ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. xci.

An Act for better lighting with Gas the Borough of *Sheffield* in the West Riding of the County of *York*. [30th *July* 1835.]

WHEREAS the Population, Trade, and Commerce of the Borough of *Sheffield* in the West Riding of the County of *York* have of late Years greatly increased, and it is expedient that a further and better Supply of Gas should be provided for lighting the Streets and other public Places, and the Manufactories, Dwelling Houses, and other Buildings within the said Borough; and a considerable Number of the Merchants, Manufacturers, and other Inhabitants of and Consumers of Gas within the said Borough are desirous of furnishing such Supply for the Use of themselves and others of the Merchants, Manufacturers, and Inhabitants within the same Borough, and of erecting Buildings, laying down Pipes, and establishing other Works and Conveniences necessary for that Purpose, and with that Intent have entered into a Subscription sufficient to defray the Expences of all such Works: For effecting this beneficial Purpose, May it please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Thomas Aldam*, *Henry Atkin*, *Joseph Atkinson*, *James Noah Ballams*, *James Bertram*, *John Bolton*, *William Bradley*, *Maurice Bright*, *William Briggs*, Subscribers incorporated.

Briggs, Samuel Butcher, William Butcher, John Clarbour, William Cockayne, James Deakin, Thomas Deakin, George Dixon, Henry Doncaster, William Fawcett, George Foster, Robert Keeton Gregory, Richard Harrison, William Ibbotson, Henry Longden, William Marsh, John Marsh, Francis Newton, John Eyre Pearson, Thomas Porter, George Rodgers, George Ridge, Robert Sorby, John Sykes, Thomas Smith, William Sansom, John Shepherd, James Sanderson, William Staley, Benjamin Vickers, Henry Wilkinson, Samuel Woodcock, John Waterhouse, Joseph Woodcock, Matthew Younge, and *John Yeomans,* and all and every such other Person or Persons, Body or Bodies Politic or Corporate, who have subscribed to the said Undertaking, or who shall or may from Time to Time in such Manner as is herein-after mentioned become a Proprietor or Proprietors of Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company, and declared to be One Body Politic and Corporate by the Name of "The *Sheffield* New Gas Company," and by that Name shall have perpetual Succession and a Common Seal, with full Power and Authority to use the same, and by that Name shall and may sue and be sued, plead and be impleaded, at Law and in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment for any Felony, Misdemeanor, or other Offence punishable by the Laws of this Realm, and shall and may have Power and Authority from Time to Time and at all Times to purchase and hold to them, and their Successors and Assigns, any Lands, Messuages, Buildings, Tenements, and Hereditaments, for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and to sell and convey any of the Lands, Messuages, Buildings, Tenements, and Hereditaments so purchased in manner by this Act directed.

Name of the Company.

Purposes of the Company.

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

Capital Stock to be 80,000*l.*

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

Capital or Joint Stock divided into Shares of 25*l.* each.

IV. And be it further enacted, That the said Capital or Joint Stock of the said Company shall be divided into Shares of Twenty-five Pounds each, and such Shares shall be numbered, beginning with Number One, in regular or arithmetical Progression ascending, whereof the common Excess or Difference shall always be One, and every such Share shall

always

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

Subscribers to be deemed Proprietors.

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

Shares to be deemed Personal Estate.

VI. And be it further enacted, That the Lands and Hereditaments, of what Tenure soever, Manufactories, Gasometers, Machinery, Apparatus, and Works, Chattels and Effects of the said Company, shall be answerable for and subject to the just Debts, Liabilities, Engagements, and Demands of all and every the Creditors of the said Company.

Company's Property answerable for the Debts.

VII. And be it further enacted, That the several Persons, or Body or Bodies Politic, Corporate, or Collegiate, who have already subscribed for and towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the Capital or Joint Stock of the said Company, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed and to be subscribed for, or such Parts or Portions thereof as shall from Time to Time be called for, pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the said Company or their Directors herein-after mentioned

For enforcing Payment of Subscription.

tioned for the Time being; and in case any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, shall neglect or refuse to pay any such Money at such Time or Times and in such Manner as shall be ordered and directed by the said Company or their Directors as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time or Times of Payment, and full Costs of Suit, from such Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate respectively, and in like Cases of Neglect or Refusal, where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One or more of such Share or Shares, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

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

VIII. And be it further enacted, That the said Company shall and they are hereby required to cause the Names and Designations of the several Persons who are or shall be hereafter Subscribers to or Proprietors of Shares in the said Undertaking, with the proper Number by which every Share possessed by each of the Subscribers and Proprietors shall be distinguished, to be distinctly entered in a Book or Books to be provided and kept for that Purpose; and after making such Entry a Certificate under the Common Seal of the said Company shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share and the Name and Designation of the Subscriber or Proprietor, which Certificate shall be delivered to the Proprietor of such Share, or his or her Executors, Administrators, or Assigns, upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share therein specified, and the Profits and Advantages accruing in respect of the same, but the Want of such Certificate shall not hinder or prevent the Proprietor or Proprietors of any such Shares from selling or disposing of any such Share or Shares; and in case such Certificate shall not be produced or forthcoming, the said Entry or a true Copy thereof, certified by the Clerk or Clerks of the said Company, shall be deemed *primâ facie* Evidence of Title; and for which Certificate and Copy respectively the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence, and no more; and which said Certificate may be in the Words or to the Effect following; *videlicet*,

Form of Certificate.

'*Sheffield* New Gas Company.

'Number

'THESE are to certify, That of
'is a Proprietor of the Share Number of the Capital
'and Joint Stock and Property of the *Sheffield* New Gas Company.
'Given under the Common Seal of the said Company the
'Day of in the Year of our Lord One thousand eight hun-
'dred and thirty .'

Shares may be sold.

IX. And be it further enacted, That it shall be lawful for the several and respective Proprietors of any Share or Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, to sell and transfer any Share or Shares of which they shall respectively be possessed (subject nevertheless to the Provision herein-after contained in this Behalf); and

and every such Transfer shall be in the Form or to the Effect following, or as near thereto as Circumstances will allow; (that is to say,)

Form of Transfer.

'I [*or* We] of in consideration of paid to me [*or* us] by of do hereby bargain, sell, and transfer to the said the Sum of Part of the Capital and Joint Stock and Property of the *Sheffield* New Gas Company, being my [*or* our] Share [*or* Shares] Number therein, to hold to the said Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions, that I [*or* we] held the same immediately before the Execution hereof; and I [*or* we] the said do hereby agree to take and accept the said Share [*or* Shares], subject to the same Rules, Orders, Restrictions, and Conditions. As witness our Hands and Seals this Day of in the Year of our Lord One thousand eight hundred and .'

Transfers to be registered.

Which Transfer shall be executed by all the Parties thereto; and on every such Sale the said Transfer, being executed by the Parties thereto, shall be kept by the Purchaser or Purchasers for his, her, or their Security, after the Clerk or Clerks to the said Company of Proprietors shall have entered in a Book or Books to be kept for that Purpose a Copy or full Abstract of such Transfer for the Use of the said Company, and have testified such Entry on such Transfer, for which the Sum of Two Shillings and Sixpence, and no more, shall be paid; and the said Clerk or Clerks is and are required to make such Entry accordingly; and until such Transfer shall be so entered or registered such Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have any Part or Share of or in the said Undertaking, or of or in the Profits, Dividends, and Advantages thereof, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of Shares in the said Undertaking.

After a Call no Person shall sell until the Call be paid.

X. Provided also, and be it further enacted, That after any Call for Money shall be made by virtue of this Act no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking until the Money so called for in respect of his, her, or their Share or Shares intended to be sold shall be paid, and until such Money so called for shall be paid, and such Sale or Transfer of any Share or Shares shall not be valid, and all and every Person or Persons making default herein shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Undertaking to and for the general Benefit of the said Company, unless he, she, or they shall, at the Time of such Sale or Sales or Transfer, pay to the Treasurer or Treasurers of the said Company the full Sum of Money called for upon every Share so to be sold or transferred, subject to the Provisions of this Act.

For ascertaining the Proprietorship of Shares in certain Cases.

XI. And be it further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer thereof in the Form and Manner herein-before specified,

specified, a Declaration in Writing under the Hand or Hands of the Proprietor or Proprietors thereof shall be made 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 submitted to the Clerk or Clerks to the said Company, to the Intent that he or they may enter and register the Name or Names of every such other Proprietor or Proprietors in the Books of the Company; and in all or any of the said Cases, after Three Calendar Months Notice in Writing shall have been given by the said Clerk or Clerks to the Owner or Owners thereof, or Person or Persons claiming by such Declaration to be Owner or Owners thereof, or left at his, her, or their last or usual Place or Places of Abode, to pay his, her, or their Proportion of Money so to be called for, and such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors at any General or Special Meeting after the Expiration of such Notice to declare the same Share or Shares to be forfeited, and in such Case the same shall be and become forfeited, and shall and may be sold and disposed of in manner herein-after directed as to other forfeited Shares.

Proofs required where Rights accrue by Marriage or Death.

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

paid upon the Sale and Conveyance of such Share or Shares, shall be good and effectual, and shall bind the Cestuique Trusts and all other Persons claiming Interest under such Testator, any Rule of Law or Equity to the contrary notwithstanding.

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

XIII. And be it further enacted, That the said Company shall meet at the Town Hall in *Sheffield*, or at some other convenient Place in the said Borough of *Sheffield*, on the Third *Friday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon, and shall and may then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time either to the same Place or to such other convenient Place in the said Borough as the Proprietors present shall think proper; and from and after the said First General Meeting of the said Company there shall be in each Year One General Meeting of the said Company, (that is to say,) on the First *Friday* in the Month of *July*; and it shall be lawful for any Thirty or more of the said Proprietors at any Time to call a Special General Meeting of the said Company; and Fourteen Days Notice at the least of such General Meetings and Special General Meetings (except of the said First General Meeting and of any adjourned Meeting) shall be given by Advertisement in some One or more of the Newspapers circulated in the said Borough of *Sheffield*, specifying the Place where the same shall be intended to be held, and in the Case of Notice for any Special General Meeting also specifying the Object or Business for which such Special General Meetings shall be called, and all such General Meetings and Special General Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and at all such General Meetings and Special General Meetings to be held as aforesaid the Proprietors then present (provided there be Persons attending collectively possessed of or entitled to One hundred and fifty or more Shares in the said Undertaking) shall and may proceed to Business, and act in the Execution of the several Powers by this Act given to the said Company; and if it shall at any Time happen that Proprietors of One hundred and fifty Shares shall not appear at any of such General Meetings or Special General Meetings between the Hours aforesaid, then and so often as the Case shall happen such Meeting or any adjourned Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Place and Hour at which the Meeting ought to have been held as aforesaid; and no Business shall be transacted at any such Special General Meeting except the Business for which such Meeting shall have been called, and no other Business shall be transacted at any adjourned Special General Meeting than the Business left unfinished at the previous Meeting; and at every such General and Special General Meetings One of the Proprietors present shall be elected to preside as Chairman, and all Questions shall be decided by a Majority of Votes; and all Persons having more than Ten Shares in the said Undertaking shall have Two Votes, and no more, at such Meetings, and all others One Vote only, and no Person shall be allowed to vote by Proxy (except as to Bodies Politic, Corporate, or Collegiate); but nevertheless no Proprietor shall be entitled to vote at any such Meeting in respect of any Shares which he or she may possess in the said Undertaking unless all Arrears due in pursuance of any Call or Calls which shall have been made by virtue of this Act upon or in respect of such Shares shall have been

Special General Meetings may be called.

At Meetings Questions to be decided by Majority of Votes, and no Proxies generally allowed.

been fully paid, nor shall any Proprietor vote at any such Meeting upon any Question in which such Proprietor shall be interested in any other Way than as being such Proprietor; and whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking the Person whose Name shall stand first in the Books of the said Company as one of the joint Proprietors of such Share or Shares shall be deemed to be the Proprietor of such Share or Shares for the Purpose of voting, and shall have the sole and entire Right of voting at all such Meetings in respect of such joint Share or Shares; and all Notices necessary to be given to the Proprietors of Shares in pursuance of this Act shall, in such Cases of joint Ownership of any Share or Shares, be given to such Person, and, being so given, shall be considered as a Notice given to all the joint Proprietors of such Share or Shares.

Votes of Corporate Bodies, Lunatics, and Minors.

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

Proceedings to be entered.

XV. And be it further enacted, That the said Company and the said Directors shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings respectively relative to the Execution of this Act; and all Entries in such Book or Books, being signed by the Chairman of the respective Meetings of the said Company of Proprietors and the said Directors, shall be deemed Originals, and shall be allowed to be read as Evidence in all Causes, Suits, and Actions touching or concerning any thing done in pursuance of this Act.

Notices of Meeting how to be given.

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

General Meetings to appoint a Treasurer and Clerk;

XVII. And be it further enacted, That it shall be lawful for the said Company at their First General Meeting, or at any other General or Special General Meeting, to elect and appoint a Treasurer or Treasurers and a Clerk or Clerks for transacting the Business of the said Company, and from Time to Time to remove and displace such Treasurer or Treasurers,

Treasurers, Clerk or Clerks, or any of them, and from Time to Time to elect and appoint any other Person or Persons to act as Treasurer or Treasurers, Clerk or Clerks, in the Room of such of the said Officers as shall happen to die, or to resign, or be removed from their respective Offices: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company for the faithful Execution of his Office before he shall enter thereon.

taking Security from Treasurer.

XVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed the Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Company; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or any Person in the Service or Employ of any such Clerk or Clerks, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk or Clerks, shall accept the Office of Treasurer or Treasurers, or shall act as Deputy of such Treasurer or Treasurers, or in any Manner officiate for such Treasurer or Treasurers, or being the Partner of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk or Clerks in the Execution of this Act; or shall act as Deputy of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*.

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

XIX. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers or other Officer or Officers to be appointed by the said Company on account of the said Company without an Order or Orders in Writing signed by Three of the Directors for the Time being, whereof One shall be Chairman of the said Directors.

Treasurer not to issue Money without an Order of Directors.

XX. And be it further enacted, That it shall be lawful for the said Company at any General or Special General Meeting to make such Call or Calls for Money from the several Subscribers to or Proprietors of Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as shall from Time to Time be found wanting and necessary

General Meetings may make Calls on Proprietors.

Limitation of Calls.

necessary for the Purposes of the said Undertaking, so that no One such Call shall exceed the Sum of Ten Pounds *per Centum* for or in respect of any One Share, and so that no Call or Calls shall be made but at the Distance of Three Months at least from another, and the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers to the said Company, and shall be paid at such Time and Place as shall be appointed at such General or Special General Meeting, of which Time and Place Fourteen Days Notice at least shall be given.

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

XXI. And be it further enacted, That if any Subscriber to or Proprietor of any Share or Shares in the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Portion of the Money to be called for by any General or Special General Meeting as aforesaid, by the Time appointed for Payment thereof, or within Twenty-one Days then next after, then and in such Case each such Subscriber or Proprietor so neglecting or refusing shall (whether the same shall have been then sued for in any Court of Law or Equity or not) absolutely forfeit all his, her, or their Share and Interest in the said Undertaking, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special General Meeting; and all Shares which shall or may be so forfeited shall be vested in the said Company, and be sold at a public Sale to the highest Bidder, and the Produce thereof shall be applied and disposed of in manner herein mentioned: Provided always, that no Advantage shall be taken of such Forfeiture until after Fourteen Days Notice in Writing, signed by the Clerk or Clerks of the said Company, shall have been given to the Proprietor or Proprietors thereof, or left at his, her, or their last or usual Place of Abode, if they shall reside within the Limits of the said Borough, and if not, then by Letter sent by the Post; and every such Forfeiture shall be an absolute Indemnity and Discharge to and for the Proprietor or Proprietors, and their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls; and every Share so sold shall be transferred to the Purchaser or Purchasers thereof by the said Company under their Common Seal, and the Transfer or Transfers thereof shall be registered as herein-before mentioned, and such Purchaser and Purchasers shall be subject to all the same Liabilities as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking, and to all the Rules and Directions of this Act, and thereupon the Purchaser or Purchasers of such Shares so sold and transferred shall be and be deemed a Member or Members of the said Company to all Intents and Purposes whatsoever, and shall be entitled to all the same Privileges and Advantages as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking,

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

XXII. Provided also, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and lawful Interest thereon, and the Expences attending such Sale or Sales, the Surplus of such Money shall be paid, on Demand, to the Person or Persons to whom such Share or Shares shall have belonged; but the said Company shall not sell or transfer, or direct to be sold or transferred, any more of such

Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be, at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls and the Interest and Expences attending the same; and from and after the Payment of all such Calls, with the Interest and Expences as aforesaid, any Share or Shares so vested in such Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person or Persons, or his, her, or their Executors or Administrators, to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid. the Surplus to be paid to the Owner.

XXIII. And be it further enacted, That if any Person who shall be a Subscriber or Proprietor of any Share or Shares in the said Undertaking shall die before Payment shall have been made by him or her of the full Amount which, under the Provisions of this Act, may be called for by the said Company in respect of such Share or Shares, without having made any sufficient and effectual Provision by Will or otherwise how the future Calls in respect of such Share or Shares are to be answered and satisfied, then and in every such Case the Executors or Administrators of such deceased Subscriber or Proprietor, and the Trustees or Guardians of any Infant or other Person entitled to the Estate and Effects of such deceased Subscriber or Proprietor respectively, shall be fully indemnified against such Infant or other Person entitled as last aforesaid in paying any Money which shall be duly called for in respect of such Share or Shares as aforesaid. Executors, &c. of deceased Persons to be indemnified on paying Calls.

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

XXV. Provided always, and be it further enacted, That the annual Dividends to be made as herein-before is directed shall not exceed the average yearly Rate of Ten Pounds for every One hundred Pounds by the Year upon and for the total Amount of Capital advanced and paid for the Purposes of the said Undertaking. Limiting the Profits.

XXVI. And be it further enacted, That *William Butcher*, *James Dixon*, *Henry Doncaster*, *William Fawcett*, *William Fisher*, *William Ibbotson*, *Joseph Levick*, *Thomas Linley*, *Henry Longden*, *John Marsh*, *Jonathan Marshall*, *William* Appointment of Directors.

William Parker, *Thomas Porter*, *George Rodgers*, *Thomas Smith*, *Robert Sorby*, *John Sykes*, *Thomas Turner*, *Edward Vickers*, *Henry Wilkinson*, and *Samuel Woodcock* shall be and they are hereby constituted and appointed Directors for managing the Affairs and Business of the said Company until others shall be chosen in their Stead as herein-after mentioned.

First Directors to serve Two Years, and others One Year.

XXVII. And be it further enacted, That the several Directors herein-before named shall continue in Office until the First *Friday* of the Month of *July* which will be in the Year of our Lord One thousand eight hundred and thirty-seven, and until others of the Proprietors shall be appointed Directors in their Stead, in pursuance of this Act; and at the Expiration of the said Term, and also at the Expiration of every succeeding Year, Thirteen Proprietors of Shares in the said Undertaking shall in manner herein-after mentioned be elected and appointed Directors for managing the Affairs of the said Company, who shall continue in their respective Offices for the Space of One Year, to be computed from the Day of Election, and until others shall be duly elected.

Disqualification of Directors.

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

Election of future Directors.

XXIX. And be it further enacted, That at the General Meeting which shall be held on the First *Friday* in the Month of *July* which will be in the Year of our Lord One thousand eight hundred and thirty-seven, or at some Adjournment thereof, and at every General Meeting which shall be held in subsequent Years on the First *Friday* in the said Month of *July* or at some Adjournment thereof, Thirteen of the Proprietors of Shares in the said Undertaking, and not having any Share or Interest in any other Gas Company, shall be elected by Ballot to be Directors in the Place of the former Directors; nevertheless any of the former Directors whose Office shall then have expired shall (if otherwise eligible) be again immediately re-eligible; so nevertheless as that no more than Ten of the Persons who shall have acted as Directors in the preceding Year shall be re-elected Directors for the next succeeding Year; and every Vacancy in the Directorship by Death, Resignation, or Disqualification shall or may be filled up at the First General or Special General Meeting of the said Company which shall be held next after such Vacancy shall happen or be known; and the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall continue in Office upon the same Terms and only for the same Period as the Person whose Place he shall supply would have continued if his Office had not been vacated before the Time at which he would, according to the Provisions of this Act, have gone out of Office.

Vacancies how to be filled up.

XXX. And

Proceedings for removing Directors for Mismanagement.

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

Meetings of Directors.

XXXI. And be it further enacted, That the Directors shall or may hold their First Meeting at such Time and Place within the said Borough of *Sheffield* as they shall think proper, and shall have full Power and Authority to adjourn such Meeting, and again to meet and adjourn from Time to Time and from Place to Place as they shall think fit; and the said Directors shall from Time to Time appoint one of the Directors present to preside as Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors at any of their Meetings shall be decided and determined by a Majority of Members present (the Number present not being less than Five); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Directors Five Members qualified to vote shall not attend, then and in every such Case the Meeting shall be adjourned to the same Day in the following Week, or until such Time as the Director or Directors then present shall appoint; and any Three or more of the Directors may at any Time when they shall think fit call a Meeting of the Directors by Notice in Writing, signed by such Three or more Members, to be sent by the Post or otherwise to the Residence or Place of Abode of every Director then in Office.

Powers of Directors.

XXXII. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to direct the Affairs and Business of the said Company in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of, for the Purposes of the said Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and entering into Agreements or Contracts for lighting with Gas the said Borough, and all and every or any such Streets, Roads,

Lanes, and other public Passages and Places, Shops, Inns, Taverns, private Houses, Warehouses, Manufactories, Churches and other Places of Worship, and other Buildings as aforesaid, and in nominating, electing, appointing, placing, or displacing any Officer, Agent, or Servant of the said Company (not being a Treasurer or Clerk to the said Company), and fixing such Salaries, Gratuities, or other Recompence as to them shall seem proper; and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles provided, produced, or manufactured under the Authority of this Act, and in bringing and maintaining any Action or Actions at Law, or Suit or Suits in Equity, in the Name of the Company, for the Recovery of any Debt or Debts to become due to the said Company in respect of any such Sale or Sales or otherwise, and in making, enforcing, and rescinding, compounding and compromising, all Contracts and Bargains touching or in anywise concerning the same; and the Directors may require such Security to be given to the said Company from any Officer or Officers or other Persons for the faithful Execution of their respective Duties as they may think proper or reasonable.

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

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

Power to contract for the Purchase of Lands, Buildings, &c.

XXXIV. And in order to enable the said Company to carry the Purposes of this Act into execution, be it further enacted, That it shall be lawful for the said Company or their Directors for the Time being, and they are hereby empowered, from Time to Time to treat, contract, and agree for the absolute Purchase of any Lands, Buildings, Tenements, or Hereditaments within the said Borough which the said Company shall deem requisite for the Purposes of this Act, with any Person or Persons, or any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under Disability of acting for themselves, who are or shall be seised, possessed of, or interested in their own Right, or with any other Person or Persons whomsoever who shall be willing to sell the same, or his, her, or their Estate,

Estate, Right, or Interest therein, for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company to hold to them and their Successors and Assigns such Lands, Buildings, Tenements, and Hereditaments, and any Term, Right, and Interest therein, so purchased, and also to sell, either by public Auction or private Contract, and dispose of, such Lands, Buildings, Tenements, and Hereditaments, or any Part or Parts thereof, and again from Time to Time to purchase and hold other Lands, Buildings, Tenements, or Hereditaments which the said Company shall deem more eligible for the Purposes aforesaid, as they shall think proper, and afterwards to sell and dispose of the same as aforesaid, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever: Provided always, that it shall not be lawful for the said Company to purchase or hold at any One Time a larger Quantity of Land than Ten Statute Acres.

Bodies Politic, &c. empowered to sell.

XXXV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life, and in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees, Trustees, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all other Persons, whomsoever who are or shall be seised, possessed of, or interested in any Buildings, Lands, Tenements, or Hereditaments, of what Nature or Tenure soever, or any Part thereof, which shall be thought necessary by the said Company to be purchased for the Uses and Purposes of this Act (such Lands not exceeding Ten Statute Acres), to contract and agree with the said Company for the Sale thereof or of any Part thereof, and to sell and convey the same or any Part thereof to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be made by virtue of this Act shall be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or other Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all other Estates Tail, and other Estates in Possession, Remainder, Reversion, or Expectancy, and the Issue and Issues of such Person or Persons claiming under them, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees, Trustees, Executors, Administrators, Husbands, Guardians, Committees, and other Trustees whomsoever, and all

all and every other Person and Persons, is, are, and shall be hereby indemnified for what he, she, or they shall do by virtue of this Act.

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

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

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

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

1 G. 4. c. 35.

laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, and Hereditaments which shall be purchased for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court upon Application being made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; 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, and Hereditaments so hereby directed to be purchased in case such Purchase and Settlement were actually made.

Application of Purchase Monies when less than 200*l.* and exceeding 20*l.*

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

Application thereof when not exceeding 20*l.*

XXXIX. Provided also, and be it further enacted, That where such Money so to be paid as last before mentioned shall not exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Estates and Interests, so purchased for the Purposes of this Act, in such Manner as the Directors of the said

Company 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.

XL. And be it further enacted, That where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any 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 Person or Persons who had been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be 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 to some Estate or Interest therein.

Purchase Expences may be allowed by the Court.

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

On Payment of the Purchase Money Premises vested in the Company.

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

XLIII. And

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

'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 *Sheffield* New Gas Company, established under or by virtue of an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], do hereby grant and release [*or* assign, *as the Case may be*,] to the said Company and their Successors all [*here describe the Premises to be conveyed*], and all my [*or* our] Right, Title, and Interest in and to the same and every Part thereof, to hold to the said Company and their Successors and Assigns for ever [*or*, *as the Case may be*, during all the Remainder of my [*or* our] Term, Estate, or Interest in the said Premises]. In witness whereof I [*or* we] have hereunto set my Hand and Seal [*or* our Hands and Seals, *or* our Common Seal, *as the Case may be*,] this Day of in the Year of our Lord One thousand eight hundred and .' Form of Conveyance.

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

XLIV. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of, either by public Auction or private Contract, and by Indenture or Indentures under their Common Seal to grant and convey, or assign and transfer, for a Consideration in Money, for all their Estate and Interest therein, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may have been so purchased and taken, and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall be lawful for the Treasurer or Treasurers for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge or sufficient Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; and such Person or Persons, having *bonâ fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof. For the Sale of Land not wanted.

XLV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorized and empowered, by their Servants, Company may make Works and lay Pipes.

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

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

XLVI. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes in, to, or through any Dwelling House, Houses, Manufactories, public or private Buildings, for the Purpose of lighting any other Dwelling Houses, Manufactory, public or private Buildings, or so to continue the same, without the Consent of the Owner and Occupier of every Dwelling House, Manufactory, public or private Building through which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

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

XLVII. And be it further enacted, That when and as often as the Stones, Pavement, Ground, or Soil in or of any Street, Highway, Road, Lane, Passage, or Place, or any Part thereof, shall have been lawfully broken up or removed under the Provisions of this Act, the said Company shall and they are hereby required immediately thereafter, at their own Costs and Charges, to fill in and effectually ram all Trenches and Drains, and to relay, reinstate, and make good such Stones, Pavements, Ground, or Soil, and for the Space of Six Calendar Months thence next ensuing to keep the said Stones, Pavement, Ground, or Soil, and such Parts of the said Streets, Highways, Roads, Lanes, Passages, or Places as shall have

been so broken up or removed as aforesaid, in good Repair, Order, and Condition, and of a level Surface, to the Satisfaction of the Surveyors of the Highways, or other Person or Persons having the Control, Direction, or Superintendence of such Stones, Pavement, Ground, or Soil, Streets, Highways, Roads, Lanes, Passages, or Places respectively, as well when the same shall have been broken up or removed for the Purpose of first laying down, as for the Purpose of repairing, relaying, and amending any Mains, Pipes, Cocks, or Plugs, or for any other Purpose authorized by this Act; and the said Company shall at all Times and on all Occasions, at their own Costs and Charges, remove and carry away all surplus Earth, Filth, and Rubbish occasioned thereby; and during the Time that the Works hereby authorized are carrying on, and until such Stones, Pavement, Ground, or Soil shall be relaid, reinstated, and made good as aforesaid, the said Company shall provide and place Men with necessary Lights at Night, and shall guard and fence off the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company shall make default in filling in and ramming such Drains and Trenches, or in relaying, reinstating, and making good such Stones, Pavement, Ground, or Soil, or in putting and for the Space herein-before mentioned keeping the said Stones, Pavement, Ground, or Soil, and the said Parts of the said Streets, Highways, Roads, Lanes, Passages, or Places, in such good Repair, Order, and Condition, and of such level Surface as aforesaid, or in removing and carrying away all such surplus Earth, Filth, and Rubbish as aforesaid, or in providing and placing such Men with Lights at Night, or in guarding and fencing off the said Works, so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in each and every such Case the said Company shall forfeit and pay for every such Offence the Sum of Ten Pounds, one Half whereof shall be paid to the Informer, and the other Half to the Surveyors of the Highways of the Township where any such Default shall happen; and it shall be lawful for such Surveyors of Highways, or other Person or Persons having such Control, Direction, or Superintendence as aforesaid, or their or his Servants or Agents, to fill in and ram such Drains and Trenches, and to relay, reinstate, and make good such Pavements, Stones, Ground, or Soil, and to put and for the Space aforesaid to keep the same, and also the said Parts of the said Streets, Highways, Roads, Lanes, Passages, or Places which shall have been so broken up or removed as aforesaid, in such good Repair, Order, and Condition, and of such level Surface as herein-before is mentioned, and to remove and carry away all surplus Earth, Filth, and, Rubbish, and during the Time that such Works are carried on to provide and place Men with necessary Lights at Night, and to guard and fence off the said Works, so as to prevent any such Damage or Inconvenience as aforesaid; and the Expence of doing all and every or any of the Matters aforesaid shall be repaid by the Company hereby incorporated or their Treasurer to such Surveyors of Highways, or other Person or Persons as aforesaid; and in default of Repayment for Three Days next after Demand thereof in Writing shall have been made on the said Company for and on the Behalf of such Surveyors, or other Person or Persons, (Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the West Riding of the County of *York*,) all such Sum and Sums of Money as shall have been so paid as and for the Expence of doing all and every or any of the Matters aforesaid shall and may be

levied and recovered for the Use of such Surveyors, or other Person or Persons, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, who is and are hereby empowered to grant the same.

Company not to damage Drains.

XLVIII. Provided always, and be it further enacted, That the said Company hereby incorporated, or their Servants, Agents, Workmen, or others, shall not by any Work to be done by virtue of this Act damage or injure any Sewer or Drain within the said Borough; and if any Damage or Injury shall unavoidably be done to any such Sewer or Drain the said Company shall forthwith well and sufficiently repair and make good every such Damage or Injury to the Satisfaction of the Surveyors of the Highways for the Time being of the Township or Townships where such Damage or Injury shall be done, and in default thereof Compensation for such Damage or Injury shall be recoverable by such Surveyors by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster;* and in case there shall be a Verdict in favour of such Surveyors, such Verdict shall entitle such Surveyors to and they shall thereby recover against the said Company Double Costs of Suit.

Surveyors empowered to require Pipes to be altered.

XLIX. And be it further enacted, That if at any Time or Times hereafter it shall be deemed necessary or expedient by the Surveyors for the Time being of any One or more of the Townships within the said Borough to require the said Company hereby incorporated to raise, sink, or otherwise alter the Situation of any of the Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches which shall be laid down for the Purposes of this Act, the said Company hereby incorporated shall at their own Expence, within Two Calendar Months next after being required so to do by Notice in Writing to them given by or on behalf of the said Surveyors, raise, sink, or alter such Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches, according to such Notice, in such Manner and in such Place or Places as such Surveyors shall think right and proper; and in default thereof it shall and may be lawful to and for the said Surveyors and their Agents, or any other Person or Persons acting by their Order or under their Authority, to cause such Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches to be raised, sunk, or altered, and the reasonable Costs and Charges of doing the same shall immediately thereafter be paid by the said Company hereby incorporated, or their Treasurer, to the said Surveyors: Provided nevertheless, that if such reasonable Costs and Charges shall not be paid within Three Days next after a Demand shall be made by or on behalf of such Surveyors (Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said West Riding), all such reasonable Costs and Charges, and any Sum not exceeding Ten Pounds by way of Penalty, shall and may be recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Surveyors.

L. And

Rated Inhabitants not to be deemed incompetent Witnesses.

L. And be it further enacted, That no Inhabitant of any Township or Place situate within the said Borough in which any Offence shall be committed contrary to this Act shall be deemed an incompetent Witness by reason of his or her being a rated Inhabitant of such Township or Place.

Injuries done by Surveyors to Pipes to be made good by them.

LI. Provided always, and be it further enacted, That if by raising, sinking, or altering any of the said Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches, any Damage or Injury shall be wilfully or negligently done to the same by such Surveyors, or their Agents, Servants, or Workmen, then and in every such Case such Damage or Injury shall be repaired and made good by the said Surveyors as soon as Circumstances will permit, and the Costs, Charges, and Expences thereof shall be paid by such Surveyors to the said Company hereby incorporated, or their Treasurer or Treasurers; and in case they cannot agree touching the Amount thereof, the same shall be ascertained and settled by Two Justices of the Peace for the said West Riding, who are hereby authorized to determine the same, and their Determination thereon shall be final and conclusive; and such Damages and Expences, together with the Costs and Charges of ascertaining and recovering the same, may, in default of Payment for the Space of Three Days after a Demand thereof in Writing, be recovered from such Surveyors, together with the Costs of Suit, by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*.

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

LII. Provided also, and be it further enacted, That in all Cases where any Main or Pipe for the Conveyance of Gas, the Property of the said Company, shall be laid down or placed in any private Ground, Road, or Way, and the Owner or Owners, Occupier or Occupiers of the Premises shall at any Time or Times thereafter deem it necessary or expedient to alter or vary the Position of such Main or Mains, Pipe or Pipes, the said Company shall and they are hereby required (although such Main or Pipe may have been so laid or placed with the Consent of any such Owner or Occupier or of any former Owner or Occupier of the Premises) at the Expence, Costs, and Charges of such Owner or Owners, Occupier or Occupiers respectively, within Ten Days next after being required so to do by Notice in Writing to them given by the said Owner or Owners or Occupier or Occupiers, alter and vary the Position of such Main or Mains, Pipe or Pipes, and relay the same according to such Notice, in such Manner and in such Place or Places as the said Owner or Owners and Occupier or Occupiers shall think right or proper; and in default thereof it shall be lawful to and for the said Owner or Owners and Occupier or Occupiers, or their Agents, Servants, or Workmen (at the like Costs and Charges of the said Owner or Owners and Occupier or Occupiers), to cause the Position of such Main or Mains, Pipe or Pipes, to be altered, varied, and relaid as aforesaid.

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

LIII. Provided always, and be it further enacted, That in case any Pipe, Cock, or Branch shall be fixed, carried, or laid from any Main or Pipe of the said Company into or through or against any Dwelling House or Houses, or other Buildings, for the Purpose of lighting the same or any other Dwelling House or Houses, or other Buildings, in pursuance of this Act, and the Owner or Owners or Occupier or Occupiers of any such Dwelling House or Houses, or other Buildings, into or through or against which such Pipe, Cock, or Branch shall be fixed, carried, or laid, shall be

be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such his, her, or their Desire shall give Notice in Writing to the said Company, then and in every such Case the said Company shall, at the Costs and Charges of the Party or Parties requiring the same, within Ten Days after the Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any of such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon from any such Main or Pipe of the said Company as aforesaid; and in default thereof it shall be lawful for such Owner or Owners, or Occupier or Occupiers, or any other Person or Persons acting under his, her, or their Authority, to cause such Pipes, Cocks, or Branches to be altered or removed and taken away, as the Case may require.

Company to remove Pipes when Tenants quit, if required.

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

For the Protection of Water Pipes.

LV. And whereas it is essential to the Health and Comfort of the Inhabitants of the Town and Parish of *Sheffield*, and of others resorting to

and frequenting the same, that the fresh Water supplied to them should at all Times be preserved in a pure and wholesome State, and in order to prevent such Water from being impregnated with Gas from the Pipes to be laid and used for the Conveyance of Gas through the Streets, Roads, Lanes, or other public Passages and Places within the Limits of this Act; be it enacted, That when and so often as the said Company hereby incorporated, or their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Pipe or Pipes for the Conveyance of Gas, or shall open any Ground, for the Purposes of this Act, in, upon, or near to which any Water Pipe or Pipes belonging to the Company of Proprietors of the *Sheffield* Waterworks, for conveying Water into, through, or about the Town and Parish of *Sheffield* aforesaid, or any Branch or Service Pipe or Pipes for the Supply of any Dwelling House or Building, shall be laid, the said Company hereby incorporated, their Servants, Agents, or Workmen, shall and they are hereby required to give Twenty-four Hours previous Notice thereof in Writing to the Manager or chief Clerk for the Time being of the said Company of Proprietors of the *Sheffield* Waterworks, to be left at the Dwelling House or Office of the said Manager or chief Clerk; and on every such Occasion the said Company hereby incorporated, their Servants, Agents, and Workmen, shall, under the Inspection of the Manager, chief Clerk, or Engineer for the Time being of the said Waterworks, or some Person to be appointed by him, protect and secure such Water Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default of giving such Notice, or of repairing and making good any such Damage, the said Company hereby incorporated shall for each and every such Default pay to the Manager or chief Clerk for the Time being of the said Company of Proprietors, for the Use of the said Proprietors, any Sum not exceeding Five Pounds, and also the Costs and Expences which shall have been incurred by the said Water Company in and about the protecting and securing of any such Water Pipe or Pipes, or in and about the repairing and making good of any Injury or Damage that shall have been done thereto by the Means aforesaid, such Costs and Expences to be ascertained by any Justice of the Peace for the West Riding of the County of *York*, and to be recovered, with the said Penalty, in the same Manner as any Costs and Expences or Penalty under this Act may be recovered.

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

LVI. And be it further enacted, That all and every the Pipes or other Conduits laid or to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Highway, Street, or other Passage or Place within the Limits of this Act shall be laid at the greatest practicable Distance, and whenever the Width of the Carriageway will allow thereof at the Distance of Four Feet at least from the nearest Part of any Water Pipe, Sough, or Watercourse already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Highways, Streets, or other Passages or Places within the Limits of this Act, and when unavoidably nearer than Four Feet, then in no Case at a lower Level than such Water Pipe; and that where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, Soughs, or Watercourses, the said Gas Pipes shall be laid over the said Water Pipes, Soughs, or Watercourses at the greatest practicable

Distance therefrom, and shall form a Right Angle therewith; and the Gas Pipes so crossing the said Water Pipes, Soughs, and Watercourses shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes, Soughs, or Watercourses than Four Feet at least; and such Gas Pipes so crossing the said Water Pipes shall for the whole Length thereof be sufficiently bedded in with good sound Clay of a proper Consistence, and well worked and rammed into the Trenches all round the said Gas Pipes; and in laying down the said Gas Pipes the Contractor or other Persons to whom the same shall belong shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench form the Jointing with the other Pipes which may be added thereto with proper and sufficient Materials, and also, wherever practicable, lay and well and sufficiently bed each and every of the Joints of the said Main Gas Pipes, and also the Joints or Screws of the Branch or Service Gas Pipes connecting with the Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying Gas from the Main Gas Pipes to the Houses or other Buildings, and all other Joints, Inlets, Apertures, or Openings which are or shall or may be made in any of the said Gas Pipes, with such Clay as aforesaid, all round the said several and respective Joints, Inlets, Apertures, or Openings, and for Twelve Inches in Length each Way from the Centre of each and every of the Caps or Joints in the Main Pipes, and of the Inlets, Apertures, Screws, or Joints connecting the Service Pipes with the Main Pipes, and all other Joints, Inlets, Apertures, or Openings therein, and for Six Inches at least from the Centre of each of the Joints in the Service Pipes, so as to make and keep all and every such Pipes, and all the Screws, Joints, Inlets, Apertures, or Openings therein, respectively Air-tight, and in every respect prevent the Gas from escaping therefrom, upon pain of forfeiting for every Default in any of the Cases above mentioned the Sum of Five Pounds, to be recovered in the same Manner as any Penalty under this Act may be recovered.

For preventing Contamination of Water.

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

prevent all and every such Contamination, whereof Notice shall be given as aforesaid, then and in every such Case the said Company shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated, tainted, or affected by such Gas, to be sued for and recovered as any Penalty is by this Act directed to be sued for and recovered.

For ascertaining if Water be contaminated.

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

and

and Expences, and of such Injury, Loss, or Damage, to be ascertained and determined in the said Cases respectively, if necessary, by any Justice or Justices of the Peace, and to be recovered in like Manner as any Penalty may be recovered by virtue of this Act.

For stopping the Escape of Gas.

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

For providing for the Expence incurred in discovering an Escape of Gas in certain Cases.

LX. And be it further enacted, That in case any Escape of Gas shall occur or take place in any Street, Road, Way, Lane, or other public Passage or Place in which the Mains and Pipes of the Company hereby incorporated, and also any Mains and Pipes of the *Sheffield* Gas Light Company, shall be laid and placed, and if, in order to discover from whence such Escape shall arise, either of the said Companies shall take up any Pavement, or do any other necessary Work, to ascertain whether such Escape arises from their own Mains and Pipes, and it shall afterwards be discovered that such Escape has taken place from a Main or Pipe or other Work belonging to the other of the said Companies, then and in such Case the said Company from whose Mains or Pipes such Escapes shall be proved to proceed shall pay to the said other Company all the Costs, Charges, and Expences which such other Company have necessarily incurred in Examination of their own Mains and Pipes for the Purpose of discovering such Escape as aforesaid; and in case such Costs, Charges, and Expences shall not be paid within Two Days after a Statement in Writing of the Amount thereof, signed by the Clerk of the Company, claiming the same, shall have been left at the Office of the said other Company, then upon Proof of the Correctness of such Amount upon the Oath of One or more credible Witness or Witnesses before One Justice of the Peace for the West Riding of the County of *York*, the same may be levied by Warrant of such Justice, by Distress and Sale of the Goods, Chattels, and Effects of the Company from whose Mains and Pipes such Escape shall have been proved to have proceeded; and the Surplus arising from such Sale, after deducting the Amount of such Costs, Charges, and Expences, and the Charges of such Distress and Sale, shall be returned to the

the said last-mentioned Company: Provided nevertheless, that nothing herein contained shall extend to authorize either of the said Companies to interfere with the Mains and Pipes of the other of them.

Notice to be given to the Sheffield Gas Light Company when any Ground is opened near to their Pipes.

LXI. And be it further enacted, That when and so often as the Company hereby incorporated, their Successors or Assigns, or their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Pipe or Pipes for the Conveyance of Gas, or for laying other Apparatus, or shall open any Ground for the Purposes of this Act or any of them, in or upon or near to which any Main or Conduit Pipe or Pipes belonging to the *Sheffield* Gas Light Company shall be laid, the said Company hereby incorporated, their Successors or Assigns, shall and they are hereby required to give Three Days previous Notice thereof in Writing to the head Clerk or Engineer of the *Sheffield* Gas Light Company, to be left at the Office for the Time being of the said *Sheffield* Gas Light Company; and on every such Occasion the said Company hereby incorporated, their Servants, Agents, and Workmen, shall protect and secure such Pipes of the said *Sheffield* Gas Light Company from any Injury or Damage, and shall forthwith repair and make good any Damage that shall or may be done to any such Pipes on any such Occasion; and in default of giving such Notice as aforesaid, and also of forthwith repairing and making good any such Damage, the said hereby incorporated Company, their Successors or Assigns, shall for each and every such Default forfeit and pay to the chief Clerk for the Time being of the *Sheffield* Gas Light Company, for the Use of the said Company, any Sum not exceeding Five Pounds for each and every Day and for each and every such Default, and also the Costs and Expences which shall have been incurred or sustained by the said *Sheffield* Gas Light Company in and about securing and protecting of any such Pipes, or in repairing or making good any Injury or Damage that may have been done to any such Pipes, or repairing or making good the Pavement over or adjoining the same by the Ways or Means aforesaid, and any Loss or Damage which may be sustained by the said *Sheffield* Gas Light Company by reason or means or in consequence of any Injury done to such Pipes; and all which Damages, Costs, Charges, and Expences shall be ascertained by any Justice of the Peace for the West Riding of the County of *York* (as the Case may require), and be recovered in the same Manner as any Expences or Penalties under this Act may be recovered.

Indicators of the New Company's Mains.

LXII. And be it further enacted, That the said Company hereby incorporated shall cause Indicators, made of Cast Iron or other durable Material, having impressed thereon the Letters "N. G. C. P." (to denote "New Gas Company's Pipe,") placed in the Ground on a Level with the Horse-tread or Footpath, directly over their Main Pipes, to denote where they are laid; and such Indicators shall be placed at the Angle of each Street, and where any Mains shall extend more than One hundred and fifty Yards in a straight or direct Line under any Street between One Angle or Corner of a Street and another, then such Indicators shall be so placed that there may not be a greater Distance between one Indicator and another than Seventy-five Yards.

Penalty for conveying Washings into any River, &c.

LXIII. And be it further enacted, That if the said Company, or any Body or Bodies Politic or Corporate, or any Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits

Limits of this Act, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other Waste Liquids, or any Nuisance or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Company, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or otherwise, and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided always, 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, or conducted or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons as aforesaid, and the said Company, or Body or Bodies Politic or Corporate, or Person or Persons whomsoever, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, and prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company, or Body or Bodies Politic or Corporate, Person or Persons whomsoever, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

Penalty on laying Pipes

LXIV. And be it further enacted, That if any Person shall lay any Pipe to communicate with any Pipe belonging to the said Company, or fit or alter

alter any of the Fittings of any Pipes or Lamps belonging to the said Company, without the Consent of said Company under the Hand or Hands of their Clerk or Clerks first had and obtained, or use Burners of larger Dimensions or in any other Manner than he, she, or they shall contract to pay for, or supply any Inhabitant or other Person with any Part of such Gas, every Person so offending in any of the respective Premises, and being thereof convicted on the Oath of Two credible Witnesses before One or more Justice or Justices of the Peace, shall for every separate Act or Offence forfeit and pay to the said Company a Sum not exceeding Five Pounds *per* Day for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished.

of Communication, &c. without Consent of Company.

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

Penalty for wilfully damaging the Pipes, &c.

LXVI. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, throw down, remove, destroy, damage, or otherwise injure any or any Part of any Pipe, Plug, Lamp, Lamp Post, Lamp Iron, or other Apparatus, Matter, or Thing, set up by or belonging to the said Company, or belonging to any Person or Persons, and set up by him, her, or them at his, her, or their private Expence, or waste any of their Inflammable Air or Gas supplied by the said Company, and shall not immediately upon Demand by the said Company, or their Directors or Superintendent, or other Person or Persons authorized by the said Company or their Directors, make Satisfaction for the Damage done or the Gas so wasted, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace, and he or they is and are hereby required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Nonappearance of the Party or Parties so complained against, to award such Sum or Sums of Money by way of Satisfaction to the said Company, or to such other Person or Persons, as the Case may require, for such Damages or Waste, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any Sum

Damage for accidentally injuring Pipes, &c.

Sum or Sums of Money so awarded within Ten Days after Demand it shall and may be lawful to and for such Justice or Justices, and he and they is and are hereby required, to cause the same, with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, returning the Overplus (if any), on Demand, to the Party or Parties against whom the Complaint shall be preferred.

Penalty for interrupting Company's Workmen.

LXVII. And be it further enacted, That if any Person shall wantonly or maliciously hinder or obstruct the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing and performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption.

Recovery of Rents.

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

Recovery of Compensation for Materials or Damage against the Company.

LXIX. Provided always, and be it further enacted, That when and so often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or by any Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said

said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, and delivered to the said Company or to their Treasurer, in pursuance of the Direction or Order made by such Justice, then and in every such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Action at Law against the said Company or their Treasurer for the Time being, or by Distress and Sale of the Goods and Chattels of the said Company or of their Treasurer for the Time being, or of the Goods and Chattels of the Party or Person required to pay the same Sum or Sums of Money (as the Case may be), under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Surplus shall be returned, on Demand, to the said Company or their Treasurer for the Time being, or to such Party or Person (as the Case may be).

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

LXX. 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 Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

LXXI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace it shall be lawful for any Justice of the Peace (not being a Shareholder in the Company hereby incorporated) to whom Complaint shall be made of any Offence against this Act to suminon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Recovery and Application of Penalties.

LXXII. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, or by any Rule, Order, or Bye Law inflicted or imposed, in relation to which the Manner

of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice or Justices of the Peace for the said West Riding of the County of *York* in and by the Oath of One or more Person or Persons, or on the Confession of the Party offending, which Oath any such Justice is hereby authorized to administer; and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus (if any), on Demand, to the Party whose Goods and Chattels shall be so distrained, the reasonable Charges of such Distress and Sale being first deducted, and (except where it is otherwise directed) Half of the Penalties or Forfeitures shall be paid to the Informer, and the other Half thereof to the Overseers of the Poor of the Parish or Place in which the Offence shall be committed, to be by them applied in aid of the Poor's Rate of such Parish or Place; and in case sufficient Distress cannot be found, and such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before him or them on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the Time of taking any Security, and which Security such Justice or Justices is or are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no such Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol in the said West Riding, to be kept to hard Labour for any Time not exceeding Two Calendar Months.

Form of Conviction.

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

' to wit. } BE it remembered, That on the Day of in the Year of our Lord
' is [*or* are] convicted before me [*or* us, *as the Case may be*,] of
' His Majesty's Justices of the Peace for the West Riding of the County
' of *York*, by virtue of an Act passed in the Fifth Year of the Reign of His
' Majesty King *William* the Fourth, intituled [*here insert the Title of this*
' *Act*], of having [*specify the Offence, and the Time and Place when and*
' *where the same was committed, as the Case may be*,] contrary to the said
' Act, and for which I [*or* we, *as the Case shall be*,] do adjudge the

'said to have forfeited the Sum of . Given 'under my Hand and Seal [*or, as the Case shall be,* our Hands and Seals,] 'the Day and Year first above written.'

Appeals to be made at the Quarter Sessions.

LXXIV. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate, or Collegiate, or any Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Rule, Order, or Bye Law to be made by virtue of this Act, or any Alteration thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the said West Riding of the County of *York* within Six Calendar Months after the Cause of Appeal shall have arisen, the Person or Persons appealing having first given at least Ten Days Notice in Writing of such Appeal, and the particular Nature and Matter thereof, to the Person appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the same Riding, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice or Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace, and, if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned, which shall have been levied in pursuance of such Rule, Order, Bye Law, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall think reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be binding, final, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Proceedings to be within Six Calendar Months.

LXXV. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act for any Offence or Offences against this Act, unless Information respecting such Offence shall have been lodged before some Justice of the Peace within Six Calendar Months next after such Offence committed.

No Action to be brought against Company after Six Months from the Cause of Action.

LXXVI. And be it further enacted, That no Action or Suit shall be commenced or brought against the said Company hereby incorporated, or any Person or Persons, for any thing done in pursuance of this Act or of the Powers hereby given, or in anywise relating to the Premises, after sufficient Satisfaction or Tender of Amends shall have been made to the Party aggrieved, or after the Expiration of Six Calendar Months next after the Cause of Action shall have arisen; and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall be brought after such

such sufficient Satisfaction or Tender of Amends shall have been made as aforesaid, or after the Time herein-before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover his, her, and their Costs, and have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases of Law.

Compelling Attendance of Witnesses.

LXXVII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to appear and 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 Fifty Pounds, which may be recovered, together with full Costs of Suit, by the Prosecutors, or by the Person or Persons accused as aforesaid, by an Action of Debt in any of His Majesty's Courts of Record; and the Person or Persons so summoned and neglecting to appear before any Justice or Justices as aforesaid shall be liable in a special Action, at the Suit of the Prosecutor, or the Person or Persons accused as aforesaid, to make good the Damage or Injury sustained by the Prosecutor, or by the Person or Persons accused, by reason of such Person or Persons refusing or neglecting to appear to give Evidence as aforesaid, in such and the same Manner as Parties subpœnaed to give Evidence in Actions in any Courts at *Westminster* are now liable.

Distress not unlawful for Want of Form.

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

Proceedings not to be quashed for Want of Form, or removed by Certiorari.

LXXIX. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender against this Act, or any Order or Bye Law made in pursuance thereof, or any Judgment or Determination to be made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of

Form

Form only, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding.

Directions as to Services of Notices, &c.

LXXX. 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, Demand or Demands, Summons or Summonses, or any Proceedings at Law or Proceedings in Equity, the Service of a Copy thereof upon the Clerk or Clerks to the said Company, or delivered to some Inmate at the Office of such Clerk or Clerks, or at his or their last or usual Place or Places of Abode, or left at the Office of the said Company, or upon any One of the said Directors, or delivered to some One Inmate at his last or usual Place of Abode, or upon any known Agent or other Officer employed by the said Company, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

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

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

Paying the Expences of this Act.

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

Saving the Rights of the present Gas Company.

LXXXIII. Provided always, and be it further enacted, That nothing herein contained shall authorize the Company of Proprietors hereby incorporated, or any other Person, to disturb, alter, or injure any of the now existing Erections, Buildings, Pipes, Goods, or Chattels of or belonging to the *Sheffield* Gas Light Company, established by virtue of an Act of Parliament passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for lighting with Gas the Town and Parish of* Sheffield *in the County of* York, nor to prevent or hinder or obstruct the said *Sheffield* Gas Light Company from making any new Works authorized by virtue of the said Act, so that in the Execution of such new Works the said *Sheffield* Gas Light Company do not disturb, alter, or injure any of the Works previously established by virtue of this Act. 58 G. 3. c.

Powers of Water Company not to be obstructed.

LXXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to defeat, abridge, alter, obstruct, or in any Manner interfere with the Powers and Authorities of the Company of Proprietors of the *Sheffield* Waterworks, established by virtue of an Act of Parliament passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for better supplying with Water the Town and Parish of* Sheffield *in the County of* York, or any Body Politic or Corporate, Sole or Aggregate, established for the Supply of Water in or for the said Town and Parish of *Sheffield* and the Neighbourhood thereof, or any Part or Parts thereof.

11 G. 4. c. 55

Saving the Rights of the Duke of Norfolk.

LXXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed or deemed or taken to extend, to extinguish, defeat, release, abridge, annul, prejudice, or destroy the Right, Title, or Interest of the Most Noble *Bernard Edward* Duke of *Norfolk*, Lord of the Manor of *Sheffield*, or the Lord of the Manor of *Sheffield* aforesaid for the Time being, of, in, or to the Seignories, Rights, Royalties, Franchises, Jurisdiction, Rents, Services, Liberties, Privileges, Powers, and Authorities appendant, appurtenant, incident, or belonging to the said Manor of *Sheffield*, or to any Rents, Tolls, Pickage, Stallage, Free Customs, Dues, Duties, Profits, or Advantages belonging, due, or in anywise appertaining to the said *Bernard Edward* Duke of *Norfolk*, Owner of the Fairs and Markets within the said Town of *Sheffield*, or the Owners of such Fairs and Markets for the Time being, but that the said *Bernard Edward* Duke of *Norfolk*, Lord of the said Manor, and the Lord of the said Manor for the Time being, shall have, hold, use, exercise, take, and enjoy all and every the Seignories, Rights, Royalties, Franchises, Pre-eminences, Jurisdictions, Rents, Services, Powers, Authorities, Liberties, Privileges, Advantages, and Emoluments whatsoever to the said Manor belonging, or incident, appendant, appurtenant, or usually exercised, holden, or enjoyed therewith, and the said *Bernard Edward* Duke of *Norfolk*, Owner of the said Fairs and Markets, and the Owner of the said Fairs and Markets for the Time being, shall and may demand, exact, take, and enjoy all such Rents, Tolls, Pickage, Stallage, Free Customs, Dues, Duties, Profits, and Advantages, with all Powers and Remedies for enforcing the Payment thereof, in as full, ample, and beneficial a Manner to all Intents and Purposes as if this Act had not been made or passed, save as the same may be affected by the due and lawful Exercise of the Power hereby vested in the said Company of laying down Pipes for the Conveyance of Gas for lighting the said Borough of *Sheffield* or any Part thereof.

Public Act.

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

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