ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. xxxvii.

An Act for lighting with Gas the City or Borough of *Wells* in the County of *Somerset*, the Liberty of *Saint Andrew*, and Suburbs of the said City or Borough. [9th *April* 1832.]

WHEREAS the City and Borough of *Wells* in the County of *Somerset*, the Liberty of *Saint Andrew*, and Suburbs of the said City or Borough, are large and populous, and it will contribute much, not only to the Safety and Advantage of the Inhabitants, Owners, and Occupiers of Houses and Buildings within the said City, Liberty, and Suburbs, but to all Persons resorting to and travelling through the same, if the several Roads, Streets, Ways, Lanes, and other public Passages and Places within the said City, Liberty, and Suburbs were lighted by means of Inflammable Air or Gas: And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to erect Retorts, Gasometers, and other Works, and effectually to light with Gas the said City, Liberty, and Suburbs; but the beneficial Purposes aforesaid cannot be carried fully and effectually into execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Nicholls*, *Edmund Goodenough* (Dean of *Wells*), *John Payne Tudway*, *Edmund Broderip*, *William Melliar*, *Robert Foster* Clerk, *William Parfitt*, *William James* Clerk, *William Counsell*, *James Woodforde* M. D.,

Proprietors incorporated into a Company.

Henry Brookes, *Thomas Conway Robins*, *Thomas Woodhouse* Clerk, *Aaron Foster* Clerk, *Benjamin Hope*, *John Walters*, *George Peppett*, *Charles Binning*, *Robert Davies*, *Henry Brookes* the younger, *Norman Lamont*, *Samuel Hobbs*, *Richard Rawlings*, *Edward Mead*, *William Welsh*, *Frederick Davies*, *John Robert Lax*, *Joseph Woollams*, *Henry Giffard*, *Henry Davies*, *William Cock*, *James Garrod*, *Charles Mills*, *James Coles*, *Charles Davies*, *William Saunders*, *John Belfour Plowman*, *William Baker*, *James Brooks*, *James Everdale Appleyard*, *Joseph Smith*, *John Evil Lewis*, *Edward Rolle*, *John Jervis*, *James Bissett Morehouse*, *George Millar*, *James George*, *William Loveless*, *Vincent Stuckey*, *William Perkins*, *Henry Gould* Clerk, *William Trueman*, *Harford Phelps*, *Joseph Dix*, *Thomas Barnes*, *Edward Lovell*, *Henry Willcox*, *Edmund Davies*, and all and every such other Persons and Person, and Bodies and Body Politic, Corporate, or Collegiate, as from Time to Time shall become Subscribers or a Subscriber, and be duly admitted Proprietors or a Proprietor, in such Manner as herein-after is mentioned, and their respective Successors and Assigns, shall be and they are hereby united into One Body Politic and Corporate by the Name of "The *Wells* Gas Light Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and the said Company shall be established for the Purpose of procuring Inflammable Air or Gas from Coal, Oil, Tar, Pitch, or other Materials, and for lighting and supplying with Gas all Persons, and all public Places, Roads, Streets, Ways, Lanes, Passages, and Buildings, and also all private Houses, Shops, Manufactories, Properties, and Buildings within the said City or Borough, Liberty and Suburbs, or any of them, or any Part thereof, and also for selling and disposing of all and every Product and Products, Refuse or Residuum, arising or to be obtained from the Materials used in or necessary for the Manufacture of Gas, in such Manner as the said Company may think proper.

Power to contract for the Purchase of Lands and Buildings.

II. And be it further enacted, That it shall be lawful for the said Company, and they are hereby respectively empowered, from Time to Time, to treat, contract, and agree, and to confirm any Contract or Agreement already made for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said City or Borough, Liberty and Suburbs, or any of them, or any Part thereof, for the Purposes of this Act (not exceeding Three Statute Acres in the whole), with any Body Politic, Corporate, or Collegiate, or with any Person or Persons whomsoever who shall be willing to sell the same, or his, her, or their Right and Interest in the same, for the Uses and Purposes of this Act; and upon Payment of the Purchase Money for any such Lands, Tenements, or Hereditaments to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England* in manner by this Act directed (as the Case may be), such Lands, Tenements, or Hereditaments may be taken and used for the Purposes of this Act, and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title, Claim or Reversion

sion to such Lands, Tenements, or Hereditaments, and the same Lands, Tenements, or Hereditaments shall vest in the said *Wells* Gas Light Company; and it shall be lawful for the said Company to hold any such Lands, Tenements, or Hereditaments, and any Term, Right, and Interest therein so purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statute of Mortmain, or of any other Law or Statute whatsoever, and from Time to Time, and at any Time or Times thereafter, to sell or dispose of the said Lands, Tenements, or Hereditaments, or any of them, as they shall think proper, and from Time to Time to purchase and hold other Lands, Tenements, or Hereditaments, and again to sell the same, in like Manner, so that such Lands, Tenements, or Hereditaments do not at any one Time exceed Three Statute Acres in the whole in Measure.

Bodies Politic, &c. empowered to sell.

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

Form of Conveyance.

‘ I [*or* We, *as the Case may be*,] of ,
‘ in consideration of the Sum of
‘ Paid to me [*or* us, *or* into the Bank of *England*, *as the Case may*
‘ *be*] by the *Wells* Gas Light Company, established by virtue of an
‘ Act passed in the Second Year of the Reign of King *William* the
‘ Fourth, intituled [*here insert the Title of this Act*], do hereby
‘ grant and release [*or* assign, *as the Case may be*,] to the said Com-
‘ pany and their Successors, all [*here describe the Parcels to be con-*
‘ *veyed*], and all my [*or* our] Right, Title, and Interest in and to the
‘ same and every Part thereof; to hold to the said Company and their
‘ Successors and Assigns for ever [*or as the Case may be*], during all
‘ the Remainder of my [*or* our] Term, Estate, or Interest in the said
‘ Premises. In Witness whereof I [*or* we] have hereunto set my
‘ Hand and Seal [*or* our Hands and Seals], this Day
‘ of in the Year of our Lord One thousand eight
‘ hundred and .’

And

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

Restraining the Company from purchasing more than Three Acres of Land from incapacitated Persons, &c.

IV. And whereas the said Company are enabled to purchase Three Statute Acres of Land by virtue of this Act, and all Bodies Politic, Corporate, Collegiate, or Ecclesiastic, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years, absolute or determinable on any Life or Lives, and Persons having any other partial or qualified Estate or Interest, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, and all Femes Covert who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands, Tenements, or Hereditaments so purchased from any Corporation, or Person or Persons under any Disability or Incapacity, as herein-before mentioned, and again purchasing other Lands from the same or any other Corporation, or Person or Persons under any Disability or Incapacity as aforesaid, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Corporation, or Person or Persons under any Disability or Incapacity as aforesaid, more than such Three Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Three Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or for the same or any other Corporation, or other Person or Persons under any Disability or Incapacity, as aforesaid, to sell to the said Company any other Lands, Tenements, or Hereditaments in lieu or stead of those Three Statute Acres or any Part thereof so sold or disposed of by the said Company.

Power to resell Lands not wanted.

V. And be it further enacted, That it shall be lawful for the said Company from Time to Time to sell and dispose of, to such Person or Persons as shall be willing to purchase the same, and by Indenture or Indentures under their Common Seal to grant and convey to such Purchaser or Purchasers, by way of absolute Sale in Fee Simple, or to such Uses or in such Manner as the Purchaser or Purchasers thereof shall direct, for a competent Consideration in Money, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may have been so purchased, and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall be lawful for the Treasurer (if only One), or if more than One, for the Treasurers, who, if engaged in Partnership together, may sign in their Style or Firm by any One of such Firm for the Time being to the said Company, to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge to any Purchaser or Purchasers for the Money therein

therein and thereby expressed or acknowledged to be received; and such Purchaser or Purchasers, having *bonâ fide* paid the same, and obtained such Receipt or Receipts for the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money, or any Part thereof, or be bound to enquire or ascertain whether or not such Treasurer or Treasurers shall have been duly appointed to such Office, or shall be duly qualified according to the Directions of this Act.

Restraining the Company from purchasing more than Three Acres from incapacitated Persons.

VI. And whereas the said Company are empowered to purchase Three Statute Acres by virtue of this Act for the Purposes thereof; be it further enacted, That it shall not be lawful for the said Company to purchase, from any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustees or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Person, being under legal Disability or Incapacity, more than such Three Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Three Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or from the same, or of or from any other Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Person, being under legal Disability or Incapacity, nor for the same or any other Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenant for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Person, being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or stead of those Three Statute Acres or any Part thereof so sold or disposed of by the said Company.

Application of Purchase Money when amounting to 200*l.*

VII. And be it further enacted, That if any Money shall be contracted or agreed to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, to be purchased by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, or Person or Persons under any Disability or Incapacity as aforesaid, such Monies shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant-General of the Court of Exchequer, to be placed to his Account there *ex parte* "The *Wells* Gas Light Company," pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled

1 G. 4. c. 35. intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes,* and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or in or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were then made.

When less than 200*l.* and exceeding 20*l.*

VIII. And be it further enacted, That if any Money so contracted or agreed to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, to be purchased for the Purposes aforesaid, belonging to any Corporation, or Person or Persons under Disability or Incapacity, as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies or Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, or Parts, Estates, or Interests, so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiotcy, or Lunacy, (to be signified in Writing under their respective Hands,) be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the

Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Body or Bodies or Person or Persons making such Option, and approved of by Two or more of the Committee of the said Company, (such Nomination and Approbation to be signified by Writing under the Hands of the nominating or approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When not exceeding 20*l.*

IX. 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 Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased for the Purposes of this Act, in such Manner as the Committee of the said Company, or any Two or more of them, shall think fit; or, in case of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In Cases of doubtful Title, the Person in Possession to be deemed the Owner.

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

Expences of Purchases, by whom to be paid.

XI. And be it further enacted, That where, by reason of any Disability or Incapacity of the Body or Bodies, or Person or Persons, entitled to any Lands, Tenements, or Hereditaments, or Part or Parts

Parts thereof, or Estates or Interests therein, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XII. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments, by the said Company, to the 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), and upon the Conveyance in manner herein-before directed of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or Equity, of the Party and Parties, and Person and Persons respectively, to whom or for whose Use 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.

Subscriptions for Joint Stock not to exceed 4000*l.*

XIII. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves, by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the Undertaking and Purposes aforesaid, a Sum of Money not exceeding in the whole the Sum of Four thousand Pounds, and the said Sum of Four thousand Pounds shall be divided into equal Shares of Twenty-five Pounds each.

Shares to be deemed Personal Estate.

XIV. And be it further enacted, That the 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.

Subscribers to share the Stock in proportion to their Subscription.

XV. And be it further enacted, That all and every Persons and Person, Bodies and Body Politic, Corporate, or Collegiate, by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to the Orders of any General Meeting or Meetings to be held by the said Company for that Purpose, for or towards raising the said Capital Sum of Four thousand Pounds as aforesaid, their several and respective Executors, Administrators, Successors, and Assigns, (no such Subscription being less than Twenty-five Pounds,) shall have and be entitled to a Share of and in the said Capital or Joint Stock of the said Company, in proportion to the Monies which he, she, or they shall have so contributed towards making up the same, and shall have and be entitled to a proportionable

able Share of the Profits and Advantages attending the Capital or Joint Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors of and in the same.

Lands, &c. of Company liable to its Debts and Contracts.

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

Subscribers liable to the Debts of the Company, in proportion to their Share of the Stock.

XVII. And be it further enacted, That the several Persons composing the said Company shall severally and respectively stand personally responsible and answerable for all just Debts and Demands of the Creditors of the said Company, and for the due Performance of all Contracts and Engagements entered into by the Committee of the said Company on behalf of the said Company, and for all Damages occasioned thereby, to the full Amount of the Call or Calls made as herein-after is directed, in respect of their several and respective Shares in the said Capital or Joint Stock, but not further or otherwise: Provided always, that whenever Two or more Persons shall have jointly subscribed for or shall be jointly possessed of One or more Share or Shares in the said Undertaking, such Persons shall severally and respectively be answerable for the said Debts and Demands of the Creditors of the said Company, and other the Contracts and the Engagements aforesaid, to the full Amount of the Call or Calls made in respect of such Share or Shares, but not further or otherwise.

Power to raise a further Sum of 1300*l.* by Mortgage.

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

Form of Mortgage.

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

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

Power to Mortgagees to transfer their Securities.

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

Form of Transfer.

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

And a Copy of every such Mortgage or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk of the said Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby secured and transferred, to which Book any Person interested shall at all seasonable

Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

For enforcing Payment of Subscriptions.

XX. And be it further enacted, That the several Persons who have already subscribed or shall hereafter subscribe for and towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed or to be subscribed, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner, as shall from Time to Time be ordered and directed by any General or Special General Meeting of the said Company to be held for that Purpose, or by the Committee for the Time being of the said Company; and in case any Person or Persons shall refuse or neglect to pay any such Money, at such Time or Times and in such Manner as shall be ordered and directed by the said Company or their Committee as aforesaid, it shall be lawful for the said Company to sue for and recover the same from him, her, or them by Action of Debt or otherwise, in any of His Majesty's Course of Record at *Westminster*, together with lawful Interest for the same, from such appointed Time or Times of Payment, and full Costs of Suit; and in like Cases of Refusal or Neglect, where Two or more Persons shall have jointly subscribed for or be jointly possessed of One or more Share or Shares in the said Undertaking, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

Certificates of Shares to be delivered to the Proprietors.

XXI. And be it further enacted, That the said Company, or their said Committee for the Time being, shall cause the Names and Designations of the several Persons who are at present and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the Number of Shares possessed by each of the Subscribers and Proprietors, and also the proper Number by which every Share shall be distinguished, to be distinctly entered in a Register Book to be kept by the Clerk to the said Company to be appointed as herein-after mentioned; and after the making of such Entry the same shall be signed by the Chairman of the Committee of the said Company, and a Certificate under the Common Seal of the said Company shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Proprietor or Proprietors thereof, which Certificate shall be delivered to the Proprietor of such Share, upon Demand; and for every such Certificate such Proprietor shall pay to the Clerk of the said Company the Sum of One Shilling and no more; and such Certificate shall be admitted in all Courts

and

and Proceedings whatsoever as Evidence of the Title of such Proprietor or Proprietors, his, her, or their Executors, Administrators, or Assigns, to the Shares therein specified, but the Want of such Certificate shall not hinder or prevent the Proprietor or Proprietors of any of the said Shares from selling or disposing thereof; and the said Certificate may be in the Words or to the Effect following; (that is to say,)

Form of Certificate.

'*Wells* Gas Light Company, Number

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

Shares may be transferred.

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

Form of Transfer.

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

Transfers to be registered.

And every such Transfer shall be produced and notified to the Clerk of the said Company, and shall be entered and registered by him in the Books of the said Company, and the Entry or Register thereof shall specify the Date, Names of the Parties, and the Number of Shares transferred; for which Entry and Registry the Sum of Two Shillings and Sixpence, and no more, shall be paid to the Clerk or other Officer making the same, by the Person requiring such Transfer; and a Copy of such Registry, signed by the Clerk or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes,

Disputes, and in all Trials before any Court or other Judicature; and until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, or his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to any Vote at any Meeting or Meetings, as Proprietor or Proprietors of the said Undertaking, in respect of such Share or Shares.

No Shares to be sold after a Call, until 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 Proprietor or Proprietors shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after any Day appointed for the Payment of the said Call, until the Money so called for or in respect of his, her, or their Share or Shares intended to be sold shall be paid; and until such Money so called for shall have been paid, every such Sale or Transfer of any Share or Shares shall be void.

For ascertaining Proprietorship of Shares in certain Cases.

XXIV. And whereas by reason of Death, Insolvency, or Bankruptcy, or by the Absence from this Kingdom of the said Proprietors, or by Transfer of their, his, or her Right and Interest to some other Person or Persons, without any Registry being made thereof with the Clerk of the said Company, it may not be in the Power of the said Company to know who is or are the Proprietor or Proprietors of such Share or Shares; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-before specified, an Affidavit shall be made and sworn to by Two credible Persons before a Master or Master Extraordinary in His Majesty's High Court of Chancery, or any One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, and such Affidavit shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book to be kept in the Office of the Clerk to the said Company; and in all or any of the said Cases the Person or Persons who for the Time being shall appear by the Registry to be kept by the Clerk of the said Company as aforesaid to be the Owner or Owners of any Share or Shares in the said Undertaking, shall, for all the Purposes of Notice and Liabilities, be deemed and considered as the Proprietor or Proprietors thereof.

First and other General Meetings of Proprietors.

XXV. And be it further enacted, That the said Company shall meet together at some convenient House or Place within the said City or Borough of *Wells* or Liberty of *Saint Andrew*, or Suburbs of the same, within One Calendar Month next after the passing of this Act, between

between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon, of which Meeting Ten Days Notice shall be given by some One of the Proprietors or Subscribers once in some Newspaper published in the County of *Somerset*, or by Letter through the Post Office at *Wells*, addressed to each of the other Proprietors or Subscribers at their usual Residences, and such Meeting shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time to such other Time and Place as shall be decided by the said Proprietors; at which said General Meeting, and also at all other Meetings of the said Company to be held under the Authority of this Act, One of the Proprietors then present shall be elected to preside as Chairman, and all Questions shall be decided by a Majority of Votes of the Proprietors present or entitled to vote, according to their respective Number of Shares; (that is to say,) One Vote in respect of every such respective Share to the Number of Ten Shares, and also One Vote in respect of every additional Five Shares over and above such Ten Shares: Provided always, that no Proprietor shall be entitled to vote at any such Meeting of the said Company, in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Proprietor shall have fully paid all Arrears due in pursuance of any Call or Calls which shall have been made as hereinafter is directed or authorized upon or in respect of such Share or Shares, although the Time limited for Payment thereof, as herein-after is mentioned, may not have expired, nor shall any Proprietor vote at any Meeting of the said Company upon any Question in which such Proprietor shall be interested in any other Way then as being a Proprietor in the said Undertaking: Provided always, that if at any Meeting of the said Company the Number of Votes, including the Vote of the Chairman, shall be equal, then and in every such Case the Chairman for the Time being shall have an additional or casting Vote.

Chairman to be elected.

Proprietors to vote according to the Number of their Shares.

Proprietors in arrear not to vote.

Chairman to have a casting Vote.

In case of Joint Proprietors, how to vote.

XXVI. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Register Book of the said Company shall be deemed to be the Proprietor of such Share or Shares for the Purposes next herein-after mentioned; (that is to say,) such Person shall have the sole and entire Right of voting at all Meetings of the said Company in respect of such Joint Share or Shares, and when any Notice in pursuance of this Act shall be given to such Person or Persons in respect of such Joint Share or Shares, the same shall be considered as a Notice given to all the Proprietors of such Joint Share or Shares.

Lunatics and Minors to vote by their Committees and Guardians.

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

Proprietors may vote by Proxy.

XXVIII. And be it further enacted, That any Proprietor of any Share or Shares in the said Undertaking, entitled to vote in respect

 of

of such Share or Shares at any General Meeting or Special General Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General Meetings or Special General Meetings as aforesaid, either in Person or by Proxy (every such Proxy being a Proprietor in the said Undertaking, and entitled to vote in respect of his own Share or Shares,) duly constituted under his or her Hand, or, in Cases of Minors, Lunatics, or Idiots, under the Hand or Hands of his, her, or their Guardian or Guardians, or Committee or Committees; and the Appointment of such Proxies may be made in the Form or to the Effect following; (that is to say,)

Form of Proxy.

'I of , One of the Proprietors of Shares in the *Wells* Gas Light Company, do hereby nominate, constitute, and appoint of to be my Proxy in my Name and in my Stead to vote or give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking that shall be mentioned or proposed at the General Meeting or Special General Meeting of the said Company to be holden on the Day of , or any Adjournment thereof, if I shall not be present, in such Manner as the said shall think proper, according to his Opinion and Judgment, for the Benefit of the said Undertaking, or any thing relating thereto. In witness whereof I have hereunto set my Hand, the Day of .'

Meetings to settle Accounts and declare Dividends.

XXIX. And be it further enacted, That the said Company, at any General Meeting or Special General Meeting, shall have full Power from Time to Time to call for and examine all or any of the Accounts of the said Company, and at every Annual General Meeting, or some Adjournment thereof, a Dividend or Dividends shall be made out of the Interest, Profits, and Advantages of the Undertaking (unless such Meeting shall declare otherwise); and such Dividend or Dividends shall be at and after the Rate of such a Sum *per Centum* upon or for every Share in the said Undertaking as such Meeting or Meetings shall think fit to order and determine; but no Dividend shall be made whereby the Capital of the said Company shall be reduced, nor shall any Dividend be paid in respect of any Share or Shares after a Day appointed for the Payment of any Call for Money in respect thereof by virtue of this Act until such Call shall have been paid.

Notices of Meetings how to be given.

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

XXXI. And

At General or Special Meetings Proprietors to the Amount of Fifty Shares may proceed to Business.

XXXI. And be it further enacted, That at all General Meetings or Special General Meetings of the said Company the Proprietors then present, being possessed of Fifty Shares at least in the said Undertaking, shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company; and if it shall happen that there shall not be present at any of such General Meetings or Special General Meetings a sufficient Number of the said Proprietors, then and so often as it shall so happen such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week at the same Place and Hour as the same ought to have been held as aforesaid; but no Business shall be transacted at any Special General Meeting of the said Proprietors besides the Business for which such Meeting shall have been called, and no other Business shall be transacted at any Adjourned Special General Meeting besides the Business left unfinished at the Meeting from which such Adjournment took place.

Appointment of Committee.

XXXII. And be it further enacted, That at the said First General Meeting of the said Company, or at some Adjournment thereof, a Committee for managing the Affairs of the said Company shall be elected out of such of the Proprietors or Subscribers of Shares of and in the said Undertaking as shall be possessed in their own Right of Two Shares at the least, and such Committee shall consist of Ten Proprietors or Subscribers, and, when elected, they shall be the Committee for managing the Affairs of the said Company until others or another shall be chosen in their or any of their Stead, as hereinafter mentioned: Provided always, that it shall not be lawful for any Person who shall be a Member of the said Committee to enter into any Contract for or undertake to do or perform any Work under or by virtue of this Act, and if any such Person shall be or become a Dealer, either directly or indirectly, in any of the Articles to be provided or manufactured by the said Company, or shall be otherwise interested in the said Company further than as a Proprietor, every such Person shall be disqualified to be a Member of the said Committee, and shall immediately thereupon cease to act and vote in such Committee; and no Person shall be capable of taking or entering into any Contract under the said Company during the Time he shall be a Member of the said Committee; and if any Person to be appointed by virtue of this Act a Member of the said Committee shall at any Time cease to be a Proprietor of the said Undertaking to the Extent of Two Shares, or shall refuse or neglect, unless prevented by Illness or Absence from Home, to attend any Three successive Meetings of the said Committee, every such Person shall thereby cease to act or vote at such Committee, and shall be disqualified as aforesaid, and thereupon, or on the Death of any Member of the said Committee, it shall be lawful for the said Company, at any General Meeting to be held pursuant to the Directions of this Act, to elect some other Proprietor qualified as aforesaid in the Stead of such defaulting or dead Member, to be a Member of the Committee, and every such Proprietor so elected shall continue in Office as One of such Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued if such Death or Disqualification had not happened.

Committeemen contracting for Work to cease to have a Vote in the Committee.

XXXIII. And

Annual Election of Committee.

XXXIII. And be it further enacted, That on the first *Thursday* in the Month of *May* in each Year, or as soon after as may be convenient, a General Meeting of the said Company shall be holden (of which Seven Days Notice shall be given in some Newspaper published in the County of *Somerset* aforesaid, or by Letters through the Post Office at the said Town of *Wells* addressed to each of the said Proprietors or Subscribers); and at every such General Meeting of the said Company to be holden after the First General Meeting herein-before mentioned, or by Adjournment thereof, Five Members of the said Committee, qualified as aforesaid, who shall have been Members of the said Committee in the preceding Year, shall be re-elected Members of the said Committee, and Five other Proprietors of the said Undertaking, qualified as aforesaid, shall be elected in the Place of the Five retiring Members of the former Committee: Provided nevertheless, that all the Members of the said former Committee whose Office shall then have expired, or any of them, may (if otherwise qualified) be again immediately rechosen; and after such Elections and Re-elections as aforesaid shall have taken place the Member or Members of the said Committee (if any) who shall not be re-elected shall go out of Office.

Power to vary the Qualification of a Committee-man.

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

Proprietors may call a Special Meeting.

XXXV. And be it further enacted, That in case any Five or more of the said Proprietors, being collectively possessed of or entitled to Fifty or more Shares in the said Undertaking, shall think that a Special General Meeting of Proprietors should be holden, then it shall be lawful for them, by Writing under their Hands left at the Office of the said Company, or given to any Member of the Committee for the Time being of the said Company, or left at his last or usual Place of Abode, to require the said Committee to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case the Committee for the Time being shall refuse or neglect to call such Meeting for the Space of Ten Days after such Requisition given as aforesaid, the same may be called by such Proprietors, to be held at such Hour and Place within the said City or Borough of *Wells*, Liberty of *Saint Andrew*, and Suburbs of the same, as they shall think fit, provided Fourteen Days Notice of the Time and Place and Purport of such Special General Meeting be given by the Persons calling the same, by Advertisement in one of the Papers printed in the County of *Somerset*,

or in some other Paper circulated in the Town or Neighbourhood of *Wells*, such Notice to specify the Reason and Intention of requesting such Special General Meeting, and the Time when and the Place where the said Meeting shall be held; and the said Company are hereby authorized to meet in pursuance of such Notice; and at each Special General Meeting it shall be lawful for the Proprietors then present, provided they shall be possessed of or entitled to, either as Principals or Proxies, at least Fifty Shares available for the Purpose of voting, but not otherwise, to proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters specified in such Requisition and Notice only; and such Proprietors met together at every such Special or General Meeting shall have the same Powers, and the Acts of them or the Majority of them shall be as valid and effectual with respect to the Matters specified in such Requisition and Notice as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

General Meeting may make Bye Laws.

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

General Meetings may appoint a Treasurer and Clerk.

XXXVII. And be it further enacted, That the said Company of Proprietors shall at their said First General Meeting or at some Adjournment thereof elect and choose a Treasurer or Treasurers to the said Company, and also a Clerk for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent General Meeting or Special General Meeting to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer or Treasurers and Clerk, or any or either of them, or any other Person or Persons who shall be hereafter elected and appointed to their respective Offices, and from Time to Time to

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

Clerk and Treasurer not to be the same Person.

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 their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under this Act other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or upon the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

XXXIX. And

Treasurer, &c. not to issue Money without an Order, &c.

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

Accounts to be kept of Receipts and Disbursements.

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

Officers to render Accounts when required.

XLI. And be it further enacted, That all such Officers appointed by the said Company or the said Committee shall from Time to Time when thereunto required deliver to such Committee, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts, in Writing under their respective Hands, of all Monies which they and every of them respectively shall have received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their respective Hands to the said Committee for the Time being, or to such Person or Persons as they shall appoint to receive the same; and if any such Officer shall refuse or neglect to deliver up or produce such Accounts, and the Vouchers relating to the same, in manner aforesaid, or shall refuse or neglect to pay the Money due on such Account, or if any such Officer shall refuse or neglect to deliver up to the said Committee, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Committee, all the Books, Papers, or Writings in his Custody or Power relating to the Execution of this Act, then and in every or any of the said Cases it shall be lawful for any Justice of the Peace of the said City or Borough of *Wells*, within the Limits of his Jurisdiction, or

for

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

Executors or Administrators of deceased Officers to account.

XLII. And be it further enacted, That in case of the Death of any such Officer as last aforesaid before he or she shall have paid and fully satisfied all the Monies which he or she shall have received by virtue of this Act, or made such Composition for the same as aforesaid,

said, then and in every such Case the Executors or Administrators of such Officer so dying shall pay and satisfy the same out of the Estate and Effects of such Officer unto the said Committee, or any Person appointed by them in that Behalf, in like Manner as other Debts are directed by Law to be discharged by such Executors or Administrators, and also shall deliver up all Books, Papers, Writings, and other Things concerning his or her Office, or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators, who shall and may plead such Payments in any Action or Suit which may be brought against them on account of the said Estate and Effects, and give the same in Evidence; and in case of the Nonpayment of such Monies, or the Nondelivery of such Books, Papers, Writings, and Things, for the Space of Fourteen Days after Demand made thereof in Writing by or on behalf of the said Committee, it shall be lawful for the said Committee to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, for the Recovery of the said Monies, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action or Actions full Costs of Suit shall be recoverable by the said Committee.

Not to prejudice Remedies against Sureties of Officers.

XLIII. And be it further enacted, That nothing herein contained, or any thing to be done by virtue hereof, shall extend or be construed to extend to deprive the said Company of any Action or Actions, Suit or Suits, against the Surety or Sureties of any Officer whomsoever, to be appointed in execution of this Act, for the Payment of any Monies remaining due to the said Company, or for the Nonperformance of any Covenant or Agreement entered into by such Officer to be appointed as aforesaid, or his or her Surety or Sureties, touching any thing to be done under or in pursuance of this Act.

Meetings of Committee.

XLIV. And be it further enacted, That the said Committee or any Five of them shall hold their Meetings at such Time and Place within the said City or Borough of *Wells*, Liberty of *Saint Andrew*, and Suburbs of the same, as a Majority of them from Time to Time shall think proper and appoint, and shall choose from among themselves a Chairman and Deputy Chairman of the Meeting of the said Committee, and if it shall so happen that at any Meeting of the said Committee neither the Chairman or Deputy Chairman so to be chosen as aforesaid shall attend, one of the Members of the said Committee then present shall be elected to preside as Chairman for that Occasion, and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee at any of their said Meetings shall be decided and determined by a Majority in Number of Members present (the Number present not being less than Five); and in case of there being an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee Five Members thereof shall not attend, then and in every such Case the Meeting shall be adjourned till such Time and to such Place as the Member or Members then present, or, if none be present, then as the Clerk

Chairman to have the casting Vote besides his own Vote.

of the said Company, or such other Person as shall attend in his Place, shall appoint; and any Two or more Members of the Committee may, at any Time when they shall think fit, call a Meeting of the Committee by a Notice in Writing, signed by such Two or more Members, to be sent by the Post or otherwise to the Residence or Address of every Member of such Committee, and also may renew the Meetings of the Committee, although they may have been discontinued for Want of Adjournment, or may institute a new Meeting independent of any Meeting appointed by Adjournment.

Two Members of the Committee may call a Meeting.

XLV. And be it further enacted, That the Committee for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to use the same, and to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places in the said City or Borough, Liberty and Suburbs, of holding the General Meetings herein-before mentioned, and Special General Meetings, and to direct the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of, for the Purposes of the same Company, as in contracting for and purchasing Lands, Tenements, or Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and enter into Agreements or Contracts for supplying with Gas all Persons whomsoever, and the said Roads, Streets, Ways, Lanes, and other public Passages and Places, and Shops, Inns, Manufactories, Warehouses, private Houses, Buildings, or private Places as aforesaid, and in nominating, electing, appointing, placing, or displacing any Officer, Agent, Tradesman, or Servant of the said Company, (not being a Treasurer or Clerk of the said Company, who are to be elected and appointed at a General Meeting or Special General Meeting of the Company as herein-before mentioned, and not by the said Committee, except for a temporary Purpose, as herein-before is mentioned,) and with such Salaries, Gratuities, or other Recompence as to the said Committee shall seem proper, and in ordering, directing, and employing the said Works and Workmen, and in selling and disposing of all Articles produced as aforesaid in the manufacturing of such Gas, and in making, enforcing, and rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the said Undertaking; subject to such Rules, Orders, Bye Laws, and Regulations as shall at any Time be duly made by the said Company, or to any special Resolution or Resolutions of the said Company, in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted, and to all which Rules, Orders, Bye Laws, Regulations, and Resolutions, not being contrary to any express Provisions or Directions in this Act, the said Committee shall pay due Obedience; and the said Committee may require and take such Security from any Officer or Officers (not being a Treasurer or Clerk of the said Company), or other Person, for the faithful Execution of their respective Offices or Duties, as they may think proper or reasonable.

Powers of Committee.

XLVI. And

Committee not to be personally liable.

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

Orders, &c. to be entered in a Book.

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

Calls to be made.

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

Shares to be forfeited on Nonpayment of Calls.

if any Person or Persons shall refuse or neglect to pay his, her, or their Proportion of the Money so called for as aforesaid, during the Space of One Calendar Month next after the Time appointed for Payment thereof, with lawful Interest for the same from such appointed Time of Payment, then and in every such Case such Person or Persons so refusing or neglecting shall (whether the same shall have been sued for in any Court of Law or Equity or not) absolutely forfeit all his, her, or their Share or Shares in the said Under-

Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them, on account thereof, unless otherwise determined by a Special General Meeting; and all Shares which shall be so forfeited shall or may be sold at a public Sale, for the most Money that can be gotten for the same, and the Produce thereof shall be applied and disposed of in manner by this Act directed, and the said Committee, or any Five of them, shall have Power to assign or transfer such forfeited Shares or Share to the respective Purchasers thereof; but nevertheless no Advantage shall be taken of any such Forfeiture until after Fourteen Days Notice in Writing shall have been given by the Chairman of the said Company, or by Five of the Committee for the Time being, or by the Clerk of the said Company, to the Proprietor or Proprietors thereof, or left at his, her, or their last or usual Place of Abode, if he, she, or they reside within the Limits of this Act, and if not, then by Letter sent by Post, nor unless the same Share or Shares shall be declared to be forfeited at some General Meeting or Special General Meeting of the said Proprietors held not sooner than One Calendar Month next after the Day on which Notice of such Forfeiture shall have been given as aforesaid; and every such Forfeiture, when so declared, shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors who shall have incurred such Forfeiture, and his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Proceedings whatsoever, at Law or in Equity, for any Breach of Contract between such Proprietor or Proprietors so forfeiting and the said Company, for or on account of not paying such Call or Calls, or in regard to the future prosecuting of the said Undertaking.

Forfeited Shares may be sold.

XLIX. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such Share or Shares as shall be forfeited as aforesaid shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon, and the Expences attending the Sale or Sales thereof, the Surplus of such Money shall be paid, on Demand, to the Person or Persons to whom such Share or Shares shall have belonged: Provided also, that the said Company or their Committee shall not by virtue of this Act sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be at the Time of such Sale, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all such Calls, and the Interest and Expences attending the same, any Share or Shares vested in the same Company as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons to whom such Share or Shares shall have belonged, immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

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

L. 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 con-

Power to make and erect Retorts, and to

break up the Soil and Pavement of the Streets, &c. for laying Pipes, &c.

contained,) by their Servants, Agents, Workmen, and others, from Time to Time to make, erect, and fix such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, and other Apparatus and Works, upon any of the Lands, Tenements, or Hereditaments which the said Company may purchase for that Purpose, in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into execution; and also, when and so often as the said Company may think it necessary and proper, to break up the Soil and Pavement of any of the Footways or Carriageways of any Roads, Streets, Ways, Lanes, and other public Passages and Places, or any of them, or any Part thereof, and also of any private Grounds, Ways, Passages, and other Places, with such Consent as herein-after is mentioned, or any Part of them; and also to make and construct any Culvert, Tunnel, Sough, or Drain, and to dig and sink Trenches and Drains, and lay Main and other Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes from the Gasometer or other Works in, under, across, and along such public Places as aforesaid, or within or through any Culvert, Tunnel, Sough, or Drain which the said Gas Company may at any Time hereafter make, and also, with such Consent as herein-after is mentioned, in, under, across, and along such private Places as aforesaid, in such Manner as shall be necessary for the Purpose of carrying this Act into execution, or supplying any such Lights as aforesaid; and to erect Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in the same Roads, Streets, Ways, Lanes, and other public Passages and Places, or any of them, against any Wall or Walls erected on or adjoining to them or any of them, and from Time to Time to alter the Position of, and to repair, re-lay, and maintain such Pipes, Stopcocks, Siphons, and Plugs or Branches; and also, with the Consent herein-after mentioned, to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus from any Main or Pipe laid in any Road, Street, Way, Lane, Passage, or other Place, public or private, by the said Company, by virtue of this Act, into, through, or against any Dwelling House or Houses, Manufactories, public or private Buildings or Grounds, for the Purpose of lighting the same, or any public or private Lamp, from any of such Main or other Pipes; and to erect and set up any Machine or Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been placed, or which shall be injured or damaged, in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things as the said Company or their Successors shall from Time to Time think necessary, for completing, amending, repairing, improving, supplying, and using the same, reasonable Compensation being made for any Damage occasioned thereby: Provided nevertheless, that nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes through, into, or against any Dwelling House or Houses, Manufactory, public or private Buildings or Yards, or to continue the same for the Purpose of lighting any other Dwelling House or Houses, Manufactory, public or private Buildings, or other Place or

Places, or for any other Purpose whatsoever, without the Consent of the Owner or Owners, and Occupier or Occupiers for the Time being of every such Dwelling House or Houses, Manufactory, public or private Buildings or Yards; nor to enable the said Company to enter into or upon any private Lands or Grounds without the Consent in Writing of the Owner or Owners, and Occupier or Occupiers for the Time being of such Lands or Grounds for that Purpose first had and obtained.

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

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

piers, as the Case may require, by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace aforesaid, which Warrant such Justice or Justices aforesaid is and are hereby empowered to grant.

Power for Owners of private Property to alter Position of Pipes.

LII. Provided also, and be it further enacted, That in case any Pipe or Pipes shall be carried or laid through, into, or against any private Dwelling House or Houses, Manufactory, Buildings, Grounds, or Lands, with such Consent as aforesaid, and after the same shall have been so laid and placed such Owner or Owners shall be desirous of having the same removed, it shall be lawful for such Owner or Owners, at any Time or Times thereafter, at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, and to relay the same, so that no Damage be done thereby to the said Company, and so that the said Company be not thereby prevented from or obstructed in lighting any public or private Lamp.

Restriction as to the breaking up of Pavements, Roads, &c.

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

Notice to be given of breaking up Pavements, Roads, &c.

LIV. And be it further enacted, That (after such Consent as aforesaid) it shall not be lawful for the said Company to break or take up or disturb any of the Pavements or Ground in any Road, Street, Way, Lane, or other public Passage or Place, for the Purpose of laying down or repairing any Main Pipe or Pipes (except Service Pipes as aforesaid), or of altering the Position of any such Main Pipe or Pipes (except as aforesaid), unless Notice in Writing of their Intention to break or take up such Pavement or Ground, signed by the Clerk to the said Company, specifying the Road, Street, Way, Lane, or other public Passage or Place, and the particular Part thereof intended to be broken or taken up, shall have been given to the Surveyor or Superintendent for the Time being of such Road, Street, Way, Lane, or other public Passage or Place, or to the Surveyor of the District or Place wherein such Road, Street, Way, Lane, or other public Passage or Place (the Pavement, Ground, or Soil whereof is

so

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

Pavement to be made good where Pipes are laid.

LV. Provided always, and be it further enacted, That the Workmen employed in laying, taking up, or repairing any such Main Pipes, Plugs, Cocks, Siphons, or Branches shall do as little Damage as may be, and shall immediately thereafter fill up the Trenches, and make good the Ground, Pavement, and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off any Washings or Waste Liquids, without any Delay, and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, and place and set up a sufficient Number of Lights during the Night in such Manner as to prevent Accidents or Inconvenience to Passengers, Cattle, and Carriages: Provided always, that if there shall be any wilful or negligent Delay in the said Company, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling up any such Trenches, or removing Rubbish, or making any such Ground, Pavements, or Roads, or in repairing any Damage arising from any Drains, Sewers, or Cuts, which may be made for carrying off any Washings or Waste Liquids, or in fencing or guarding the Ground which shall be opened, or in placing and setting up such Lights during the Night, so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in every such Case it shall be lawful for any Owner or Occupier of the Ground, or for the Commissioners, Trustees, Surveyors, or other Person or Persons under whose Jurisdiction, Care, or Management such Ground, Pavements, or Roads may be for the Time being, or any Person or Persons acting by or under the Authority of the said Owners, Occupiers, Commissioners, Trustees, Surveyors, or other Persons respectively, to fill up and reinstate such Ground, Pavements, or Roads, and remove such Rubbish, and to repair and make good the Pavement or Ground of any Road, Street, Way, Lane, or other

Provision in case of Default.

public Passage or Place so broken up, and to repair any Damage arising from any such Sewers, Drains, or Cuts as aforesaid, and in the meantime to fence and guard the Place or Places where any Ground shall be so opened as aforesaid, and to place and set up a sufficient Number of Lights during the Night, as to them respectively shall seem necessary; and the reasonable Costs and Charges thereof shall be repaid, on Demand, by the said Company of Proprietors or their Treasurer, to the Person or Persons so reinstating the same, and doing such other Acts as aforesaid; and in default of Payment thereof for Twenty Days next after Demand shall be made by such Owners, Occupiers, Commissioners, Trustees, Surveyors, or other Person or Persons acting by or under their respective Authority, (Proof of such Demand being made upon Oath (or, being a Quaker, upon the Affirmation) of One credible Witness before One or more Justice or Justices of the Peace for the said City or Borough of *Wells* or County of *Somerset*, acting within their respective Jurisdictions,) all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by such Owners, Occupiers, Commissioners, Trustees, Surveyors, or other the Person or Persons aforesaid, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace aforesaid, which Warrant such Justice or Justices is and are hereby empowered to grant.

Damages to any public Sewer or Drain to be made good.

LVI. Provided always, and be it further enacted, That the said Company, or their Successors, Servants, Agents, Workmen, or others, shall not by any Work to be done by virtue of this Act damage or injure any public Sewer or Drain within the said City or Borough of *Wells*, Liberty of *Saint Andrew*, or Suburbs of the same; and if any Damage or Injury shall be done by them or any of them to any such Sewer or Drain, the said Company or their Successors shall forthwith well and sufficiently repair and make good every such Damage or Injury; and on default thereof the Amount of such Damage or Injury, together with the Costs, Charges, and Expences of recovering the same, shall be recoverable by the Surveyor or Surveyors of the Highways for the Time being of the said Townships respectively, or by the Person or Persons under whose Jurisdiction and Care such Sewer or Drain shall be, by Distress and Sale of the Goods and Chattels of the said Company, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said City or Borough of *Wells* or County of *Somerset*, acting within their respective Jurisdictions, and which Warrant such Justice or Justices is or are hereby empowered to grant, or by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Power to the Company to contract for

LVII. And be it further enacted, That it shall be lawful for the said Company to contract with the Commissioners, Trustees, Surveyors, Persons, or Bodies having the Controul, Direction, or Ma-

nagement of the several Roads, Streets, Ways, Lanes, and other public Passages and Places, or any of them, within the Limits of this Act, for lighting or supplying the same or any Part thereof with Gas, and also to contract with any Persons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, for lighting or supplying with Gas any such Persons or Bodies, or any Roads, Streets, Ways, Lanes, or other public Passages or Places, Manufactories, Shops, Warehouses, public or private Houses or Buildings, belonging to them or any of them, or in which they or any of them are interested, or over which they or any of them have the Direction or Controul, in such Manner and under such Stipulations as the said Company shall think proper, consistent with the Powers and Authorities hereby granted. the lighting of Streets and Houses.

LVIII. Provided always, and be it further enacted, That in case the said Company shall at any Time hereafter contract with any Person or Persons, Body or Bodies Politic or Corporate, for lighting any of the public Lamps in any of the Roads, Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act, the said Company shall and they are hereby directed and required to supply such public Lamps which they shall so contract to light with Gas of such Quality as shall at all Times afford a cheaper and better Light in proportion to the Quality and Intensity thereof than could be obtained from Oil Lamps, and whenever the said Company shall fail so to do the Power and Authority hereby given to them further to break up the Soil or Pavement of any such public Roads, Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act where such public Lamps shall be situated shall from thenceforth during such Failure cease and determine; and every Contract or Agreement which shall be entered into for lighting with Gas such public Lamps by the said Company shall contain a Clause providing that it shall be obligatory on the said Company that such public Lamps shall at all Times be better and cheaper lighted by the said Company than could be done by Oil Lamps, in proportion to the Quality and Intensity of the Light. Gas to be supplied cheaper than Oil.

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

LX. And be it further enacted, That in case any Body or Bodies, Commissioners, Trustees, Surveyors, or other Person or Persons who shall contract with the said Company, or agree to take or shall use or enjoy the Benefit of the said Gas, in their private Dwellings, Shops, Inns, Taverns, or other Buildings or Manufactories, Grounds, or Premises, shall refuse or neglect, for the Space of Fourteen Days next after Demand made thereof, to pay the Sum or Sums then due for the same to the said Company according to the Terms and Stipulations Recovery of Rent.

pulations of the said respective Parties with the said Company, it shall be lawful for the said Company, or their Clerk or Clerks, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said City or Borough of *Wells*, if the Party or Parties so refusing or neglecting to pay as aforesaid reside therein, if not, of any One of the Justices of the Peace for the said County of *Somerset*, which Warrant such Justice is hereby required to grant, upon Confession, or upon Proof of such Sum or Sums being due to the said Company, and of Demand having been made by the Oath (or, being a Quaker, by the Affirmation) 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 Body or Bodies, Person or Persons so refusing or neglecting to pay the same, rendering the Overplus (if any), upon Demand, to the Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; and it shall also be lawful for the said Company to cut off and take away the Supply of Gas from the House or Houses, Shops, Inns, Taverns, or other Buildings or Manufactories, Grounds, or Premises of every such Person or Party so making Default in Payment of such Sum or Sums of Money then due by him, her, or them to the said Company, for the Space of Fourteen Days after such Demand as aforesaid, and thenceforth to discontinue the Supply of Gas contracted for with the said Company by such Person or Party.

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

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

LXII. And

Penalty on wilfully damaging Pipes, &c.

LXII. And be it further enacted, That if any Person shall wilfully or maliciously destroy, damage, or injure, or cause to be so done, any Pipe, Pedestal, 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 or improperly use any of the inflammable Air or Gas supplied by the said Company, or shall alter, exchange, or remove the Burners from the Pipes of Supply, or shall wilfully, maliciously, or negligently do or commit, or cause to be done or committed, any Injury or Damage to the Mains or Service Pipes of the said Company, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath (or, being a Quaker, on the Affirmation) of One credible Witness before One or more Justice or Justices of the Peace for the said City or Borough of *Wells* or County of *Somerset*, acting within their respective Jurisdictions, shall for every separate Act and Offence forfeit and pay to the aforesaid Company any Sum not exceeding Ten Pounds, and the Amount of the Damage, as the same shall be ascertained by such Justice or Justices to be 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; and in case sufficient Distress cannot be found, or such Forfeiture or Damage shall not be forthwith paid, such Offender shall and may be committed to the said House of Correction in the said County, there to remain for any Time not exceeding Six Calendar Months, or until such Forfeiture, Damages, and Costs shall be paid or tendered to the Keeper of the said House of Correction for the Use of the said Company.

Penalty for interrupting Company's Workmen.

LXIII. 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 by any Person or Persons at his, her, or their private Expence, or any Pipe, Pedestal, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or belonging to any Person or Persons, and set up by him, her, or them at his, her, or their private Expence, or waste any inflammable Air or Gas supplied by the said Company, or keep the Light or Lights burning for a longer Time than he, she, or they shall have contracted to pay for, and shall not, upon Demand by the said Company, or their Committee, or their Clerk or Superintendent, or other Person or Person authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, or keeping the Lights burning longer than they shall have contracted for as aforesaid; then and in every such Case it shall be lawful for any One or more Justice or Justices of the Peace for the said City or Borough of *Wells* or County of *Somerset*, acting within their respective Jurisdictions, and he or they is and are hereby empowered and required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Nonappearance of the Party or Parties so complained against, to

proceed *ex parte*, and to award such Sum or Sums of Money, by way of Satisfaction to the said Company, or to such other Person or Persons, (as the Case may be and require,) for such Damage or Excess, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any Sum or Sums so awarded within Fourteen Days next after Demand, it shall be lawful for such Justices, or any One of them, and he and they is and are hereby required, to cause the same to be raised and levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied.

Satisfaction for Damages of Lamps, &c.

LXIV. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works, 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 One or more Justice or Justices of the Peace for the said City or Borough of *Wells* or County of *Somerset*, acting within their respective Jurisdictions, 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 Twenty Shillings, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption, and such Sum so adjudged as Penalty and Damages shall be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered; or the said Company may, at their own Option, sue for Damages sustained by them for such Hindrance or Interruption.

Penalty on Company for allowing their Washings to drain into any Rivers, Wells, &c.

LXV. And be it further enacted, That if the said Company, or any Body or Bodies Politic or Corporate, or Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, shall at any Time empty, drain, conduct, or convey, or cause or suffer to be emptied, drained, conducted, or conveyed, or to run or flow, any Washings or other waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Company, or Body or Bodies Politic or Corporate, or Person or Persons, so offending, 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

formation, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than one Imparlance shall be allowed, and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall have been sued for or recovered or not,) in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, and the said Company, or Body or Bodies Politic or Corporate, or Person or Persons, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company, or Body or Bodies Politic or Corporate, or Person or Persons, 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 emptied, 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 the Amount of such last-mentioned Penalty shall and may be adjudged, recovered, and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For stopping the Escape of Gas.

LXVI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall at their own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas, from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours next after such Notice as aforesaid being given, effectually stop and prevent

prevent the Gas from further escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way on the Oath (or, being a Quaker, on the Affirmation) of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said City or Borough of *Wells* or County of *Somerset*, acting within their respective Jurisdictions, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered from the said Company.

For the Protection of Water Pipes.

LXVII. And be it further enacted, That when and so often as the said Company, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main or Mains, Pipe or Pipes, or other Apparatus, or shall open any Ground for the Purposes of this Act or any of them, in, upon, or near to which any Water Pipe or Water Pipes shall have been laid or placed for the Purpose of conveying Water into or about the said Town of *Wells*, or within the Limits of this Act, or any Branch of any such Water Pipe for the Service or Supply of any Dwelling House or Houses, Manufactories, public or private Buildings, within the Limits of this Act, the said Company, their Servants, Agents, or Workmen, shall and they are hereby required to give previous Notice thereof to the Proprietor or Proprietors or Person or Persons having the Controul of such Water Pipes for the Time being, or to the Occupier of such Dwelling House, Manufactory, public or private Building supplied by such Branch or Service Pipe, as the Case may be; and on every such Occasion the said Company, their Servants, Agents, and Workmen, shall, under the Direction and Inspection of such Proprietors or Person or Occupiers, or their, his, or her Surveyor or Agent, as the Case may be, protect and secure such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall and may be done to any such Water Pipe or Pipes on any such Occasion; and on Default being made in any of the Matters aforesaid, the said Company shall forfeit and pay to such Proprietors or Persons, or Occupiers, as the Case may be, any Sum not exceeding Five Pounds, and shall also pay to such Proprietors or Persons or Occupiers, as the Case may be, the Costs and Expences which shall have been incurred by them, him, or her in the securing and protecting, or in repairing and making good any Injury or Damage that may be done to such Pipe or Pipes by the Means aforesaid, such Costs and Expences, and also the Amount of such Penalty as aforesaid, to be ascertained and fixed by any Justice of the Peace for the said City or Borough of *Wells* or for the County of *Somerset*, acting within their respective Jurisdictions, and to be levied and recovered by Distress and Sale of the Goods and Chattels of the

said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said City or Borough of *Wells* and County of *Somerset*, acting within their respective Jurisdictions, and which Warrant such Justice or Justices is and are hereby empowered to grant.

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

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

To prevent the Contamination of Water.

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

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

 Costs,

Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company or Body Politic or Corporate or Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant, and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer, or to One of the Committee for the Time being of the said Company of Proprietors of Waterworks, or to other the Owners or Proprietors of any Waterworks, Well, or Pond, for the Use of the same Owners and Proprietors, or to the Person or Persons consuming any such Water, and making such Complaint as aforesaid.

For ascertaining if the Water be contaminated.

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

Justices of the Peace as aforesaid, and recoverable in like Manner as any Penalty may be recovered by virtue of this Act.

For preventing Nuisances.

LXXI. And be it further enacted, That when any Body or Bodies Politic or Corporate, or Inhabitant Householder within the Limits of this Act, or any other Person or Persons whomsoever, shall be aggrieved by any public or private Nuisance to be committed by the said Company, or any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or any of the Means which shall be employed by them in manufacturing the said Gas and using the same, or in furnishing such Light as aforesaid, or from any any other Cause whatsoever connected with the said Works, and shall give Notice in Writing to the said Company, to be left at the usual Office or Place of transacting Business of the said Company, of the Existence of any such public or private Nuisance, the said Company shall at their own Expence cause the most speedy and effectual Measures to be taken to remove and abate such public or private Nuisance from continuing; and in case the said Company shall not proceed within Twenty-four Hours next after each and every such Notice in Writing being given as aforesaid of any such public or private Nuisance to remove, and shall not abate the same to the Satisfaction of any Justice of the said City or Borough of *Wells*, within the Limits of his Jurisdiction, or of any Two or more of His Majesty's Justices of the Peace within their respective Jurisdictions, then and in every such Case the said Company shall forfeit and pay for every such Offence any Sum not exceeding Two Pounds for each and every Day during which such public or private Nuisance shall be permitted or suffered to exist after the Expiration of Twenty-four Hours from the Time of receiving such Notice; and in default of Payment thereof as aforesaid, the same shall and may from Time to Time, on the Oath (or, being a Quaker, on the Affirmation) of One or more credible Witness or Witnesses, by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the said City or Borough of *Wells* or County of *Somerset*, acting within their respective Jurisdictions, be recoverable and recovered by the Person or Party aggrieved, together with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices as aforesaid, to be granted in like Manner as herein directed touching other Penalties to be recovered from the said Company.

The Company liable to be indicted for Injury sustained by Means of their Works.

LXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Company, or against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Means which shall be employed by them in making the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, from bringing any Action or Actions against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of

of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Justices may proceed by Summons in the Recovery of Penalties.

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

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

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

In case of Nonpayment of Compensation for Damages, &c.

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

Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in every such Case such Overplus shall be returned, on Demand, to the said Company, or their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant or other Proceeding as aforesaid.

Recovery of Penalties and Forfeitures.

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

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

Form of Conviction

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

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

Informations to be lodged within Six Calendar Months.

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

Power of Appeal to General or

LXXIX. And be it further enacted, That any Body or Bodies Politic, Corporate or Collegiate, or any Person or Persons whatsoever, thinking

Quarter Sessions.

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

Compelling Attendance of Witnesses.

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

Punishment for false Evidence.

LXXXI. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before any Justice or Justices of the Peace, or otherwise under this Act, upon Oath (or, in case of a Quaker or Quakers, on solemn Affirmation,) shall wilfully and corruptly give false Evidence, and shall be thereof lawfully convicted, he,

he, she, or they so giving false Evidence shall be subject to the same Penalty as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Distress not unlawful for Want of Form.

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

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

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

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

LXXXIV. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Summons, or Notice or Notices, upon the said Company, or any Writ or Writs, or other Proceedings, either at Law or in Equity, the Service thereof upon the Clerk of the said Company, or at any of the Offices of the said Company, or delivered to some Inmate at the last or usual Place of Abode of the Clerk to the said Company, and in case the Residence of the said Clerk be not known, then Service upon any Agent or other Officer employed by the said Company, or upon any One of the Committee for the Time being of the said Company, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Expences of the Act how to be paid.

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

Not to Prejudice the Rights of the Lord of the Manor, &c.

LXXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any way to change, lessen, abridge, impeach, annul, prejudice, destroy, or affect any Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, or lawful Customs, belonging, due, or in anywise appertaining to the Lord or Lords of the Manor of *Wells*, or to the Mayor, Masters, and Capital Burgesses of the City or Borough of *Wells*, or to the

the Dean, or Dean and Chapter of the Cathedral Church of *Wells* respectively, in any Capacity whatsoever; but all and every such Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, and Customs may be exercised, demanded, exacted, received, and enjoyed by the said Persons, or Bodies Politic, Corporate, or Collegiate, in as full and ample Manner, to all Intents and Purposes, as the same were enjoyed before the passing of this Act, or as if this Act had not been passed.

Saving Rights of Commissioners of Paving.

LXXXVII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter, repeal, or annul all or any Part of an Act passed in the Second Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving certain Roads leading to and from the City or Borough of* Wells *in the County of* Somerset, *and for paving, cleansing, lighting, watching, and watering the said Roads, and the Streets, Lanes, and public Passages within the said City or Borough, the Liberty of* Saint Andrew, *and Suburbs of the said City or Borough, and removing and preventing Nuisances and Annoyances thereon.*

Rules for Construction of certain Terms of the Act.

LXXXVIII. And be it further enacted, That wherever in this Act any Word or Words is or are used in the Singular Number or Masculine Gender only, such Word or Words shall extend to and shall be construed to include the Plural as well as the Singular Number, and Females as well as Males, and a Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals, unless it be otherwise specially directed or provided for.

General Saving.

LXXXIX. Saving always to all and every other Person and Persons whatsoever all such Rights, Title, Estate, and Interest whatsoever as they and every or any of them had and enjoyed of, in, to, or out of the Premises herein mentioned, or any of them, or any Part thereof, before the passing of this Act, or could or might have had or enjoyed in case the same had not been made; any thing therein to the contrary notwithstanding.

Public Act.

XC. 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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