ANNO TERTIO

GEORGII IV. REGIS.

Cap. XXXV.

An Act for incorporating the *Warrington* Gas Light Company. [15th *May* 1822.]

WHEREAS in and by an Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving and improving the Town of* Warrington *in the County of* Lancaster, *and for building a new Bridewell in the said Town*, the Commissioners thereby appointed were authorized and empowered from Time to Time, if they thought proper, to contract and agree with any Person or Persons for the doing or performing certain Works by the now reciting Act authorized and directed to be done and performed, subject to such Regulations as in the said Act are expressed and contained: And whereas Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be procured from Coal, and such Inflammable Air may also be obtained from Oil or other Materials: And whereas the said Inflammable Air, being conveyed by means of Pipes, may be safely and beneficially used for lighting the several Streets, Lanes, public Passages, and Places within the said Town and Places adjacent, and for lighting private Houses, Shops, Counting-houses, Warehouses, and public Works and Manufactories, and other Buildings; and the Coke may be beneficially employed as Fuel in private Houses and Manufactories, and the said Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be used, applied, and disposed of in various other Ways with great Advantage: And whereas 53 G. 3. c. 118.

whereas Main and other Pipes have been laid down throughout a great Part of the Town of *Warrington* aforesaid, in order to the lighting the same, and the Houses and other Buildings therein, with Gas: And whereas a considerable Sum of Money has been already expended in the Works, Mains, and Pipes, and a further Sum may be required to pay for the Expence of completing and extending the same, and an additional Sum will be required as a Capital for providing Coal and other Materials for procuring the Gas for lighting the said Town and Neighbourhood, and the Payment of the Expences of conducting the said Works for the Purposes aforesaid: And whereas the lighting the said Town of *Warrington*, and the adjoining Villages of *Latchford* and *Appleton*, in the County Palatine of *Chester*, and other the Suburbs of the said Town, with Gas, will very materially add to the Comfort and Accommodation of the Inhabitants of the said Town and Villages, and be of public Utility, and many Persons have contributed Part of the Sums, and are willing to contribute further Sums of Money, in aid of and for the Completion of the said Undertaking, and carrying on the same; but inasmuch as such Undertaking cannot be effectually carried into Execution, or a competent Supply of Gas afforded to the said Town, without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Company of Proprietors.

That *Joseph Bankes*, *William Barton* the younger, *Edward Bolton*, *Thomas Booth*, *John Brandwood*, *Bartholomew Bretherton*, *Edward Browne*, *Fanny Browne*, *John Reade Browne*, *Nathan Brown*, *John Buckley*, *Hannah Cartwright*, *Thomas Eaton*, *Wellbore Ellis*, *Samuel Ellson*, *Priscilla England*, *Robert Fairclough*, *George Furnival*, *John Gandy*, *John Dakin Gaskell*, *Betty Gaskell*, *Edward Gaskell*, *Ann Gaskell*, *Mary Gaskell*, *Margaret Gaskell*, *James Grice*, *John Haddock*, *John Hall*, *James Harrison*, *Thomas Harrison*, *Joseph Heath*, *James Holt Heron*, *Martha Hayes*, *Andrew Houghton*; *John Howard*, *Anthony Hudson*, *William Hughes*, *Samuel Kay*, *Stephen Lapworth*, *Thomas Legh*, *Thomas Lyon*, *John Molineux* Clerk, *Hannah Neale*'s Executors, *John Oddie*, *Thomas Penketh*, *John Penswick*, *Fanny Rebecca Pickmore*, *John Pickmore*, *John Shuttleworth* Clerk, *William Standish*, *William Stubs*, *Joseph Stubs*, *Richard Turner*, *Elizabeth Turner*, *Helen Turner*, *Mary Turner*, *Edward Turner*, *Hannah Watt*, *Elizabeth Wagstaff*, *William Wagstaff*, *Joseph Wagstaff*, and *John Webster*, and all and every such other Person or Persons as shall from Time to Time become the Proprietors of the Company hereby established, as herein-after is mentioned, their respective Successors, Executors, Administrators, and Assigns, shall be and are hereby united into a Company for supplying the Town of *Warrington*, the adjacent Villages of *Latchford* and *Appleton*, and other the Suburbs, Liberties, and Precincts of the said Town respectively, with Inflammable Air or Gas, and making and maintaining the Works necessary for that Purpose, under the Regulations herein-after contained, and shall be one Body Politic and Corporate by the Name of

Style of the Company.

The Warrington *Gas Light and Coke Company*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and that

the said Company of Proprietors shall be established for the Purpose of making Inflammable Air or Gas, and also Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and all other Products to be obtained from the Manufacture of such Air or Gas, and to sell and dispose of the same respectively, in such Manner as they shall think proper; and shall have full Power from Time to Time to enter into and make any Contracts, or agree with the Commissioners or Trustees having the Control or Management of the lighting of the said Town of *Warrington* under the said recited Act, or with the Constables of the Villages of *Latchford* and *Appleton*, or of the Hamlets, Townships, or Places adjacent to the said Town of *Warrington*, or any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, Corporation Aggregate or Sole, who may be willing to contract with the said Company of Proprietors for the lighting of such Town, Villages, Hamlets, Townships, or neighbouring Places, or of any public Streets, Roads, Highways, Lanes, or Passages, or Manufactories, Shops, Warehouses, Places of Worship, or other Buildings or Places, or any of them, within the Town, Villages, Hamlets, Townships, Public Buildings or Places, or any or either of them.

Power to contract for the Purchase of Lands.

II. And be it further enacted, That in order to enable the said Company to construct or make Gasometers and other necessary Works, and to erect any Manufactory or Manufactories, or other Buildings for the Purposes of this Act, it shall and may be lawful to and for the said Company, or their Committee of Management, and they are hereby empowered, to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, and Hereditaments within the said Town, Townships, Villages, Hamlets, Neighbourhood and Places aforesaid, or any or either of them (not exceeding Three Statute Acres in the whole), without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever; and also to sell and dispose of the said Lands, Tenements, or Hereditaments in like Manner.

Bodies Politic empowered to sell.

III. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whatsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to or for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company of Proprietors to be purchased for the Uses and Purposes of this Act, to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all the Estate, Right, Title, and Interest whatsoever, of, in, and to the same, to the said Company of Proprietors for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances, which shall

shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute, or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be indemnified for what he, she, or they shall do by virtue or in pursuance of this Act.

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

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

Trusts,

Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments, which shall be taken or used for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the mean-time, and until such Purchase shall be made, the said Money shall, by Order of the said High Court of Chancery, upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean-time, and until such 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 Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were then actually made.

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

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

Application of Money not exceeding 20*l.*

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

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.

Respecting disputed Titles, &c.

VII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, and Interest in any Lands, Tenements, or Hereditaments so purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Person, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interests of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

For paying Expences where Purchases shall be made from incapacitated Persons.

VIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of 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 Purchase Money Premises to be vested in the Company.

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

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

Form of Conveyance.

'I [*or* we, *as the Case may be*] of in Consideration of the Sum of to me [*or* us] paid by the Company of Proprietors established under an Act passed in the Third Year of the Reign of King *George* the Fourth, intituled *An Act* [*here insert the Title of this Act*] do hereby grant and release [*or* assign, *as the Case may be*] to the said Company of Proprietors and their Successors, all [*here describe the Premises to be conveyed*] and all my [*or* our] Right, Title, and Interest in and to the same, and every Part thereof, to hold to the said Company of Proprietors and their Successors for ever [*or, as the Case may be*] during all the Remainder of my [*or* our] Term, Estate, or Interest in the said Premises : In witness whereof, I [*or* we] have hereunto set my Hand and Seal [*or* our Hands and Seals] this Day of in the Year of our Lord .'

Re-sale of Land not wanted.

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

Capital Stock not to exceed 15,000*l.*

XII. And be it further enacted, That the Capital or Joint Stock of the said Company, to be applied and used in establishing and carrying on the said Undertaking, and the Purposes aforesaid, shall be the Sum of Fifteen thousand Pounds.

Works not to be begun until the whole Sum shall have been subscribed.

XIII. And be it further enacted, That the Works hereby authorized to be made shall not be begun until the whole of the said Sum of Fifteen thousand Pounds shall have been subscribed for the Purpose of making and completing the said Works.

Power to raise 3,750*l.* more, if required, by Loan or new Shares.

XIV. And be it further enacted, That in case the aforesaid Sum of Fifteen thousand Pounds, shall be found insufficient for the Purposes of this Act, then and in such Case it shall and may be lawful for the said Company from Time to Time to raise any further Sum or Sums of Money for completing their said Undertaking, or for executing the said Works, not exceeding in the whole the Sum of Three thousand seven hundred

hundred and fifty Pounds, either by way of Loan on Security of the Property and Effects belonging to the said Company, or by raising or creating new and additional Shares in the said Concern, or by both of the said Ways and Methods; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Three thousand seven hundred and fifty Pounds by way of Loan, then it shall be lawful for the said Company, or their Committee of Management for the Time being, by and with the Advice and Direction of any General or Special Assembly of the said Company, to be held according to the Directions of this Act, to borrow and take up the same at Interest for the Use of the said Company, and thereupon to grant, execute, and deliver to or in favour of the Lenders thereof such Mortgages, Bonds, Oligations, Debentures, or other Securities in Writing as may be required, thereby binding the said Company, and the Estates, Stock and Trade, Income and Profit thereof, for the Repayment of the Sum or Sums borrowed, with Interest for the same, upon such Terms and Conditions, not being contrary to the Laws of this Realm, as shall be mutually agreed upon in that Behalf between the said Company and the Lenders of such Money; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Three thousand seven hundred and fifty Pounds by the Creation of new and additional Shares in the said Concern, then it shall be lawful for the said Company to raise the same, either amongst themselves, in such Proportions as to them shall seem meet, or by the Admission of new Subscribers into the said Concern, and for such Purpose to create such Number of new and additional Shares of Twenty Pounds each as may be deemed expedient; and every Subscriber towards raising such further Sum by Shares shall be a Proprietor in the said Undertaking, and stand interested in all the Profits, Privileges, and Advantages of the said Undertaking, and shall be liable to the like Burthens, in proportion to the Amount of his or her Subscription, as generally and extensively to all Intents and Purposes as if the same had been originally Part of the said Capital Stock of Fifteen thousand Pounds; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Lands, &c. of Company liable for Debts of Company.

XV. And be it further enacted, That the Lands and Hereditaments, Manufactories, Gasometers, Machinery, Apparatus, and Works, Goods, Chattels, and Effects of the said Company, and their Successors, shall be subject and answerable for the just Debts, Liabilities, Engagements, and Demands of the Creditors and Contractors with the said Company.

Subscribers to share in Stock in proportion to their Subscriptions.

XVI. And be it further enacted, That all and every Person or Persons by or for whom any Subscription hath been made or accepted, or by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to any General Meeting or Meetings to be held by the said Company for that Purpose, for or towards the raising of the said Capital Sum of Fifteen thousand Pounds, or such further Sum of Three thousand seven hundred and fifty Pounds, in case the same shall be raised by the Creation of new Shares as aforesaid, his, her, or their Executors, Administrators, or Assigns respectively (no such Sums being less than Twenty Pounds), shall have and be entitled to a Share of and in

in the said Capital Joint Stock of the said Company in proportion to the Monies which he, she, or they shall contribute or shall have so contributed towards making up the same, and shall have and be entitled to a proportionable Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors in the same.

Stock to be divided into Shares of 20*l.* Sterling each, and to be Personal Estate.

XVII. And be it further enacted, That the said Sums of Fifteen thousand Pounds and Three thousand seven hundred and fifty Pounds, in case the said last-mentioned Sum shall be raised by the Creation of new Shares, shall be divided into Shares of Twenty Pounds Sterling each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Twenty Pounds Sterling; and that all Shares in the said Undertaking, and in the Net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

Treasurer not to issue Money without an Order signed by Three of the Committee.

XVIII. And be it further enacted, That the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, shall not issue or pay any Sum or Sums of Money on account of the said Company, without an Order or Orders in Writing signed by Three or more Members of the said Committee of Management, and that the Receipts of such Treasurer or Treasurers for all Monies payable to him or them on account of the said Company shall be effectual Discharges for the same.

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

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

For ascertaining the Proprietorship of Shares in certain Cases.

XX. And whereas in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking, shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is or are the Owner or Proprietor or Owners or Proprietors of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, or to main-

tain any Action or Actions, Suit or other Proceedings against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any legal Means other than by a Transfer or Conveyance thereof in the Form and Manner herein-after specified, an Affidavit shall be made and sworn to by Two credible Persons, before a Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares have or hath passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, and Assigns, and that such Affidavit shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Undertaking, to be kept in the Office of the Clerk to the said Company; and that in all or any of the said Cases, after Three Calendar Months Notice in Writing shall have been given by the said Clerk to the Owner or Owners thereof, or left at his, her, or their last or usual Place of Abode, to pay his, her, or their Proportion of Money so to be called for, and such Person or Persons, his, her, or their Executors, Administrators, Successors, and Assigns, shall not have paid for such his, her, or their Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors, at any General Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited; and that in such Case the same be and become forfeited, and shall and may be sold and disposed of in such Manner as the said Subscribers or Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the general Fund of the said Company.

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

XXI. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Owner or Proprietor whose Name shall stand first in Order in the Books of the said Company as Proprietor of such Share or Shares, shall for the Purposes of the said Company be deemed and taken to be the Owner and Proprietor of such Share or Shares, and to vote in respect thereof.

Shares may be transferred.

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

Form of Transfer.

'I of in Consideration of the Sum of paid to me by of do hereby 'bargain, sell, assign, and transfer to the said the Sum of Capital Stock of and in the Undertaking called *The* Warrington *Gas Light and Coke Company*, being my Share [*or* Shares,]

'Number [*or* Numbers] in the said Undertaking; to 'hold to the said his [*or* her] Executors, Administrators, 'and Assigns, subject to the same Conditions that I held the same 'immediately before the Execution hereof; and I 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 this Day of in the Year of 'our Lord '.

Transfer to be registered.

And every such Transfer shall be registered in the Books of the said Company, by an Entry of the Date, Names of the Parties, and the Number of Shares transferred, for which Entry or registering the Sum of Two Shillings and Sixpence shall be paid to the Clerk or other Officer making the same; and a Copy of such Register, signed by the Clerk or other such Officer of the said Company, shall be sufficient Evidence of every such Sale and Transfer, and shall be accounted as such in all Disputes, and in all Trials before any Court, and by all Judges, Justices, and others, in the United Kingdom; and that until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares in the said Undertaking, or in the Profits or Advantages thereof, shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking.

No Share to be sold after a Call till the Money is paid.

XXIII. Provided always, and be it further enacted, That after any Call for Money shall have been 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 after the Day appointed for Payment of the said Call, until the Money so called for or in respect of his, her, or their Shares intended to be sold shall be paid; and until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void; 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, unless he, she, or they shall, at the Time of such Sale or Transfer, pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred, such Forfeiture nevertheless to be first notified and declared in manner directed by this Act, with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

Executors indemnified in paying Calls.

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

ever, for paying any Money which shall be called for as aforesaid in respect of the Share or Shares of such deceased Proprietor.

Regulations for Meeting of the Company.

XXV. And be it further enacted, That the Affairs and Concerns of the said Company shall be conducted and managed under and subject to the several Rules and Regulations herein-after contained, (that is to say), the Proprietors of Shares in the said Undertaking shall assemble at the Gas Works within the said Town of *Warrington*, or at some convenient House or Place within the said Town, as they the said Proprietors, or their Committee of Management shall appoint, at Eleven of the Clock in the Forenoon, within Thirty Days next after the passing of this Act, or as soon after as conveniently may be, and shall and may adjourn to or shall assemble at the same Place, or at such other Times and Places as they shall be duly convened, in Manner herein-after mentioned, and every such Assembly shall be styled a General Meeting, and Two such Meetings shall be held in every Year in the Months of *January* and *July*, which shall be styled Half-yearly Meetings; and that Ten or more of the said Proprietors may by Notice in Writing under their Hands call a Special General Meeting, so as the Object for which such Meeting shall be called be expressed in such Notice, and so as such Notice be given Ten Days at the least before the Day of Meeting, and every such General Meeting shall be held at the Place aforesaid, or at some other Place within the said Town, and may be adjourned from Time to Time and from Place to Place as shall be found expedient; and that at least Six Days previous Notice of every General Meeting, and Three Days previous Notice of the Day to which any General Meeting shall be adjourned, shall be given;

Manner of voting.

and that at every such General or Special Meeting a Chairman shall be appointed, and all Questions shall be decided by a Majority of Votes of the Proprietors and Proxies present, and not declining to vote, according to their respective Number of Shares; and every Proprietor shall be entitled to One Vote for and in respect of every Share of which he shall be possessed, but no Proprietor shall be entitled to vote for or in respect of more than Ten Shares, nor shall any Person be entitled to vote at any General or Special Meeting of the said Company, or any Adjournment thereof, in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid and satisfied all Arrears of Money which shall or may become due in pursuance of any Call or Calls made or to be made by the Committee of Management, for or in respect of such Share or Shares; nor shall any Person vote at any of the Meetings of the said Company upon any Question or Questions relating to the Concerns of the said Undertaking, in which such Person or Persons shall be interested, otherwise than as a Subscriber or Subscribers, Proprietor or Proprietors to or of the said Undertaking; and that upon any Difference of Opinion any Proprietor present may require the Votes of any General or Special Meeting of the said Company to be taken by Ballot, but no Ballot shall be kept open for more than One Hour, and that the Chairman of every such Meeting shall be entitled to vote; and in case the Number of Votes, including the Chairman's Vote,

Proceedings to be entered.

shall be equal, such Chairman shall also have the casting Vote; and that the Orders and Proceedings of every such General or Special Meeting shall be entered by the Clerk in a Book or Books to be kept for that Purpose; and such Orders and Proceedings, so entered and signed by the Chairman of each respective Meeting, shall be deemed and taken to

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be original Orders and Proceedings, and shall be read in all Courts and Places whatsoever, and by and before all Judges, Justices, and others; and that no Business shall be transacted at any adjourned Special General Meeting, other than the Business left unfinished at the Meeting from which such Adjournment took place; and if at any Special or General Meeting a sufficient Number of Proprietors to act or to adjourn (Seven of such Proprietors being hereby declared sufficient for the Purpose of acting at such General or Special Meeting, and Three Proprietors only being hereby declared sufficient for the Purpose of Adjournment) shall not assemble and proceed to Business in One Hour from the Time appointed for such Meeting, or if that Number be not present when the Whole or any Part of the Business to be transacted shall be decided upon, the Meeting shall adjourn to the same Day in the following Week, or to some other Day to be appointed by the Committee of Management, or any Three or more of them.

Notice of Meetings to be given.

XXVI. Provided always, and be it further enacted, That all Notices herein-before directed to be given of any General or Special Meeting, or Adjournments respectively, or to any of the said Proprietors upon any particular Occasion, and not herein-before otherwise provided for, shall be given to the said several Proprietors, or to such individual Proprietor respectively, by Advertisement to be inserted in some Newspaper printed or circulated in the said Town of *Warrington*, or by Letters from the Clerk of the said Company, sent by Post to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the individual Proprietors entitled to such Notice (as the Case may be), and that such Notices when so published and given shall be deemed and considered the same as personal Notice.

Proprietors may vote by Proxy.

XXVII. And be it further enacted, That any Proprietor of any Share or Shares in the said Company's Stock, entitled to vote in respect of such Share or Shares at any General or Special Meetings of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General or Special Meetings as aforesaid, either in Person or by Proxy, (every such Proxy being a Proprietor in the said Undertaking); and the Appointment of such Proxies may be made in the Form or to the Effect following:

Form of Proxy.

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

Accounts to be settled yearly.

XXVIII. And be it further enacted, That any General Meeting or General Meetings specially called for the Purpose, shall have full Power to call for, examine, and settle the Accounts of the said Company; and that at every General Meeting to be held in *July*, or some Adjournment thereof,

thereof, a yearly Dividend or Dividends shall be made, out of the Interest, Profits, or Advantages of the said Undertaking, unless such Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much for every One hundred Pounds upon all and every the Sum and Sums of Money paid to the said Company by the said Subscribers, their Successors, Administrators, or Assigns, as such Meeting or Meetings shall think fit to appoint and determine; provided that no Dividend shall be made whereby the Capital of the said Company shall in any Degree be reduced or impaired, nor within Twelve Calendar Months after the passing of this Act, unless a General Meeting shall declare otherwise, nor shall any Dividend be paid in respect of any Share or Shares after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid.

General Meetings may make Bye Laws.

XXIX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General Half-yearly Meetings or Special Meetings as aforesaid, to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper, for the good Management of the said Undertaking, and to fix, determine, and order what Salaries, Allowances, Gratuities, Recompence, and Remuneration shall be from Time to Time paid to the Clerks, Secretaries, Engineers, Collectors, and other Officers and Persons, who shall and may be employed by the said Gas Light Company, and for regulating the Proceedings of the said Committee of Management, and for regulating all Officers, Workmen, and Servants to be employed in or about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any Offence, as to the said Company, at a General Half-yearly or Special Meeting, shall seem meet and expedient; and all Rules, Orders and Bye Laws so made as aforesaid (being reduced into Writing, and the Common Seal of the said Company thereto affixed), shall be binding upon all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or any of the Directions or Provisions of this Act: Provided also, that Copies thereof shall be printed on Parchment or Paper, and fixed or continued in the Office of the Clerk, or other the Buildings and Premises of the said Company; and all such Rules, Orders, and Bye Laws shall be subject to Appeal in manner by this Act directed.

Officers of the Company to be appointed at General Meetings.

XXX. And be it further enacted, That it shall be lawful for the said Company, at any General Meeting of the said Company, to nominate and elect by Ballot, and to appoint, under the Common Seal of the said Company, any Person or Persons to be Treasurer or Treasurers, Clerk or Clerks, Engineer or Engineers, and other Officers, and from Time to Time to remove any such Treasurer or Treasurers, Clerk or Clerks, Engineer or Engineers, or other Officer or Officers of the said Company, or any of them, and nominate, elect, and appoint another Person or Persons.

sons in his or their room or stead: Provided always, that the said Company shall and they are hereby required to take sufficient Security from any Person who shall be appointed Treasurer, Receiver, or Collector for any of the Purposes of this Act, for the faithful Execution of their respective Offices, before they shall enter thereupon respectively. Treasurer, &c. to give Security.

XXXI. And be it further enacted, That at the First General Meeting of the said Company after the passing of this Act, or at some Adjournment thereof, Nine Members of the said Company shall be elected and chosen a Committee of Management for managing the Affairs of the said Company, and such Committee of Management shall continue in Office, and be respectively Members of the said Committee, until the Half-yearly Meeting that shall be held in *July* in the Year of our Lord One thousand eight hundred and twenty-three, or until others be appointed in their or either of their stead, in pursuance of this Act, at the said Half-yearly Meeting, or at some Adjournment thereof; and also at every succeeding Half-yearly Meeting to be held in the Month of *July* in each Year, a new Committee shall be elected and appointed out of the Proprietors of Shares in the said Undertaking, to be the Committee of Management for managing the Affairs of the said Company, who shall continue in their Offices for the Space of One Year, to be computed from the Day of Election, or until others or another shall be duly elected into their or any of their Places; provided that nothing herein contained shall render any One of the Committee whose Office shall have expired, ineligible to be re-elected a Committee-man if otherwise duly qualified; provided also, that no Person shall be qualified to be elected, nor to serve or act as a Member of the said Committee, who shall hold any Place of Profit under the said Company, or who shall be concerned or interested in any Contract or Contracts under this Act, or who shall offer to take, or succeed in taking, or shall participate in any Manner in any Work to be done for the said Company, whether by Contract or otherwise, or shall be a Dealer, either directly or indirectly, in any one of the Articles to be provided or manufactured by the said Company; but such Restrictions shall not be construed so as to prevent the Treasurer or Treasurers for the Time being from being elected upon, or from serving or acting as a Member of the said Committee. Committee of Management.

XXXII. And be it further enacted, That when and so often as any Member of the Committee of Management to be elected by virtue of this Act shall die, or become disqualified, or shall refuse or neglect to attend the Meetings of the said Committee for the Space of Three Calendar Months at any One Period, or for Six Meetings successively, unless for sufficient Reason, to be allowed by the said Committee, it shall be lawful for the said Company, at any General or Special Meeting to be called and held pursuant to the Directions of this Act, to elect some other Proprietor to be a Member of the said Committee, and every such Proprietor so elected to fill any such Vacancy shall continue in his Office as a Member of the said Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued if such Death, Disqualification, Refusal, or Neglect had not happened. For supplying Vacancies in Committee.

XXXIII. Provided always, and be it further enacted, That no Person shall be eligible to be elected One of the Committee for managing the Affairs No Person to act as Committee-man

Unless possessed of Five Shares.

Affairs of the said Undertaking, or he shall act as such Committee-man, unless at the Time of the Election, and during the whole Period of his so acting, he shall be entitled to Five Shares in the said Undertaking.

Meetings of the Committee, and Regulations for their Proceedings.

XXXIV. And be it further enacted, That the said Committee of Management shall and may hold their Meetings at such Place or Places within the said Town of *Warrington*, and at such Time, and adjourn their Meetings from Time to Time, and from Place to Place, within the said Town, as they shall think fit; and at every Meeting one of the Members of the said Committee present at such Meeting shall be elected Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at any of their Meetings, shall be decided and determined by the Majority in Number of the Members then present, the Number present not being less than Three; and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee, Three Members qualified to vote shall not attend, that then and in every such case the Meetings shall be adjourned to the next Day, if not a *Sunday*, and if the next Day shall be a *Sunday*, then to the *Tuesday* following, by the Member or Members then present, or if none be present, then by the Clerk of the said Company; and that any Two or more Members of the Committee may, at any Time when they shall think fit, call a Meeting of the Committee by Notice in Writing, signed by such Two or more Members, to be sent by the Post, or otherwise, to the Residence or Address of every Member of such Committee.

Power of Committee.

XXXV. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time, and from Place to Place, as aforesaid, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Time and Place of holding General and Special Meetings, and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, or laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of, for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and in making and entering into Contracts or Agreements for lighting of the said Town, Villages, Hamlets, Township, or neighbouring Places, or of any Streets, Squares, Market Places, Lanes, Ways, or any public or private Houses, Breweries, Distilleries, Manufactories, or Buildings therein, and nominating, appointing, electing, placing, displacing, or suspending of any Officer, Agent, or Servant of the said Company (except the Treasurer or Treasurers, Clerk or Clerks, Secretaries or Engineers herein-before directed to be appointed by a General Meeting of the said Company), with such Salary, Gratuity, or Recompence as to the said Committee shall seem proper; and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced as aforesaid; and in making, enforcing, and rescinding all Contracts and Bargains touching or in anywise concerning the same, subject

subject to such Orders, Bye Laws, Rules, and Regulations as shall at any Time be duly made by the said Company, in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted.

Committee may make Calls on Subscribers

XXXVI. And be it further enacted, That the Committee of Management for the Time being shall have full Power at any Time or Times to make such Call or Calls upon the several Subscribers and Proprietors of the said Undertaking, or their respective Executors, Administrators, Successors, or Assigns, for the Amount of the Subscriptions of their respective Shares, either in One Payment or by Instalments, as such Committee shall deem requisite or necessary for the Purposes of the said Undertaking; and every Order for a Call shall be signed by Three of the said Committee of Management for the Time being at least, present at some Meeting of the said Committee duly held; 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 for the Time being, at such Time and Place as shall be appointed by such Committee, of which Time and Place Twenty-one Days previous Notice shall be given, in such Manner as the said Committee shall direct or appoint in that Behalf.

In default of Payment on Calls, Shares to be forfeited; but Notice to be given.

XXXVII. And be it further enacted, That if any Subscriber, Person or Persons, 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 Part or Portion of the Money to be called for by the Committee of Management as aforesaid, by the Time appointed for Payment thereof, then and in such Case such Person or Persons so neglecting or refusing shall (whether or not the same shall then have been sued for in any Court of Law or Equity), absolutely forfeit all his, her, or their Share, Part, and Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them, on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special General Meeting; and that all Shares which shall or may be so forfeited, shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall go and make Part of the Capital or Joint Stock of the said Company; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, until after Twenty-one Days Notice shall have been given by the Chairman of the said Company, or Three of the Committee of Management of the said Company, to the Owner or Owners thereof, by Notice in Writing left at his, her, or their usual or last Place of Abode; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Subscriber or Subscribers, Proprietor or Proprietors, or the Executors, Administrators, Successors, and Assigns so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract, or other Agreement between such Subscriber or Subscribers, Proprietor or Proprietors, his, her, or their Executors, Administrators, and Assigns: Provided always, that in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Call as aforesaid, and legal Interest thereon, and pay the Expences attending the Sale or Sales, the Surplus of such Money shall be paid on Demand to the Person or Persons

to whom such Share or Shares shall have belonged; provided also, that the said Company or their Committee shall not by virtue of this Act sell or transfer, or direct to be sold or transferred, any more of such Shares by such Defaulter or Defaulters, than shall be sufficient, as near as may be at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters, for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after Payment of all and every of such Call or Calls, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company as aforesaid, which remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

Same Person not to act as Clerk and Treasurer.

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

Proceedings to be entered, and to be Evidence.

XXXIX. And be it further enacted, That the Orders and Proceedings of every Meeting, as well of the Company as of the Managing Committee, shall be entered by the Clerk in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered and signed by the Clerk of the said Company, or by the Chairman of each respective Meeting, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

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

XL. And be it further enacted, That it shall be lawful for the said Company and their Successors, and they are hereby fully authorized and empowered, subject to the Provisions and Restrictions herein mentioned, by their Servants, Agents, Workmen or others, from Time to Time to make and erect such Gas Works, Retorts, Gasometers, Condensors, Purifiers, Counting Houses, Receivers, Cisterns, Engines, Machines, Smithies, and other Apparatus and Buildings, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works, and to sink and lay Pipes, of such Constructions and in such Manner as the said Company shall think necessary and proper for carrying the Purposes of this Act into Execution; and also in a careful and workmanlike Manner, doing thereby as little Damage as may be, and placing and leaving the Ground and Pavement so broken up in as good a State and Condition as it was in before it was broken up; and after having given Two Days Notice of

their

their Intention so to do to the Surveyor of the Commissioners acting under the said recited Act, and with his Consent, or with the Consent of the said Commissioners, or any Five of them, to break up the Soil, Pitchings, and Pavements of any Streets, Highways, Roads, Ways, Footpaths, Lanes, Passage or Passages within the said Town, Villages, Suburbs, Hamlets, or Places thereto adjacent, 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 Streets, Highways, Roads, Ways, Footpaths, Lanes, Passages, and in such Manner as shall be necessary for the Purpose of carrying into Execution this Act, or supplying any such Light as aforesaid, placing and laying the Mains or Pipes in the Footpaths where the Roads are gravelled, and by the Side of the Curb Stone, Watercourse, or Gutter where the Road or Street is paved, and from Time to Time to alter the Position of, and to repair, relay and maintain such Pipes, Stopcocks, Syphons and Plugs, or Branches or other necessary Apparatus, from any Main or Pipe laid in any Street, Highway, Road, Way, Lane, Footpath, or Passage, by the said Company, by virtue of this Act, into any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same, from any of such Mains or Pipes, and to fix, place, and maintain any Apparatus or Convenience requisite or necessary, or deemed advisable for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and also to alter and amend any Work which shall have been placed, when the same shall be bad or imperfect, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things of the same or the like Nature as shall from Time to Time be necessary and convenient for the Purposes of carrying this Act into Execution: Provided always, that a proper Compensation be made by the said Company of Proprietors for any Damage to be done by the said Acts, Matters, and Things respectively; provided also, that nothing herein contained shall authorize or empower the said Company of Proprietors to carry or lay any Pipe or Pipes through or against any Dwelling House or Houses, Manufactory, public or private Buildings, Hereditaments, and Premises, or any private Way or Road, or to continue the same when so carried or laid down for the Purpose of lighting the same, or any other Dwelling House or Houses, Manufactory, or public or private Buildings, Hereditaments and Premises, without the Consent in Writing of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public or private Buildings, Hereditaments and Premises, private Way or Road, through or against which any Pipe or Pipes may be carried or laid for the Purpose aforesaid; nor to authorize or empower the said Company to carry or lay any Pipe or Pipes through, in, or upon any private Lands or Grounds, without the Consent in Writing of the Owner and Occupier thereof respectively.

Workmen laying Pipes to make good the Pavement.

XLI. Provided always, and be it further enacted, That the said Company of Proprietors, and their Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Syphons or Branches, shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavement and Roads, and carry away the Rubbish occasioned

sioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off the Washings or Waste Liquids aforesaid, without any Delay, and shall in the meantime fence or guard and affix sufficient Light at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle and Carriages: Provided also, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground or removing Rubbish, or making good any such Pavements or Roads, then and in every such Case it shall and may be lawful to and for the said Commissioners acting under the said recited Act passed in the Fifty-third Year of the Reign of His said late Majesty King *George* the Third, or their Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Commissioners, to fill in such Ground, and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage, or Place so broken up, and properly to guard and fence every such Trench, and to place and maintain every such Light and Lights during the Night, as to him or them shall appear necessary for the Purposes aforesaid, and the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors, or their Treasurer; and that in default of Payment thereof for Thirty Days next after Demand made by such Surveyor, or other Person acting by or under the Authority of the said Commissioners (Proof of such Demand being made by the Oath of Two credible Witnesses, before One or more Justice or Justices of the Peace for the County of *Lancaster*), all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, or such other Person or Persons, 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 of the said County of *Lancaster*, and which Warrant such Justice or Justices is or are hereby empowered to grant, and such Costs, Charges, and Penalty shall be paid to such Commissioners or their Treasurer, and applied by them in such Manner as any Fine, Forfeiture, or Penalty is by the said Act of the Fifty-third Year of the Reign of His said late Majesty appointed to be applied, and with his Consent, or with the Consent of the said Commissioners, or any Five of them.

Provision in case of Default.

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

XLII. Provided always, and be it further enacted, That no Person or Persons shall lay or cause to be laid any Iron, Leaden or other Pipe or Tube to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, nor use Burners of larger Dimensions than he, she, or they respectively shall contract or pay for, so as to waste or increase the Consumption of Gas, or supply any Inhabitant or other Person with any Part of the Gas supplied by the said Company, on pain of forfeiting and paying to the said Company the Sum of Five Pounds for every such Offence, such Penalty to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County Palatine of *Lancaster* (and which Warrant such Justice or Justices is and

are hereby empowered to grant); and the Surplus, after such Penalty or Forfeiture, and the Charges of such Distress and Sale, are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for any such Justice or Justices to cause such Offender or Offenders to be committed to the House of Correction for the said County Palatine of *Lancaster*, there to remain without Bail or Mainprize, for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Forfeiture, and all reasonable Charges shall be sooner paid and satisfied; and it shall be lawful for the said Company of Proprietors, if they shall so think fit, also to take off the Gas from the House and Premises of the Person so offending, notwithstanding any Contract or Agreement which may have been previously entered into.

Penalty for wilfully damaging Pipes, &c.

XLIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously remove, take away, destroy, or in any way damage or injure any Pipe, Post, Plug, Lamp, or other Apparatus, Matter or Thing, belonging to the said Company, or any Part thereof respectively, or shall wilfully or maliciously extinguish or put out any One or more of the public Lamps or Lights, or wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Company, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the said County of *Lancaster*, shall for each separate Act or Offence forfeit and pay to the said Company any Sum not exceeding the Sum of Five Pounds, and Three Times the Amount of the Damage to be ascertained by such Justice or Justices to have been done, such Penalty and Damage, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) on Demand, to the Owner of such Goods and Chattels; or if it shall appear to the said Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath or have not any Goods or Chattels sufficient to levy such Damage or Forfeiture aforesaid; such Offender shall and may be committed to the House of Correction of the said County of *Lancaster*, there to remain for any Time not exceeding Six Calendar Months, or until such Damages, Forfeiture, and Costs shall be paid or tendered to the Keeper of such House of Correction for the Use of the said Company.

Satisfaction for accidental Damage of Lamps, &c.

XLIV. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, destroy, throw down, damage or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or any Pipe, Pedestal, Post, Plug, or other Apparatus, Matter or Thing belonging thereto, or to the said Company, and shall not upon Demand by the said Company, or their Clerk or Superintendant, or other Person or Persons authorized by them, make Satisfaction for the Damage done, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the said County Palatine of *Lancaster*, and he or they is and are hereby empowered and required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom the Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Nonappearance of the

Party or Parties so complained against, to proceed *ex parte*, and to award such Sum or Sums of Money, by way of Satisfaction to the said Company, or to such other Person or Persons (as the Case may be and require), for such Damages, as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded, within Seven 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 to be raised and levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied.

Penalty for interrupting Company's Workmen.

XLV. And be it further enacted, That if any Person shall hinder or interrupt any of the Workmen or Servants of the said Company in doing or performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure such Interruption or Hindrance to take place, and shall be thereof convicted before any Justice or Justices acting in and for the County of *Lancaster*, either on Evidence or on Confession, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum to be adjudged by such Justice or Justices, not exceeding Forty Shillings; and such Sum so adjudged shall be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered, or the said Company may, at their own Option, sue for Damages sustained by them for such Hindrance or Interruption.

Service Pipes to be fully charged with Gas.

XLVI. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be put down by the said Company for lighting the Streets, Lanes, Passages, and other public Places of the said Town and Villages, under any Contract or Agreement with the said Commissioners respectively, shall be kept fully charged with Gas, and the Stop-cocks shall be so formed and turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Gas to be supplied cheaper than Oil.

XLVII. Provided also, and be it further enacted, That the said Company shall, and they are hereby directed and required, when requested by and having contracted with the said Commissioners for executing the said recited Act, to supply all the public Streets, Lanes, Passages, and Places in the said Town of *Warrington* and Places adjacent, with Gas of such Quality as shall at all Times afford a better and cheaper Light than could be obtained by lighting the said Town and Places adjacent with Oil.

For preventing the Escape of Gas.

XLVIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes already laid down, or which shall be laid down or set by the said Company in pursuance of this Act, the said Company shall at their own Expence, immediately after receiving Notice, by Parol or in Writing, of any such Escape of Gas, from any Person or Persons whomsoever, being an Inhabitant or Inhabitants of the said Town of *Warrington* or Places adjacent, 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 up and prevent the Gas from escaping, and

and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as other Penalties and Forfeitures by this Act imposed are directed to be recovered and levied.

Remedy for Recovery of Rents.

XLIX. And be it further enacted, That in case any Body or Bodies, Commissioners, Trustees, or any other Person or Persons who shall contract with the said Company, or agree to take or use or enjoy the Benefit of the said Gas in their private Dwellings, Shops, Inns, Taverns, or other public or private Buildings or Manufactories, Grounds or Premises, shall refuse or neglect, for the Space of Seven Days after Demand, to pay the Sum or Sums of Money then due for the same to the said Company, it shall be lawful for the said Company, or their Clerk or Superintendant, or any Person or Persons acting by or under the Hand or Seal of any One of the Justices of the Peace for the said County of *Lancaster* (which Warrant the said Justices are hereby empowered and required to grant), upon Confession, or upon Proof of such Demand by the Oath of One credible Witness, 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 or refusing, after the necesssary Costs and Charges of making such Distress and Sale shall be first deducted: Provided always, that if at the Time of making such Distress any Rent shall be then due and in Arrear to the Landlord of the Premises in which such Goods and Chattels shall be distrained, or any Part thereof, such Landlord shall have and be entitled to receive such or so much of the said Rent in Arrear as the said Landlord would be legally entitled to receive, in case of an Execution issued and levied under any Judgment entered up against the Tenant or Tenants, Occupier or Occupiers of the said Premises, in any of His Majesty's Courts of Record at *Westminster*; provided also, that nothing herein contained shall interfere with the Recovery of any Parochial or other Rates and Taxes which may be due at the Time such Distress shall or may be made.

Power to convey Washings.

L. And be it further enacted, That it shall and may be lawful for the said Company to make such Sewers or Cuts, of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient, under the Streets, Ways, Lanes, and Avenues and Places within the said Town and Places adjacent, into the Common Sewers or Watercourses there, for the Purpose of carrying off the Washings and other Waste Liquids which may arise in the Prosecution of the Works aforesaid; the said Company doing as little Damage as may be in making the said Sewers and Cuts, and immediately repairing at their own Expence all such Damage.

Penalty on Company for conveying

LI. Provided always, and be it further enacted, That if the said Gas Light Company shall at any Time drain or convey, or cause or suffer to be

Washings into any River, Stream, &c.

be drained or conveyed, or to run or flow, any Washings or other Waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the Works of the said Gas Light Company, or in the Process of obtaining the said Gas, into any River, Brook, or Running Stream, Reservoir, Aqueduct, Feeder, Pond, Spring-head or Well, or into any Drain, Sewer or Ditch communicating therwith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or Running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Spring-head or Well, Drain, Sewer or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in each and every such Case the said Gas Light Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and One Moiety thereof shall be paid to the Person or Persons who shall inform or sue for the same, and the other Moiety to the Person or Persons against whom any such Annoyance, Act, or Thing shall have been done or committed, or who shall be injured or prejudiced thereby: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time of such Annoyance, Act, or Thing shall have ceased and determined; provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not be recovered, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances or Things shall be drained, conducted or conveyed, or caused or suffered to run or flow in Manner aforesaid into any River, Brook, or Running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, Spring-head 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 Person or Persons whatsoever to the said Gas Light Company, and the said Gas Light Company shall not within Twenty-four Hours after such Notice shall have been given to them as aforesaid, stop, hinder or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances or Things from being drained, conducted or conveyed, or from running or flowing in Manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Gas Light Company shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered, levied and applied.

Power for Commissioners for light-

LII. And be it further enacted, That it shall and may be lawful for the said Company from Time to Time to enter into and execute any Contract

tract or Contracts with the Commissioners for the Time being acting in the Execution of the said recited Act, for lighting with Gas any Lamp or Lamps in the said Town of *Warrington* or Places thereto adjacent, and to cause to be erected Pillars, Pilasters, or other Apparatus to receive such Gas Lights, or to continue those now erected, and to place, erect, or affix the same, or continue the same against any Walls or other Places, as may be necessary for the Purposes of this Act.

Power for enabling the Town of Warrington to contract for lighting with Gas.

LIII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor, or on the Behalf of the Person or Persons accused, and shall, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, refuse or neglect to appear from Time to Time at the Time or Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect of appearing, or shall refuse to be examined upon Oath, or in case of a Quaker or Quakers upon solemn Affirmation (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, provided a reasonable Sum shall have been paid or tendered to such Person for attending as a Witness.

For compelling the Attendance of Witnesses, and respecting Services of Notice.

LIV. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the County or Place where the Offence shall have been committed, in a summary Way, and who is hereby authorized and empowered to convict the Offender or Offenders upon Information by the Oath of any Person or Persons, or on the Confession of the Party offending, (which Oath such Justice is hereby authorized to administer,) and in Default of Payment of such 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 of such Justice, and One Moiety of the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any) on Demand to the Party or Parties whose Goods and Chattels shall be so distrained, the reasonable Charge for such Distress and Sale being first deducted, shall, where not otherwise by this Act directed, be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the Township wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Township, unless otherwise directed by this Act; and in case sufficient Distress cannot be found, and such Penalties, Forfeitures, and Fines 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 and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his or their Appearance before any Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or

Recovery and Application of Penalties.

Days not being more than Fourteen Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then and in such Case it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand, to commit such Offender or Offenders to the Common Gaol of the County Palatine of *Lancaster* (as the Case may be), there to remain for any Time not exceeding Six Calendar Months.

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

Form of Conviction.

'County of } BE it remembered, That on the Day of in the Year of our Lord One thousand eight hundred and is [*or* are] convicted before me, [*or* us] of His Majesty's Justices of the Peace for the said County of by virtue of an Act of Parliament passed in the Third Year of the Reign of King *George* 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 shall be*] contrary to the said Act, and for which Offence I [*or* we] do adjudge the said to have forfeited the Sum of . Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year first within written.'

Proceedings to be within Six Calendar Months.

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

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

LVII. And be it further enacted, That nothing in this Act contained shall extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Company, or against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Method which shall be employed by them for furnishing such Lights as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or Method of Lighting, whether such Injury shall proceed from the Nature of such Method of Lighting, or the Carelessness, or Want of Skill of the Persons employed therein, or from any other Cause whatever.

Appeal.

LVIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done or to be done in pursuance of this Act (and for which no particular Method of Relief is herein-before appointed) such Person or Persons may appeal to the Justices of the Peace for the said County of *Lancaster*, at their General or Quarter Sessions of the Peace to be held for the said County, within the Space of Four Calendar Months next after the Cause

of Appeal shall have arisen, such Appellant or Appellants first giving or causing to be given Fourteen Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Cause thereof, to the said Company, or other the Respondent or Respondents, and within Two Days after such Notice given entering into a Recognizance before One of His Majesty's Justices of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal at such General or Quarter Sessions, and to abide the Order of and pay such Sum as shall be awarded by the Justices at such Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to either Party as they shall think proper; and the Determination of the Justices at such Sessions shall be final and binding on all Parties.

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

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

Expences of Act how to be paid.

LX. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, shall in the first Place be paid and discharged by the said Committee of Management out of the Monies already subscribed or to be raised under and by virtue of this Act.

Penalty on Gas escaping from the Pipes under the River Mersey.

LXI. And whereas for the Purpose of carrying this Act into Execution it may be requisite to carry a Pipe or Pipes under or across the Bed of the said River *Mersey*; be it further enacted, That whenever any Gas shall be found to escape from any Pipe or Pipes so to be laid under or across the Bed of the said River *Mersey*, the said Gas Company shall at their own Expence, immediately after receiving Notice by Parol or in Writing (to be left or given at their Office or usual Place of transacting Business), of such Escape of Gas, from any Person or Persons whomsoever, cause such Pipe or Pipes to be taken up and amended so as effectually to stop and prevent such Gas from escaping; and in case the said Gas Company shall not, within Twenty-four Hours after such Notice, by Parol or in Writing, being given of any such Escape of Gas, effectually prevent such 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 Twenty Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which such Gas shall be suffered to escape as aforesaid; which Penalty shall be from Time to Time recoverable in a summary Way, on the Oath or Affirmation of one or more credible

dible Witness or Witnesses, on Conviction before any one or more Justice or Justices of the Peace for the County of *Lancaster* or *Chester*, (not being a Member or Members of the said Gas Company,) as the Case may require, and shall and may be recovered with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Gas Company, by the Warrant of such Justice or Justices, to be granted in the like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered from the said Gas Company.

For preserving the Navigation of the River Mersey, and the Towing Paths and other Works belonging thereto.

LXII. Provided alwise, and be it further enacted, That nothing in this Act contained shall extend to empower or authorize the said Company at any Time to do or cause to be done any Act, Matter, or Thing whereby the Navigation of the River *Mersey*, and the Passage of Boats, Barges, Lighters, or other Vessels may be impeded, injured, or affected, or whereby any of the Bridges, Sluices, Locks, Weirs, Pens for Water, Tanks, Dams, Towing Paths, Engines, and other Works appertaining or belonging to the said River shall be in any Manner injured or obstructed, but that all the King's liege Subjects whomsoever, with their Goods and Merchandizes shall and may have and lawfully enjoy (as heretofore and as by Law established) their free Passage in, along, through, and upon the said River *Mersey* with Boats, Barges, Lighters, and other Vessels, without any Let, Hinderance, or Obstruction of the said *Warrington* Gas Light and Coke Company, or any of their Agents or Servants.

Saving the Rights of the Mersey and Irwell Navigation.

LXIII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to alter, prejudice, lessen, defeat, or affect the Rights and Privileges of the Company of Proprietors of the *Mersey* and *Irwell* Navigation.

Public Act.

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

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