or other Pipe of the said Company as aforesaid, and in default thereof it shall be lawful for such Owners or Occupiers, or any other Person or Persons acting under their Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require.

Not to take up Pavements without Consent of Commissioners, &c. having the Control thereof.

LIV. And be it further enacted, That it shall not be lawful for the said Company to break or take up or disturb the Pavement or Ground in any Road, Street, Way, Lane, or other public Passage or Place, for the Purpose of laying down any Main Pipe or Main Pipes (except Service Pipes of a Diameter not exceeding One Inch in the Bore), without the Consent in Writing of the Commissioners, Trustees, Surveyors, or other Persons having the Control of such Pavement, Ground, Road, Street, Way, Lane, or other public Passage or Place respectively, first had and obtained; but nothing in this Act contained shall be deemed or construed to prevent the said Company from laying down, repairing, or altering such Main Pipes (after such Consent as aforesaid), or from opening, taking up, or removing any of the Ground, Stones, Soil, or Pavement, or otherwise, in or of any Road, Street, Way, Lane, or other public Passage or Place whatsoever, for the laying down, repairing, or altering of any such Service Pipes, or of any Apparatus leading from such Main Pipes, after such Consent as aforesaid.

Company to give Notice to Surveyor or Superintendent previous to breaking up Pavements.

LV. And be it further enacted, That after such Consent as aforesaid it shall not be lawful for the said Company to break or take up or disturb any of the Pavements or Ground in any Road, Street, Way, Lane, or other public Passage or Place, for the Purpose of laying down or repairing any Main Pipe or Pipes, except Service Pipes as aforesaid, or of altering the

the Position of any such Main Pipe or Pipes, except as aforesaid, unless Notice in Writing of their Intention to break or take up such Pavement or Ground, signed by the Clerk to the said Company, specifying the Road, Street, Way, Lane, or other public Passage or Place, and the particular Part thereof intended to be broken or taken up, shall have been given to the Surveyor or Superintendent for the Time being of such Road, Street, Way, Lane, or other public Passage or Place, or to the Surveyor of the District or Place wherein such Road, Street, Way, Lane, or other public Passage or Place (the Pavement, Ground, or Soil whereof is so intended to be broken or taken up) shall be situate, or shall have been left for him at his Dwelling House or last Place of Abode for the Space of Twenty-four Hours at the least before such Pavement or Ground or any Part thereof shall be so broken or taken up, except in Cases of sudden Emergency, when such Notice shall be given as soon as possible after such Pavements or Ground or any Part thereof shall be broken or taken up; and if the said Company shall break or take up or disturb, or cause to be broken, taken up, or disturbed, any such Pavements or Ground, without such Consent as aforesaid, and without such Notice being given or left as aforesaid (except as aforesaid), or shall break, or take up, or disturb any such Pavement or Ground for the Purpose of laying down any Main or Mains without such Consent as aforesaid, then and in every such Case the said Company shall forfeit and pay to the Commissioners or Trustees or Surveyors, or other Persons having the Control of the Pavements, or Road, Ground, or Soil, which shall be so broken or taken up or disturbed, any Sum of Money not exceeding Forty Shillings for every Square Yard of Pavement or Ground which shall be so broken or taken up without such Notice as aforesaid (except as aforesaid), the Amount of such Penalty to be adjudged, recovered, and levied in such Manner as other Penalties and Forfeitures by this Act imposed are directed to be recovered and levied.

Commissioners of Pavements empowered to require Pipes to be altered.

LVI. And be it further enacted, That if it shall at any Time or Times be deemed necessary or expedient, by the Commissioners or Trustees, Surveyors, or other Person or Persons having the Control, Direction, or Superintendence of the said Road, Street, Ways, Lanes, and other public Passages and Places respectively, to require the said Company to raise and sink or otherwise alter the Situation of any of the Pipes, Stopcocks, Plugs, or Branches which shall be laid down for the Purposes aforesaid, the said Company shall, at the Expence, Cost, and Charges of the said Commissioners, Trustees, Surveyors, or other Persons having the Control as aforesaid, within Ten Days next after being required so to do by Notice in Writing to them given by the said Commissioners, Trustees, Surveyors, or other Person or Persons respectively, raise or sink such Pipes, Stopcocks, Plugs, or Branches, according to such Notice, and in default thereof it shall be lawful for the said Commissioners, Trustees, Surveyors, or other Person or Persons having Control as aforesaid, or any other Person or Persons acting by their Order or under their Authority, (at the like Expence, Costs, and Charges of the said Commissioners, Trustees, Surveyors, or other Persons having Control as aforesaid,) to cause such Mains, Pipes, Stopcocks, Plugs, or Branches to be raised, sunk, or altered as aforesaid, so that in either of the said Cases no Damage be done to the said Company or their Successors, and so that they be not thereby prevented from or obstructed in lighting any public or private Lamp or Lamps,

Lamps, unless such Damage or Obstruction, from the Circumstances of the Case, be unavoidable.

Company to alter or remove Mains on private Property upon Notice.

LVII. And be it further enacted, That in case the Soil or Ground of any private Road, Way, or Ground shall be broken up 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 such Owner or Owners shall be desirous of having the same altered or removed or taken away, and of such his, her, or their Desire shall give Notice in Writing to the said Company, then and in every such Case the said Company shall, at the Costs and Charges of the Party or Parties requiring the same, within Two Days after Receipt of such Notice, alter and vary the Position of such Pipe or Pipes, and relay the same, or remove and take away, or cause to be removed and taken away, all or any such Pipe or Pipes, and relay the same, or remove and take away, or cause to be removed or taken away, all or any such Pipes or Mains as shall have been introduced and laid therein or thereupon; and in default thereof, and not otherwise, it shall be lawful for such Owner and Owners or Occupier or Occupiers, or any other Person or Persons acting under his or their Authority, to cause such Pipes or Mains, or any of them, to be altered or removed and taken away, (as the Case may require,) but so that no Damage be done thereby to the said Company, and so that the said Company be not thereby prevented from or obstructed in lighting any public or private Lamps, unless such Damage or Obstruction be unavoidable.

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

LVIII. Provided always, and be it further enacted, That if, by raising, sinking, or altering any of the said Pipes, Stopcocks, Plugs, or Branches, any Damage shall be done to the same by the said Commissioners, Trustees, Surveyors, or such other Person or Persons as aforesaid, then and in every such Case such Damage shall be made good to the said Company, and the Costs, Charges, and Expences thereof shall be paid to them by the said Commissioners, Trustees, Surveyors, or other the Person or Persons aforesaid, and recovered in the same Manner as any Penalty hereby inflicted, not specially provided for, is to be recovered.

Company to fill up the Trenches and reinstate Pavements, &c.

To guard the Ground opened, to prevent Accidents.

LIX. Provided always, and be it further enacted, That the Workmen employed in laying, taking up, or repairing any such Main Pipes, Plugs, Cocks, Syphons, or Branches shall do as little Damage as may be, and shall immediately thereafter fill up the Trenches, and make good the Ground, Pavement, and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off any Washings or waste Liquids, without any Delay, and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, and place and set up a sufficient Number of Lights during the Night, in such Manner as to prevent Accidents or Inconvenience to Passengers, Cattle, and Carriages: Provided always, that if there shall 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 up any such Trenches, or removing Rubbish, or making good any such Ground, Pavements, or Roads, or in repairing any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off any Washings or

waste Liquids, or in fencing or guarding the Ground which shall be opened, or in placing and setting up such Lights during the Night, so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in every such Case it shall be lawful for any Owner or Occupier of the Ground, or for the Commissioners, Trustees, Surveyors, or other Person or Persons under whose Jurisdiction, Care, or Management such Ground, Pavements, or Roads may be for the Time being, or any Person or Persons acting by or under the Authority of the said Owners, Occupiers, Commissioners, Trustees, Surveyors, or other Persons respectively, to fill up and reinstate such Ground, Pavement, or Roads, and remove such Rubbish, and to repair and make good the Pavement or Ground of any Road, Street, Way, Lane, or other public Passage or Place so broken up, and to repair any Damage arising from any such Sewers, Drains, or Cuts as aforesaid, and in the meantime to fence and guard the Place or Places where any Ground shall be so opened as aforesaid, and to place and set up a sufficient Number of Lights during the Night as to them respectively shall seem necessary; and the reasonable Costs and Charges thereof shall be repaid, on Demand, by the said Company of Proprietors, or to their Treasurer, to the Person or Persons so reinstating the same and doing such other Acts as aforesaid; and in default of Payment thereof for Twenty Days next after Demand shall be made by such Owners, Occupiers, Commissioners, Trustees, Surveyors, or other Person or Persons acting by or under their respective Authority, (Proof of such Demand being made upon Oath, or being a Quaker upon the Affirmation, of One credible Witness before One or more Justice or Justices of the Peace for the said County of *Chester*,) all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by such Owners, Occupiers, Commissioners, Trustees, Surveyors, or other the Person or Persons aforesaid, 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 Justice or Justices of the Peace for the said County, and which Warrant such Justice or Justices is and are hereby empowered to grant.

Company to repair Damage done by their Servants to any public Sewers or Drains.

LX. Provided always, and be it further enacted, That the said Company, or their Successors, Servants, Agents, Workmen, or others, shall not by any Work to be done by virtue of this Act damage or injure any public Sewer or Drain within the said Town of *Runcorn*, or within any Part of the said Township or Chapelry of *Halton;* and if any Damage or Injury shall be done by them or any of them to any such Sewer or Drain, the said Company or their Successors shall forthwith well and sufficiently repair and make good every such Damage or Injury, and on default thereof the Amount of such Damage or Injury, together with the Costs, Charges, and Expences of recovering the same, shall be recoverable by the Surveyor or Surveyors of the Highways for the Time being of the said Townships respectively, or by the Person or Persons under whose Jurisdiction and Care such Sewer or Drain shall be, by Distress and Sale of the Goods and Chattels of the said Company, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County of *Chester*, and which Warrant such Justice or Justices is or are hereby empowered to grant, or by Action of Debt or on the Case in any of His Majesty's Courts of Record

at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Power to enter into Contracts for lighting.

LXI. And be it further enacted, That it shall be lawful for the said Company to contract with the Commissioners, Trustees, Surveyors, Persons, or Bodies having the Control, Direction, or Management of the several Roads, Streets, Ways, Lanes, and other public Passages and Places, or any of them, within the said Town of *Runcorn* or the said Township or Chapelry of *Halton*, for lighting or supplying the same Town and Township or Chapelry, or either of them, or any Part of them, with Gas; and also to contract with any Persons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, for the lighting or supplying with Gas any such Persons or Bodies, or any Roads, Streets, Wharfs, Ways, Lanes, or other public Passages or Places, Manufactories, Shops, Warehouses, public or private Houses or Buildings, belonging to them or any of them, or in which they or any of them are interested, or over which they or any of them have the Direction or Control, in such Manner and under such Stipulations as the said Company shall think proper, consistent with the Powers and Authorities hereby granted.

Service Pipes to be kept fully charged with Gas.

LXII. And be it further enacted, That the Branch or Service Pipes which shall be put down by the said Company for lighting with Gas the Roads, Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, under any Contract or Agreement, shall be kept fully charged with Gas, and the Stopcocks shall be so formed and turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same public Lamps shall be lighted.

Rents in arrear how to be recovered.

LXIII. And be it further enacted, That in case any Commissioners, Trustees, Surveyors, Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons, who shall contract with the said Company, or agree to take or shall use and enjoy the said Gas in any Streets, Roads, Ways, Passages, or Places, or in any private Grounds or Places, or in any public Halls, Shops, Inns, Taverns, Manufactories, Warehouses, Dwelling Houses, or other Buildings, or otherwise, shall refuse or neglect, for the Space of Ten Days after the Demand, to pay the Sum or Sums of Money then due under their, his, or her Contract for the same to the said Company, according to the Terms and Stipulations entered into by the said respective Parties with the said Company, it shall be lawful for the said Company, or any other Person or Persons acting by or under their Authority, to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of the Goods and Chattels of the Body or Bodies, Person or Persons, so neglecting or refusing to pay the same, in like Manner as by Distress for Rent in arrear, rendering the Overplus (if any) to such Body or Bodies, Person or Persons, refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first directed; or if such Sum or Sums of Money shall exceed the Sum of Twenty Pounds, then the same, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than

than One Imparlance, shall be allowed; and it shall also be lawful for the said Company to cut off and take away the Supply of Gas from the Streets, Roads, Ways, Passages, Places, Halls, Shops, Inn, Tavern, Manufactory, Warehouse, Dwelling House, or other Buildings, in respect of the Payment of which such Default shall be made for the Space of Ten Days after such Demand as aforesaid, and thenceforth to discontinue the Supply of Gas contracted for with the said Company by such Body or Bodies, Person or Persons.

No Person to lay more Pipes, or use larger Burners, than is contracted for with the Company.

LXIV. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Lead, or other Pipe or Burner to communicate with any Pipe belonging to the said Company, nor use any Burners of larger Dimensions or more in Number or in any other Manner than he, she, or they shall respectively contract to pay for, or supply any other Person whomsoever with any Part of such Gas, on pain of forfeiting and paying to the said Company the Sum of Ten Pounds, and also the further Sum of Ten Shillings a Day for every Day such Pipe shall so remain, or such Burners be continued, or Excess committed, or such Supply furnished, 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 of the said County of *Chester*, and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture, Penalties or Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Penalty or Forfeiture, Penalties or Forfeitures, shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the House of Correction within the Hundred of *Bucklow* and County aforesaid, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Penalty or Forfeiture, Penalties or Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

Penalty for wilfully removing or damaging Pipes.

LXV. And be it further enacted, That if any Person shall wilfully, wantonly, or maliciously remove, take away, break, throw down, destroy, damage, or injure any or any Part of any Pipe, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or the Property of any other Person or Persons, and by such Person or Persons placed or fixed, for or in respect of his, her, or their Use of Gas furnished by the said Company, or shall wilfully, wantonly, or maliciously extinguish, or wilfully or maliciously waste, any of the Gas supplied by the said Company, then and in every such Case every such Person who shall be convicted thereof before any Justice or Justices of the Peace acting for the said County of *Chester*, either on Evidence or Confession, every Person so offending shall for any such Offence forfeit and pay to the said Company any Sum to be adjudged by such Justice or Justices, not exceeding Twenty Pounds, and also the full Amount of the Damage which shall be committed by the Person or Persons so offending; and such Sum so adjudged as Penalty and Damages shall be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered.

LXVI. And

Satisfaction to be made for accidentally injuring Lamps, &c.

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

Penalty for interrupting Company's Workmen.

LXVII. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works of the said Company, 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 of the Peace acting for the said County of *Chester*, either on Evidence or on Confession, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum to be adjudged by such Justice or Justices, not exceeding Ten Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption; and such Sum so adjudged as Penalty and Damages shall be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered; or the said Company may, at their own Option, sue for Damages sustained by them for such Hindrance or Interruption.

For stopping the Escape of Gas.

LXVIII. 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 from any Person or Persons whomsoever of any such Escape of Gas, 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,

not, within Twenty-four Hours next after such Notice as aforesaid being given, effectually stop and prevent the Gas from further escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath (or being a Quaker on the Affirmation) of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Chester*, 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 conveying Washings into any River, &c.

LXIX. And be it further enacted, That if the said Company, or any Body or Bodies Politic Corporate, or any Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town of *Runcorn*, or the Neighbourhood thereof, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every Case the said Company, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed, and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be reasonable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or cause or suffer to run or flow, in manner aforesaid, into any River, Brook, or Running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating

nicating therewith, or any such Annoyance, Act, or Thing shall be done or cause to be done as aforesaid, and Notice thereof in Writing shall have been given by any Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons whomsoever, to the said Company, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, and the said Company, or Body or Bodies Politic or Corporate, or Person or Persons aforesaid, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, and prevent all and every such Washing, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company, or Body or Bodies Politic Corporate, Person or Persons whomsoever, shall forfeit and pay the Sum of Twenty Pounds for every Day such Washing, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or cause or suffer to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or cause to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

For the Protection of Water Pipes.

LXX. And be it further enacted, That when and so often as the said Company, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main, or Main Pipe or Pipes, or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Water Pipe or Water Pipes shall have been laid or placed for the Purpose of conveying Water into or about the said Town of *Runcorn*, or within the Limits of this Act, or any Branch of any such Water Pipe, for the Service or Supply of any Dwelling House or Houses, Manufactories, public or private Buildings within the Limits of this Act, the said Company, their Servants, Agents, or Workmen, shall and they are hereby required to give previous Notice thereof to the Proprietor or Proprietors or Person or Persons having the Control of such Water Pipes for the Time being, or to the Occupier of such Dwelling House, Manufactory, public or private Building, supplied by such Branch or Service Pipe, as the Case may be; and on every such Occasion the said Company, their Servants, Agents, and Workmen, shall, under the Direction and Inspection of such Proprietors or Persons or Occupiers, or their, his, or her Surveyor or Agents, as the Case may be, protect and secure such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall and may be done to any such Water Pipe or Pipes on any such Occasion; and on default being made in any of the Matters aforesaid the said Company shall forfeit and pay to such Proprietors or Persons or Occupiers, as the Case may be, any Sum not exceeding Five Pounds, and shall also pay to such Proprietors or Persons or Occupiers, as the Case may be, the Costs and Expences which shall have been incurred by them, him, or her in

the securing and protecting, or in repairing and making good any Injury or Damage that may be done to such Pipe or Pipes by the Means aforesaid, such Costs and Expences, and also the Amount of such Penalty as aforesaid, to be ascertained and fixed by any Justice of the Peace for the said County of *Chester*, and to 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 Justice or Justices of the Peace for the said County of *Chester*, and which Warrant such Justice or Justices is and are hereby empowered to grant.

Gas Pipes to be laid at greatest possibleDistance from Water Pipes, and in a particular Manner.

LXXI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act shall be so laid at the greatest practicable Distance, and, whenever the Width of the Carriage Way in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of any Company of Proprietors for the Time being, or other Owner or Owners or Proprietor or Proprietors of any Waterworks hereafter to be established for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other public Passages and Places, unless in Cases where it shall be unavoidably necessary to lay the said Gas Pipes or other Conduits across any of the Pipes of the said Company or other Owners or Proprietors of Waterworks, in which Case the said Gas Pipes or other Conduits shall be laid over or under such Water Pipes, as the Case may require, at the greatest practicable Distance therefrom, and shall form therewith a Right Angle or as nearly such as may be practicable, and in such Cases the said Gas Pipes or other Conduits so crossing the said Water Pipes of the said Company or other Owners or Proprietors of Waterworks shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Main Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least, where practicable, but if the same shall unavoidably be impracticable, then as near thereto as may be; and in laying down the said Gas Pipes or Conduits the said *Runcorn* Gas Light Company, their Successors or Assigns, shall in no Case join Two or more Gas Pipes or Conduits together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointings with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes or Conduits, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein, respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from every Part thereof, upon pain of forfeiting for every such Offence, if the said Gas Company shall refuse or neglect to make such Gas Pipes air-tight within Twenty-four Hours after Notice thereof given to them in Writing, the Sum of Ten Pounds.

Penalty for Contamination of Water.

LXXII. And be it further enacted, That whensoever the Water of any Company of Proprietors or other Owners or Proprietors of Waterworks within the Limits of this Act, or any Water in any Well or Pond belonging to

to or used by any Party or Person whomsoever, shall be contaminated or affected by the Gas of the said Company, or of any Body Politic or Corporate, or any Person or Persons whomsoever, such Company, or Body Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Corporation, Owner, or Company of Proprietors, or other Owners or Proprietors of any Waterworks, Well, or Pond affected thereby, or the Party or Person using any such Water, and suing for such Penalty; and in case any such Water shall be contaminated or affected by the said Gas in any way whatsoever, then and in every such Case the said Company or Body Politic or Corporate or Person or Persons as aforesaid shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Clerk or other Officer of the said Company of Proprietors of Waterworks, or by other the Owners or Proprietors of any Waterworks, Well, or Pond so contaminated or affected, or by any Person or Persons consuming such Water, to be left at the usual Office or Place of transacting Business of the said Company or Body Politic or Corporate or Person or Persons aforesaid, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said Company or Body Politic or Corporate or Person or Persons as aforesaid shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Company or Body Politic or Corporate, or Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Committee for the Time being of the said Company of Proprietors of Waterworks, or to other the Owners or Proprietors of any Waterworks, Well, or Pond, or to the Person or Persons consuming such Water and making such Complaint as aforesaid for the Use and Benefit of the same Proprietors or Owners or Person or Persons, over and above the before-mentioned Penalty of Twenty Pounds, any Sum not exceeding Ten Pounds for each and every Day during which the said Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid, and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath (or being a Quaker on the Affirmation) of One credible Witness, by and in the Name of any One or more of the Committee of any such Water Company, or other the Owners or Proprietors of any Waterworks, Well, or Pond, or in the Name of the Person or Persons consuming any such Water, and making such Complaint as aforesaid against the said Company, or Body Politic or Corporate, or Person or Persons as aforesaid, before any Justice of the Peace, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company, or Body Politic or Corporate, or Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such

Penalty

Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer, or to One of the Committee for the Time being of the said Company of Proprietors of Waterworks, or to other the Owners or Proprietors of any Waterworks, Well, or Pond, for the Use of the same Owners and Proprietors, or to the Person or Persons consuming any such Water and making such Complaint as aforesaid.

For ascertaining if the Water be contaminated.

LXXIII. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Company, or of the said Body Politic or Corporate, or Person or Persons as aforesaid; be it therefore enacted, That in every such Case it shall be lawful for the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, Well, or Pond, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Company, or of the said Body Politic or Corporate, or Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceeded from or that the said Water has been contaminated by any Escape of Gas of the said Company, or of the said Body Politic or Corporate, or Person or Persons as aforesaid; and if it shall appear that such Water has been contaminated by any Escape of Gas of the said Company, or of the said Body Politic or Corporate, or Person or Persons as aforesaid, the Costs and Expences of the said Digging, Search, and Examination and Repair of the Pavement of the Road, Street, Way, Lane, or other public Passage or Place which shall be taken up or disturbed, shall be borne and paid by the said Company, or by the said Body Politic or Corporate, or Person or Persons as aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Company, or of the said Body Politic or Corporate, or Person or Persons as aforesaid, then and in such Case the said Company of Proprietors of Waterworks, or other the Owners or Proprietors of any Waterworks, Well, or Pond, shall bear and pay all the Expences of such Examination, Repair, and Search, and also shall make good to the said Company, or to the said Body Politic or Corporate, or Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Company, or of the said Body Politic or Corporate, or Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement or Ground of the said Roads, Streets, Ways, Lanes, or other public Passages or Places so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined (if necessary) by such Justice or Justices of the Peace as aforesaid, and recoverable in like Manner as any Penalty may be recovered by virtue of this Act.

Nothing in this Act to prevent Proceedings against the Company by Indictment.

LXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Company, or against any of their Officers, Servants, or Workmen,

men, in respect of any Works of the said Company, or the Means which shall be employed by them in making the said Gas, and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Damages in case of Dispute to be settled by Justices.

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

Justices to determine Complaints in a summary Way.

LXXVI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Two Justices of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without such Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

For the Recovery and Application of Penalties incurred by the Company.

LXXVII. And be it further enacted, That when and so often as any Sum or Sums of Money shall by any Justice or Justices of the Peace in pursuance of the Directions of this Act be directed or ordered to be paid as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Company, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the Clerk to the said Company, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which

Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sales, then and in every such Case such Overplus shall be returned, on Demand, to the said Company, or their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain out of any Monies which he shall have received or shall receive in pursuance of this Act all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant or other Proceeding as aforesaid.

For Recovery and Application of Penalties incurred by other Persons.

LXXVIII. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted, or by any Rule, Order, Bye Law, or Regulation to be made in pursuance thereof authorized to be imposed, (the Manner of levying, recovering, and applying whereof is not herein otherwise directed,) shall be adjudged by and recovered before any Justice of the Peace for the said County of *Chester*, upon Proof of the Offences respectively before any such Justice, either by the Confession of the Party offending, or by the Oath (or being a Quaker by the Affirmation) of any credible Witness or Witnesses, which Oath and Affirmation such Justice is in every Case hereby fully authorized to administer and take; and such Justice is hereby authorized to convict the Party offending; and in default of Payment of such Penalties or Forfeitures or Fines, the same shall be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and the Surplus (if any), after such Penalties, Forfeitures, and Fines, and the Costs of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Penalties, Forfeitures, and Fines shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereon to levy such Penalties, Forfeitures, or Fines, and the Costs of such Distress and Sale, as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Costs may be levied if a Warrant of Distress were issued, such Justice shall not be required to issue

issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the Hundred of *Bucklow* in the County of *Chester*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines respectively, and all reasonable Costs attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, may be from Time to Time paid and applied in manner following; (that is to say,) one Moiety thereof shall be paid to the Overseers of the Poor of the Township or Chapelry where the Offence shall have been committed, to be by such Overseers applied for the Use of the Poor of the said Township or Chapelry, or the same may be paid and applied to such public Charity of and in the said County of *Chester* as the said Justice shall think proper; and the other Moiety thereof shall be paid to the Informer.

Form of Conviction.

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

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

Proceedings to be within Three Calendar Months.

LXXX. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any Penalty, Forfeiture, or Fine imposed by virtue of this Act, for any Offence or Offences against the same, or any Rule, Order, Bye Law, or Regulation made in pursuance thereof, herein-before made cognizable before a Justice or Justices of the Peace for the said County, unless Information respecting such Offence or Offences shall have been lodged before such Justice or Justices within Three Calendar Months next after committing such Offence or Offences.

Persons aggrieved may appeal to the Quarter Sessions.

LXXXI. And be it further enacted, That any Body or Bodies Politic, Corporate, or Collegiate, or any Person or Persons whatsoever, thinking himself, herself, or themselves aggrieved by any Rule, Order, Bye Law, or Regulation to be made by virtue of this Act, or by any Repeal or Alteration thereof, or by any Order or Judgment made or given in pursuance of any such Rule, Order, Bye Law, or Regulation, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act,

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

To compel Attendance of Witnesses.

LXXXII. And be it further enacted, That if any Person or Persons shall 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 shall refuse or neglect (without a reasonable Excuse) to appear from Time to Time at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs and Expences, or appearing shall refuse to be examined upon Oath, or in case of a Quaker or Quakers on solemn Affirmation (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered in the same Manner as any Penalty imposed by this Act is recoverable.

Distress not unlawful for Want of Form.

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

No Proceeding to be quashed by Want of Form only.

LXXXIV. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender against this Act, or against any Rule, Order, or Regulation made in pursuance thereof, nor any Judgment or Determination to be made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed by Want of Form only, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Directions as to Service of Notices, &c.

LXXXV. And be it further enacted, That in all Cases wherein it may be requisite to serve any Notice or Notices upon the said Company, or any Writ or Writs, or Summons or Summonses, or any Proceedings at Law or Proceedings in Equity, the Service of a Copy thereof upon the Clerk or Clerks of the said Company, or some Inmate at the Office of such Clerk or Clerks, or at his or their last or usual Place or Places of Abode, or at the Office of the said Company, or upon any known Agent or other Officer employed by the said Company, or deliver to some Inmate at his last or usual Place of Abode, or in case there shall be no known Agent or other Officer employed by the said Company, then upon any One or more of the Managers of the said Company, or deliver to some Inmate at his or their last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Expences of the Act.

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

Saving Rights of the Lords of the Manors of Runcorn and Halton.

LXXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any Way to change, lessen, abridge, impeach, annul, prejudice, destroy, or affect any Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, or lawful Customs belonging, due, or in anywise appertaining to the Lord or Lords of the Manors or reputed Manors of *Runcorn* and *Halton* aforesaid respectively in any Capacity whatsoever, but all and every such Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, and Customs may be exercised, demanded, exacted, received, and enjoyed by the said Lord or Lords of the said Manors respectively, in as full and ample Manner to all Intents and Purposes as the same were enjoyed before the passing of this Act, or as if this Act had not been passed.

Public Act.

LXXXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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