ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

****

Cap. xxxvi.

An Act for incorporating the Equitable Gas Light Company, and for more effectually lighting with Gas certain Parishes and Places within the City and Liberty of *Westminster*, and the Western Parts of the Metropolis, and other Parishes and Places in the County of *Middlesex*. [31st *May* 1842.]

WHEREAS on or about the First Day of *May* One thousand eight hundred and thirty certain Persons formed themselves into an Association or Company, under the Title of "The Equitable Gas Light Company," for the Purpose of supplying the City of *Westminster* and the Western and other Districts of the Metropolis, as well in *Middlesex* as in *Surrey*, and all such Parishes, Places, Squares, Streets, Roads, and Ways in the Counties of *Middlesex* and *Surrey*, and all such private Dwellings, and public and other Buildings, in the same Parishes, Places, Squares, Streets, Roads, and, Ways as the Directors for the Time being of the said Company might think proper to light or supply with Gas: And whereas the said several Persons so associated as aforesaid have accordingly been for some Years past, and are now, engaged in supplying several of the Parishes and Places within the City of *West-*

Westminster and County of *Middlesex* with Gas, and such Supply has been attended with great Benefit to the Inhabitants thereof, and the same several Persons are about to extend their Supply for more effectually lighting with Gas several other Parishes and Places not at present supplied by them: And whereas the said Persons so associated as aforesaid are desirous of being incorporated, and of having further Powers granted to them for the Purpose of more efficiently carrying on the said Undertaking; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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

Proprietors of Shares incorporated.

Warren Hastings Rowland Jackson, John Wheelton, Richard Barrow, John Holdship, James Birch Kelly, John Turner, Abraham John Valpy, Charles Walker, George Dyer, Emanuel Wait, James Michael Holdship, Edmund Treherne, Walter Hawkins, Nathaniel Saxon, James Adams, Thomas Aglen, John Aird, William Anderson, William Arnold, Crawshay Bailey, George Leeke Baker, Charles Baker, James Balding, George Barber, Elizabeth Barrowforth, Thomas Beavington, Kerenhappuch Bennett, John Blake, Thomas Brook, Thomas Bruford, Francis Burton, Jacob Button, Robert Burra, John Chalcott, Martha Chapman, John Chapple, John Clarke, John Clayton, Henry Clement, John Kinlock Clement, Ann Cockin, Jane Cockin, Maria Collings, Robert Corser, John Day, Eliza Dillyn, Richard Dixson, Charles Docker, Catherine Donnellan, Sir *John Easthope* Baronet, *Benjamin Enock, Margaret Evans, John Fearenside, Margaret Ford, Francis Fry, Richard Fry, Augustus Frederick Goddard, Grace Gorluck, Charles Gray, Michael Grazebrook, Isaac Greenwood, Abraham Hains, Thomas Hancock, Maria Hendry, Benjamin Hey, William Hichens, William Huckrale, Elizabeth Holloway,* Reverend *Thomas Smart Hughes, Thomas Holt, Richard Parrott Hulme, Ambrose Humphreys, Robert Irving, William Oliver Jackson, Thomas Jenner, Hugh Jones, John Mardon Jones, Louisa Catherine Kelly, Thomas Kidston, John Key, Francis Lambert, Samuel Lambert, Odiarne Coates Lane, Edward Latchford,* Reverend *John Lingard, Henry Lloyd, Richard Harman Lloyd, Robert Loosemore, Josiah Lucas, David Lyons, Ann Rebecca Mais, Jeremiah Mais, Andrew Mallock, Thomas Tod Mardon, George Mausley, William Munro, Jane Morton, Daniel Mulshaw, Isaac Nicholson, William Pearse, John Perry, John Plaisted, Henry John Popkin, Samuel Peace Pratt, James Raper, William Birks Rhodes, Thomas Roblyn, Benjamin Shaw, Thomas Godfrey Shreeve, James Shuter, Julian Skrine, Edward Smith, Thomas Sparrow, John Stacey, John Stick, Thomas Stock, Elizabeth Swinnerton, Mary Sparrow, Alfred Thomas, Edward Thomas, George Thomas, William Trewby, John Millard Tucker, William Turner, William Turner, William Vaughan, John Brocke Walbancke Anne Warden, George Edward Watts, Mary Webb, Martha Webb, John Wheel, John White, James Whitesides, Henry Wickens,* and *John Christian Wolf,* and all other Persons who are now Propietors of Shares in the said Undertaking, and all such other Persons as shall hereafter become Proprietors of Shares in the said Undertaking, and their respective Executors, Administrators, Successors,

sors, and Assigns respectively, shall be united into a Company for the Purposes herein-after mentioned, and for such Purposes shall be incorporated by the Name of "The Equitable Gas Light Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands, within the Restrictions herein-after contained, for the Purposes of the said Undertaking.

Purposes of the Company.

II. And be it enacted, That the Company shall be established for the Purpose of manufacturing Gas, and providing Gasometers and all Apparatus and Machinery necessary for lighting with Gas all Streets, Churches, Chapels, Shops, Taverns, private Houses, Warehouses, and other Buildings within the Limits of this Act; and also for selling and disposing of Coke, and of every Product, Refuse, or Residuum arising or to be obtained from the Materials used in or necessary for the Manufacture of Gas, in such Manner as the Company shall think proper.

Capital.

III. And be it enacted, That Two hundred thousand Pounds shall be the Capital of the Company.

Shares.

IV. And be it enacted, That the said Capital shall be divided into Four thousand Shares, each of the Amount of Fifty Pounds, and such Shares shall be numbered in arithmetical Progression, beginning with Number One, and every such Share shall be distinguished by its appropriate Number.

Shares to vest in the present Proprietors.

V. And be it enacted, That the Capital or Joint Stock of the Company shall be and is hereby vested in the several Persons who now hold Shares in the said Undertaking, their several and respective Executors, Administrators, Successors, and Assigns, proportionably to the Number of Shares which they may severally possess therein; and every Person who may hold One or more such Share or Shares shall be entitled to and receive, at such Times as the Company shall direct, the entire and net Distribution of an equal proportionable Part (according to the Number of Shares held by him) of the net Profits and Advantages of the said Undertaking that shall and may arise and accrue to, or be raised, recovered, or received by the Company; and every Person having or holding any such Share or Shares as aforesaid shall bear and pay a proportionable Sum towards carrying on the Purposes of this Act, in manner herein directed and appointed; and every Person who is now entitled to and in the actual Possession of any of the Shares in the said Undertaking, and every Person who after the passing of this Act shall become entitled to and shall be in the actual Possession of One or more Share or Shares in the Capital or Joint Stock of the Company, shall be deemed to be a Proprietor of the said Undertaking, and a Member of the Company, subject to the Provisions and Regulations in this Act contained.

Shares to be Personal Estate.

VI. And be it enacted, That all Shares in the Undertaking shall be Personal Estate, and transmissible as such, and shall not be of the Nature of Real Estate.

VII. And

Registry of Shareholders.

VII. And be it enacted, That the Company shall keep a Book, to be called "The Register Book of Shareholders," and in such Book shall be fairly and distinctly entered from Time to Time the Names of the several Corporations, the Names and Additions of the several Persons being Shareholders of the Company, and the Number of Shares to which such Shareholders shall be respectively entitled, distinguishing each Share by its Number; and such Book shall be authenticated by the Common Seal of the Company being affixed thereto, and such Authentication shall take place at the First Ordinary Meeting or at some subsequent Meeting of the Company.

Address of Shareholders.

VIII. And be it enacted, That in addition to the said Register of Shareholders, the Company shall provide a proper Book, to be called "The Shareholders Address Book," in which the Secretary shall from Time to Time enter the Places of Abode of the several Shareholders of the Company; and every Shareholder, or if such Shareholder be a Corporation the Clerk or Agent of such Corporation, may at all convenient Times peruse such Books *gratis*, and may require a Copy thereof or of any Part thereof; and for every One hundred Words so required to be copied the Company may demand a Sum not exceeding Sixpence.

Certificates of Shares.

IX. And be it enacted, That on Demand of the Holder of any Share the Company shall cause a Certificate of the Proprietorship of such Share to be delivered to such Shareholder, and such Certificate shall have the Common Seal of the Company affixed thereto, and such Certificate shall specify the Share in the Undertaking to which such Shareholder is entitled, and the same may be according to the Form in the Schedule (A.) to this Act annexed, or to the like Effect; and for such Certificate the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Certificate to be Evidence

X. And be it enacted, That such Certificate shall be admitted in all Courts as *primâ facie* Evidence of the Title of such Shareholder, his Executors, Administrators, Successors, or Assigns, to the Share therein specified; nevertheless, the Want of such Certificate shall not prevent the Holder of any Share from disposing thereof.

Certificate to be renewed when destroyed.

XI. And be it enacted, That if any such Certificate be worn out or damaged, then, upon the same being produced at some Meeting of the Directors, such Directors may order the same to be cancelled, and thereupon another similar Certificate, shall be given to the Party in whom the Property of such Certificate, and of the Share therein mentioned, shall be at the Time vested; or if such Certificate be lost or destroyed, then upon Proof thereof a similar Certificate shall be given to the Party entitled to the Certificate so lost or destroyed; and in either Case a due Entry of the substituted Certificate shall be made by the Secretary in the Register of Shareholders; and for every such Certificate so given or exchanged the Company may demand any Sum not exceeding Two Shillings and Sixpence.

XII. And

Transfers of Shares to be registered.

XII. And be it enacted, That, subject to the Regulations herein contained, every Shareholder may sell and transfer his Shares in this Undertaking, by Deed duly stamped, in which the Consideration shall be truly stated, and such Deed may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect, and the same (when duly executed) shall be delivered to the Secretary, and be kept by him, and the Secretary shall enter a Memorial thereof in a Book, to be called "The Register of Transfers," and shall endorse such Entry on the Deed of Transfer, and for every such Entry and Endorsement the Company may demand any Sum not exceeding Two Shillings and Sixpence; and on the Request of the Purchaser of any Share, an Endorsement of such Transfer shall be made on the Certificate of such Share, instead of a new Certificate being granted, and for such Endorsement the Company may demand any Sum not exceeding One Shilling; and such Endorsement, being signed by the Secretary, shall be considered in every respect the same as a new Certificate; and until such Transfer have been so delivered to the Secretary as aforesaid the Purchaser of the Share shall not be entitled to receive any Share of the Profits of the said Undertaking, or to vote in respect of such Share.

Closing of Transfer Books.

XIII. And be it enacted, That the Directors may close the Register of Transfers for a Period not exceeding Fourteen Days previous to each Ordinary Meeting, and may fix a Day for the closing of the same, of which Seven Days Notice shall be given by Advertisement in some Newspaper as after mentioned; and any Transfer made during the Time when the Transfer Books are so closed shall, as between the Company and the Party claiming under the same, but not otherwise, be considered as made subsequently to such Ordinary Meeting.

Transmission of Shares by other Means than Transfer to be authenticated by a Declaration.

XIV. And with respect to the Registration of Shares the Interest in which may have become transmitted in consequence of the Death or Bankruptcy or Insolvency of any Shareholder, or in consequence of the Marriage of a Female Shareholder, or by any other legal Means than by a Transfer, according to the Provisions of this Act, be it enacted, That no Person claiming by virtue of any such Transmission shall be entitled to receive any Share of the Profits of the said Undertaking, nor to vote in respect of any such Share as the Holder thereof, until such Transmission have been authenticated by a Declaration in Writing as herein-after mentioned, or in such other Manner as the Directors shall require; and every such Declaration shall state the Manner in which and the Party to whom such Share shall have been so transmitted, and shall be made and signed by some credible Person before a Justice, or before a Master or Master Extraordinary in the High Court of Chancery; and such Declaration shall be left with the Secretary, and thereupon he shall enter the Name of the Person entitled under such Transmission in the Register Book of Shareholders of the Company, and for every such Entry the Company may demand any Sum not exceeding Two Shillings and Sixpence.

Proof of Transmission by Marriage, Will, &c.

XV. And be it enacted, That if such Transmission be by virtue of the Marriage of a Female Shareholder, the said Declaration shall contain

contain a Copy of the Register of such Marriage or other Particulars of the Celebration thereof, and shall declare the Identity of the Wife with the Holder of such Share; and if such Transmission have taken place by virtue of any testamentary Instrument, or by Intestacy, the Probate of the Will or Letters of Administration, or an official Extract therefrom, shall, together with such Declaration, be produced to the Secretary; and upon such Production in either of the Cases aforesaid the Secretary shall make an Entry of the Declaration in the said Register of Transfers.

Recording Declaration not to infer Liability of Company.

XVI. And be it enacted, That the recording of such Declaration shall not imply any Liability on the Part of the Company for the Regularity or Validity of the Transfer or Title therein set forth; and all Payments of Dividends or other Acts done by the Company or by any of their Officers, without Notice of the Irregularity or Invalidity of any such Transfer or Title, shall be effectual, so far as the Company or such Officers are concerned, and shall exonerate them from all Claim on the Part of others alleging a preferable Right to such Shares or Dividends.

Notices to Joint Proprietors of Shares.

XVII. And be it enacted, That with respect to any Share to which several Persons may be jointly entitled, all Notices directed to be given to the Shareholders shall be given to such of the said Persons whose Name shall stand first in the Register of Shareholders, and Notice so given shall be sufficient Notice to all the Proprietors of such Share.

Receipts for Money payable to Minors, &c.

XVIII. And be it enacted, That if any Money be payable to any Shareholder, being a Minor, Idiot, or Lunatic, the Receipt of the Guardian of such Minor, or the Receipt of the Committee of such Idiot or Lunatic, shall be a sufficient Discharge to the Company for the same.

Company not bound to regard Trusts.

XIX. And be it enacted, That the Company shall not be bound to see to the Execution of any Trust, whether express, implied, or constructive, to which any of the said Shares may be subject; and the Receipt of the Party in whose Name any such Share shall stand in the Books of the Company shall from Time to Time be a sufficient Discharge to the Company for any Dividend or other Sum of Money payable in respect of such Share, notwithstanding any Trusts to which such Share may then be subject, and whether or not the Company have had Notice of such Trusts; and the Company shall not be bound to see to the Application of the Money paid upon such Receipt.

Members of unincorporated Company to remain liable to Debts and Contracts prior to this Act.

XX. And be it enacted, That the several Persons composing the said Company prior to the passing of this Act shall severally and respectively continue and remain liable to and for all just Demands against and for the due Performance of all Covenants and Agreements entered into by the said Company before the passing of this Act, in such Manner and to such Extent only as they would have been liable had this Act not been passed.

XXI. And

Power to borrow Money.

XXI. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Company, not exceeding in the whole the Sum of One hundred thousand Pounds, at such Rate of Interest, not exceeding Five *per Centum per Annum*, as shall be authorized by the said Meeting, and for securing the Repayment of the Money so borrowed, with Interest, to mortgage the Lands, Works, Rates, and Rents of the Company, or to give Bonds in manner herein-after mentioned.

Reborrowing.

XXII. And be it enacted, That if after having borrowed any Part of the Money so authorized to be borrowed on Mortgage or Bond the Company pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; but such Power of re-borrowing shall not be exercised without the Authority of a General Meeting of the Company, unless the Money be so re-borrowed in order to pay off any existing Mortgage or Bond.

Evidence of Authority for borrowing.

XXIII. And be it enacted, That a Copy of the Order of a General Meeting of the Company authorizing the borrowing of any Money, certified by Three of the Directors and by the Secretary to be a true Copy, shall be sufficient Evidence of the Order for borrowing the Money having been made, and of the Rate of Interest to be paid for the same.

Mortgages and Bonds.

XXIV. And be it enacted, That every Mortgage and Bond for securing Money borrowed by the Company shall be by Deed under the Common Seal of the Company, duly stamped, and wherein the Consideration shall be truly stated, and every such Mortgage Deed or Bond may be according to the Form in the Schedule (C.) or (D.) to this Act annexed, or to the like Effect.

Rights of Mortgagees.

XXV. And be it enacted, That the respective Mortgagees shall be entitled, one with another, to their respective Proportions of the Lands, Works, Rates, and Rents comprised in such Mortgage, according to the respective Sums in such Mortgages mentioned to be advanced by such Mortgagees respectively, and to be repaid the Sums so advanced, with Interest, without any Preference one above another, or above the Bond Creditors of the Company, by reason of Priority of the Date of any such Mortgage or of the Meeting at which the same was authorized, or on any other Account whatsoever.

Rights of Obligees.

XXVI. And be it enacted, That the respective Obligees in such Bonds shall proportionably, according to the Amount of the Monies secured thereby, be entitled to be paid out of the Lands, Works, Rates, Rents, or other Property or Effects of the Company the respective Sums in such Bonds mentioned and thereby intended to be secured, without any Preference one above another, or above the Mortgagees of the Company, by reason of Priority of Date of any such Bond or of the Meeting at which the same was authorized, or otherwise howsoever.

XXVII. And

Register of Mortgages and Bonds.

XXVII. And be it enacted, That a Register of Mortgages and Bonds shall be kept by the Secretary, and within Fourteen Days from the Date of any such Mortgage or Bond an Entry or Memorial, specifying the Number and Date of such Mortgage or Bond, and the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any of the Shareholders, or by any Mortgagee or Bond Creditor of the Undertaking, or by any Person interested in any such Mortgage or Bond, without Fee or Reward.

Transfer of Mortgages and Bonds.

XXVIII. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Bond may transfer his Right and Interest therein to any other Person, by Deed duly stamped, wherein the Consideration shall be truly stated; and every such Transfer may be according to the Form in the Schedule (E.) to this Act annexed, or to the like Effect.

Entry of Transfers of Mortgages and Bonds.

XXIX. And be it enacted, That within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom, it shall be produced to the Secretary, and thereupon the Secretary shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage, and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Bond in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Bond so transferred, or any Money thereby secured; and for such Entry the Company may demand a Sum not exceeding the Amount of Two Shillings and Sixpence.

Payment of Interest on Loans.

XXX. And be it enacted, That the Interest of the Money borrowed upon any such Mortgage or Bond shall be payable and paid half-yearly to the several Parties entitled thereto, and in preference to any Dividends payable to the Shareholders of the Company.

Transfers of Interest to be stamped.

XXXI. And be it enacted, That the Interest in any such Mortgage or Bond shall not be transferrable, except by Deed duly stamped.

Repayment of Money borrowed at a Time fixed.

XXXII. And be it enacted, That the Company may, if they think proper, fix a Period for the Repayment of the Principal Money so borrowed, with the Interest thereof, and in such Case the Company shall cause such Period to be inserted in the Mortgage Deed or Bond, and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall be paid to the Party entitled to such Mortgage or Bond.

Repayment of Money borrowed where no Time fixed.

XXXIII. And be it enacted, That if no Time be fixed in the Mortgage Deed or Bond for the Repayment of the Money so borrowed, the Party entitled to the Mortgage or Bond may, at the Expiration, or at any Time after the Expiration of Twelve Months from the Date of such Mortgage or Bond, demand Payment of the

Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and the Company may at all Times pay off the Money borrowed, or any Part thereof, on giving the like Notice; and such Notice, if given by a Mortgagee or Bond Creditor, shall be by Writing delivered to the Secretary, and if given by the Company, shall be by Writing given either personally to such Mortgagee or Bond Creditor, or if such Mortgagee or Bond Creditor be unknown or cannot be found, such Notice shall be given by Advertisement in the *London Gazette*, and in some Newspaper as after mentioned; and at the Expiration of the said Notice, when given by the Company, Interest shall cease to be payable on the Money secured by such Mortgage or Bond, unless, on Demand of such Money, the Company fail to pay the same, pursuant to such Notice.

For enforcing Payment of Arrears of Interest.

XXXIV. And in order to provide for the Recovery of the Arrears of Interest and Costs, or of the Principal and Interest and Costs, of any such Mortgage or Bond, at the respective Times at which such Interest, or such Principal and Interest, and Costs, become due, be it enacted, That if such Interest, or any Part thereof, shall for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may either sue for the Interest so in arrear by Action of Debt in any of the Superior Courts, or he may require the Appointment of a Receiver, by an Application to be made as herein-afte provided.

Principal and Interest.

XXXV. And with respect to such Principal Money, Interest, and Costs, be it enacted, That if such Principal Money and Interest be not paid within Six Months after the same has become payable, and after Demand thereof in Writing, the Mortgagee or Bond Creditor may sue for the same in any of the Superior Courts of Law or Equity; or if his Debt amount to the Sum of One thousand Pounds, he may alone, or if his Debt does not amount to the Sum of One thousand Pounds, he may in conjunction with other Mortgagees or Bond Creditors whose Debts being so in arrear, after Demand as aforesaid, shall together with his amount to the Sum of One thousand Pounds, require the Appointment of a Receiver, by an Application to be made as herein-after provided.

Appointment of Receiver.

XXXVI. And be it enacted, That every such Application for a Receiver in the Cases aforesaid shall be made to Two or more Justices; and on any such Application so made, and after hearing the Parties, it shall be lawful for such Justices, by Order in Writing, to appoint some Person to receive the Whole or a competent Part of the Rates, Rents, or Sums liable to the Payment of such Interest, or such Principal and Interest, as the Case may be, until such Interest, or until such Principal and Interest, as the Case may be, together with all Costs, including the Charges of receiving the Rates, Rents, or Sums aforesaid, be fully paid; and upon such Appointment being made all such Rates, Rents, and Sums of Money as aforesaid shall be paid to and received by the Person so to be appointed; and the Money so to be received shall be so much

much Money received by or to the Use of the Party to whom such Interest, or such Principal and Interest, as the Case may be, shall be then due, and on whose Behalf such Receiver shall have been appointed; and after such Interest and Costs, or such Principal, Interest, and Costs, have been so received, the Power of such Receiver shall cease.

Mortgagees not to vote.

XXXVII. And be it enacted, That no Party shall, in right of any Mortgage, be deemed a Shareholder, or be capable of acting or voting as such at any Meeting of the Company.

Access to Account Books by Mortgagees.

XXXVIII. And be it enacted, That at all reasonable Times the Books of Account of the Company shall be open to the Inspection of the respective Mortgagees and Bond Creditors thereof, with Liberty to take Extracts therefrom, without Fee or Reward.

Power to convert Loan into Capital.

XXXIX. And be enacted, That it shall be lawful for the Company, if they think fit, to raise the additional Sum so authorized to be borrowed, or any Part thereof, by creating new Shares of the Company, instead of borrowing the same; or having borrowed the same, it shall be lawful for them to continue at Interest only a Part of such additional Sum, if they so think fit, and to raise the Remainder thereof, or any Part of the Remainder thereof, by creating new Shares of the Company; but no such Augmentation of Capital as aforesaid shall take place without the Authority of an Order of a General Meeting of the Company called for the Purpose previously obtained.

Power to make Calls.

XL. And be it enacted, That the said Company may from Time to Time make such Calls upon the Persons who shall subscribe for such new Shares, in respect of the Amount of additional Capital respectively subscribed by them, as the said Company shall think fit, provided that Thirty Days Notice at the least be given of each Call; and every Holder of such new Shares shall be liable to pay the Amount of the Calls so made in respect of the new Shares held by him to the Persons and at the Times and Places from Time to Time appointed by the Company.

Interest on Calls unpaid.

XLI. And be it enacted, That if before or on the Day appointed for Payment any Holder of such new Shares do not pay the Amount of any Call to which he may be liable, then such Shareholder shall be liable to pay Interest for the same, at the Rate of Five Pounds *per Centum per Annum*, from the Day appointed for the Payment thereof to the Time of the actual Payment.

Payment of Subscriptions before Call.

XLII. And be it enacted, That the Company may, if they think fit, receive from any of the Holders of such new Shares willing to advance the same all or any Part of the Monies due upon their respective Shares beyond the Sums actually called for; and upon the Principal Monies so paid in advance, or so much thereof as from Time to Time shall exceed the Amount of the Calls made upon the new Shares in respect of which such Advance shall have been made, the Company may pay Interest at such Rate, not exceeding Five

Pounds *per Centum per Annum*, as the Shareholder paying such Sum in advance and the Company shall agree upon.

Enforcement of Calls by Action.

XLIII. And be it enacted, That if at the Time appointed by the Company for the Payment of any Call the Holder of any new Share fail to pay the Amount of such Call, the Company may sue such Shareholder for the Amount thereof in any Court of Law or Equity having competent Jurisdiction, and may recover the same, with Interest, at the Rate of Five Pounds *per Centum per Annum*, from the Day on which such Call may have been payable.

Declaration in Action for Calls.

XLIV. And be it enacted, That in any Action to be brought by the Company against any Holder of any new Share to recover any Money due for any Call it shall not be necessary to set forth the special Matter, but it shall be sufficient for the Company to declare that the Defendant is a Holder of One Share or more in the Company (stating the Number of Shares), and is indebted to the Company in the Sum of Money to which the Calls in arrear shall amount in respect of One Call or more upon One Share or more (stating the Number and Amount of each of such Calls), whereby an Action hath accrued to the Company by virtue of this Act.

Matter to be proved in Action for Calls.

XLV. And be it enacted, That on the Trial of such Action it shall be sufficient to prove that the Defendant at the Time of making such Call was a Holder of One Share or more in the Company, and that such Call was in fact made, and such Notice thereof given, as is directed by this Act; and it shall not be necessary to prove the Appointment of the Directors who made such Call, nor any other Matter whatsoever, and thereupon the Company shall be entitled to recover what shall be due upon such Call, with Interest thereon, unless it shall appear that due Notice of such Call was not given.

Proof of Proprietorship.

XLVI. And be it enacted, That the Production of the Register Book of Shareholders of the Company shall be *primâ facie* Evidence of such Defendant being a Shareholder, and of the Number and Amount of his Shares.

Forfeiture of Shares for Nonpayment of Calls.

XLVII. And be it enacted, That if the Holder of any new Share fail to pay a Call payable by him in respect thereof, together with the Interest, if any, that shall have accrued thereon, the Directors, at any Time after the Expiration of Two Months from the Day appointed for Payment of such Call, may declare such Share forfeited, and that whether the Company have sued for the Amount of such Call or not.

Notice of Forfeiture to be given before Declaration thereof.

XLVIII. And be it enacted, That before declaring any Share forfeited the Directors shall cause Notice of such Intention to be left at or sent by Post to the usual or last Place of Abode of the Person appearing by the Register Book of Shareholders to be the Proprietor of such Share; and if the Holder of any such Share be abroad, or if the Interest in any such Share shall be known by the Directors to have become transmitted otherwise than by Transfer,

as

as herein-before mentioned, but a Declaration of such Transmission shall not have been registered as aforesaid, and so the Address of the Parties to whom the same may have been transmitted shall not be known to the Directors, the Directors shall give public Notice of such Intention in the *London Gazette*, and also in some Newspaper as after mentioned; and the several Notices aforesaid shall be given Twenty-one Days at least before the Directors shall make such Declaration of Forfeiture.

Forfeiture to be confirmed by a General Meeting.

XLIX. And be it enacted, That such Declaration of Forfeiture shall not take effect so as to authorize the Sale or other Disposition of any Share until such Declaration shall have been confirmed at some General Meeting of the Company, to be held after the Expiration of Two Months at the least from the Day on which such Notice of Intention to make such Declaration of Forfeiture shall have been given; and it shall be lawful for the Company to confirm such Forfeiture at any such Meeting, and by an Order at such Meeting, or at any subsequent General Meeting, to direct the Share so forfeited to be sold or otherwise disposed of; and after such Confirmation the Directors may sell the forfeited Share, either by public Auction or private Contract, and if there be more than One such forfeited Share, then either separately or together, as to them shall seem fit; and any Shareholder may purchase any forfeited Share so sold.

Sale of Forfeited Shares.

Evidence as to Forfeiture of Shares.

L. And be it enacted, That a Declaration in Writing by the Secretary, or by some credible Person not interested in the Matter, made before any Justice, or before any Master or Master Extraordinary in the High Court of Chancery, that the Call in respect of a Share was made, and Notice thereof given, and that Default in Payment of the Call was made, and that the Forfeiture of the Share was declared and confirmed in manner herein-before required, shall be sufficient Evidence of the Facts therein stated; and such Declaration, and the Receipt of the Treasurer of the Company for the Price of such Share, shall constitute a good Title to such Share, and thereupon such Purchaser shall be deemed the Holder of such Share, discharged from all Calls made prior to such Purchase, and a Certificate of Proprietorship shall be delivered to such Purchaser, and he shall not be bound to see to the Application of the Purchase Money, nor shall his Title to such Share be affected by any Irregularity in the Proceedings in reference to any such Sale.

No more Shares to be sold than sufficient for Payment of Calls.

LI. And be it enacted, That the Company shall not sell or transfer more of the Shares of any such Defaulter than will be sufficient, as nearly as can be ascertained at the Time of such Sale, to pay the Arrears then due from such Defaulter on account of any Calls, together with Interest, and the Expences attending such Sale and Declaration of Forfeiture; and if the Money produced by the Sale of any such forfeited Share be more than sufficient to pay all Arrears of Calls, and Interest thereon, due at the Time of such Sale, and the Expences attending the Declaration of Forfeiture and Sale thereof, the Surplus shall, on Demand, be paid to the Defaulter.

LII. And

On Payment of Calls, forfeited Shares to revert.

LII. And be it enacted, That if Payment of such Arrears of Calls, and Interest and Expences, be made before any Share so forfeited and vested in the Company shall have been sold, such Share shall revert to the Party to whom the same belonged before such Forfeiture, in such Manner as if such Calls had been duly paid.

If old Shares at a Premium, new Shares to be offered to original Shareholders.

LIII. And be it enacted, That if at the Time of any such Augmentation of Capital taking place by the Creation of new Shares, the then existing Shares of the Capital Stock of the Company be at a Premium, or of greater actual Value than the nominal Value thereof, then the Sum so to be raised shall be divided into Shares of such Amount as will conveniently allow the said Sum to be apportioned among the then Shareholders in proportion to the existing Shares held by them respectively, and such new Shares shall be offered to the then Shareholders in the Proportion of One for every existing Share held by them respectively, and such Offer shall be made by Letter under the Hand of the Secretary, given to or sent by Post to each Shareholder, or left at his usual or last Place of Abode; and such new Shares shall vest in and belong to the Shareholders who shall accept the same and pay the Value thereof to the Company at the Time and by the Instalments which shall be fixed by the Company; and if any Shareholder fail for One Month after such Offer of new Shares to accept the same, and pay the Instalment called for in respect thereof, it shall be lawful for the Company to dispose of such Shares to any Party willing to become the Purchaser thereof for such Sum as the Company can obtain for the same.

If not at a Premium, to be issued as Company think fit.

LIV. And be it enacted, That if at the Time of such Augmentation of Capital taking place the existing Shares of the Capital Stock of the Company be not at a Premium, then such new Shares may be of such Amount, and may be issued in such Manner, as the Company shall think fit.

Expences of Act.

LV. And be it enacted, That the Costs and Expences incurred in obtaining this Act, and all Expences preparatory or relating thereto, shall be paid by the Directors out of the Funds or Property of the Company, or out of the first Monies which shall be received by them, or by the Treasurer of the Company, under the Authority of this Act.

Application of Money borrowed.

LVI. And be it enacted, That the Money which may be raised by the Company on Loan, or by the Creation of new Shares, shall be applied, firstly, in paying off the Sum of Forty thousand Pounds now due to *John Turner* of *Great Ormond Street* in the County of *Middlesex*, Esquire, with the Interest which may be due thereon; and secondly, in carrying the Purposes of the Company into execution.

Nothing herein to affect the Power vested in Mr. Turner for securing the Money due to him.

LVII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any Estate or Interest, or any Right, Power, Privilege, or Authority, vested in the said *John Turner* for securing the Payment of the said Sum of Forty thousand Pounds and the Interest thereof, but that all such Estate and

Interest, Right, Title, Power, Privilege, or Authority, shall be as good, valid, and effectual, and shall and may be used, exercised, and enjoyed by the said *John Turner*, his Heirs, Executors, Administrators, and Assigns, in the same Manner in all respects as if this Act had not been passed.

Ordinary Meetings to be held half-yearly.

LVIII. And with respect to General Meetings of the Company, be it enacted, That the First General Meeting of the Shareholders of the Company shall be held within Two Months next after the passing of this Act, and the future General Meetings shall be held in the Month of *May* and in the Month of *November* in each Year, and the Meetings so appointed to be held as aforesaid shall be called "Ordinary Meetings;" and all Meetings, whether ordinary or extraordinary, shall be held in some convenient Place in the City and Liberty of *Westminster*.

Business at Ordinary Meetings.

LIX. And be it enacted, That no Matters except such as are appointed by this Act to be done at an Ordinary Meeting shall be transacted at any such Meeting, unless special Notice of such Matters have been given.

Extraordinary Meetings.

LX. And be it enacted, That every Meeting of the Shareholders other than an Ordinary Meeting shall be called an Extraordinary Meeting, and such Meetings may be convened by the Directors at such Times as they may think fit.

Business at Extraordinary Meetings.

LXI. And be it enacted, That no Extraordinary Meeting shall enter upon any Business not set forth in the Requisition or in the Notice upon which it shall have been convened.

Extraordinary Meetings may be convened by Shareholders.

LXII. And be it enacted, That it shall be lawful for Fifteen or more Shareholders, of Twelve Months Standing, holding in the aggregate Three hundred Shares, to the Amount of Fifteen thousand Pounds, by Writing under their Hands, at any Time to require the Directors to call an Extraordinary Meeting of the Company; and such Requisition shall fully express the Object of the Meeting required to be called, and shall be left at the Office of the Company, or given to at least Three Directors, or left at their last or usual Places of Abode; and forthwith upon the Receipt of such Requisition the Directors shall convene a Meeting of the Shareholders; and if for Twenty-one Days after such Notice the Directors fail to call such Meeting, the said Number of Shareholders, qualified as aforesaid, may call such Meeting, by giving Fourteen Days public Notice thereof.

Notice of Meetings.

LXIII. And be it enacted, That Fourteen Days public Notice at the least of all Meetings, whether ordinary or extraordinary, shall be given by Advertisement, which shall specify the Place, the Day, and the Hour of Meeting; and Notice of every Extraordinary Meeting, and of every Ordinary Meeting, if any other Business than the Business hereby appointed for Ordinary Meetings is to be done thereat, shall also be given to every Shareholder qualified to vote, by a Circular Letter left at or sent by the Post to the usual or last

Place of Abode of such Shareholder as entered in the Shareholders Address Book, which Circular Letter shall express the Purpose for which the Meeting is called or the Business intended to be done thereat.

Quorum for a General Meeting.

LXIV. And be it enacted, That in order to constitute a Meeting (whether ordinary or extraordinary) there shall be present Fifteen or more Shareholders holding in the aggregate, either in their own Right or by Proxy, at least Four hundred and fifty Shares to the Amount of Twenty-two thousand five hundred Pounds, and the Shareholders present at any such Meeting shall proceed in the Execution of the Powers of the Company with respect to the Matters for which such Meeting shall have been convened, and to those only; and if within One Hour from the Time appointed for such Meeting the said Number of Shareholders, qualified as aforesaid, be not present, no Business shall be transacted at the Meeting, but the same shall be held to be adjourned *sine Die*.

Chairman at several Meetings.

LXV. And be it enacted, That at every Meeting of the Company one or other of the following Persons shall preside as Chairman; that is to say, the Chairman of the Directors, or in his Absence the Deputy Chairman, or in the Absence of both the Chairman and Deputy Chairman, some one of the Directors of the Company to be chosen for that Purpose by the Meeting, or in the Absence of the Chairman and Deputy Chairman, and of all the Directors, any Shareholder to be chosen for that Purpose at such Meeting.

Adjourned Meetings.

LXVI. And be it enacted, That every Meeting of the Shareholders may be adjourned from Time to Time, and no Business shall be transacted at any adjourned Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place.

Votes of Shareholders.

LXVII. And be it enacted, That at all General Meetings of the Company each Shareholder holding Five Shares and less than Fifteen Shares shall have and be entitled to One Vote in respect of such Shares, and holding Fifteen Shares and less than Thirty shall be entitled to Two Votes, and holding Thirty Shares and less than Fifty shall be entitled to Three Votes, and holding Fifty Shares and upwards shall be entitled to Four Votes.

Manner of voting.

LXVIII. And be it enacted, That such Votes may be given either personally or by Proxies, being Shareholders qualified to vote, authorized by Writing according to the Form in the Schedule (F.) to this Act annexed, or in a Form to the like Effect, under the Hand of the Shareholder nominating such Proxy, or if such Shareholder be a Corporation, then under their Common Seal; and every Proposition at any such Meeting shall be determined by the Majority of Votes of the Parties present, including Proxies, the Chairman of the Meeting being entitled to vote, not only as a Principal or Proxy, but to have a casting Vote if there be an Equality of Votes: Provided nevertheless, that if any Five or more Proprietors who shall be present at the Meeting, and qualified to vote as herein-after mentioned, and who shall be Holders in their own Right of not less than

Two

Two hundred Shares in the aggregate in the Capital of the Company, shall, by Writing under their Hands, demand a Ballot, the same, if demanded at the Meeting by Writing under their Hands, but not otherwise, shall be granted, and the Time for taking the same shall be then fixed by the Chairman of the Meeting, which may be either immediately, or when the Meeting shall break up or adjourn, or on a future Day; and every Ballot which shall be appointed to take place before the Meeting shall break up or adjourn shall be closed when all the Proprietors present, and not refusing or declining to vote, shall have given their Votes; and every Ballot which shall be appointed to take place when the Meeting shall break up or adjourn shall be kept open for Two Hours, and not longer; and every Ballot which shall be appointed to take place on a future Day shall commence at Twelve of the Clock at Noon, and shall be kept open for Three Hours, and not longer.

Regulations as to Proxies.

LXIX. And be it enacted, That no Person shall be entitled to vote as a Proxy unless he shall be himself a Proprietor qualified to vote, nor unless the Instrument appointing such Proxy have been transmitted to the Secretary of the Company Three Days before the holding of the Meeting at which such Proxy is to be used, and that no Person shall at any One Meeting represent as Proxy more than Five Shareholders.

Votes of Joint Shareholders.

LXX. And be it enacted, That if several Persons be jointly entitled to Five or more Shares, the Person whose Name stands first in the Register of Shareholders as One of the Holders of such Shares shall, for the Purpose of voting at any Meeting, be deemed the sole Proprietor thereof, and on all Occasions the Vote of such first-named Shareholder, either in Person or by Proxy, shall be allowed as the Vote in respect of such Shares, without Proof of the Concurrence of the other Holders thereof.

Votes of Lunatics and Minors.

LXXI. And be it enacted, That if any Shareholder be a Lunatic or Idiot, such Lunatic or Idiot may vote by his Committee, and if any Shareholder be a Minor, he may vote by his Guardian or any One of his Guardians, and every such Vote may be given either in Person or by Proxy.

Directors named in the Act.

LXXII. And be it enacted, That the Number of the Directors shall be Eight, and that *Warren Hastings Rowland Jackson*, *John Wheelton*, *John Turner*, *John Holdship*, *James Birch Kelly*, *Charles Walker*, *Richard Barrow*, and *Abraham John Valpy* shall continue and be Directors of the Company.

Election of future Directors.

LXXIII. And be it enacted, That the Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held next after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or may elect a new Body of Directors, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held every Year thereafter the Shareholders present, personally or

or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions herein-after contained, and the several Persons elected at any such Meeting, being neither removed nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead, as herein-after mentioned.

Qualifications of Directors.

LXXIV. And be it enacted, That no Person shall be capable of being a Director unless he shall, at least Ten Days previously to the Day of Election, give Notice in Writing at the Office of the Company of his Intention to become a Candidate, and unless he shall have been a Shareholder for the Space of Six Calendar Months, and possessed of Thirty Shares (in his own Right) at the Time of his Election; and that no Person holding an Office or Place of Trust or Profit under the Company, or interested in any Contract with the Company, or being a Director or Officer of any other Company manufacturing or supplying Gas within the Bills of Mortality, or within Ten Miles thereof, shall be capable of being a Director; and that no Director shall be capable of accepting any other Office or Place of Trust or Profit under the Company, or of being interested in any Contract with the Company, during the Time he shall be a Director.

Failure of Meeting for Election of Directors.

LXXV. And in order to provide for the Accident of a sufficient Number of Shareholders not being present at any Meeting at which Directors are to be elected, be it enacted, That if at any Meeting at which an Election of Directors ought to take place Fifteen Shareholders, holding in the aggregate Shares to the Amount of Twenty-two thousand five hundred Pounds, shall not be present within One Hour from the Hour appointed for the Meeting, no Election of new Directors or Re-election of existing Directors shall be made, nor shall any Business be transacted, but in such Case, at the Expiration of Fourteen Days from the Day of such intended Meeting, another Meeting shall be held at the same Place; and if at any such other Meeting the said Number of Shareholders, so qualified as aforesaid, be not present, personally or by Proxy, within One Hour from the Hour fixed for the Meeting, such Meeting shall stand adjourned to the following Day, at the same Hour and Place; and if at the Meeting so adjourned the said Number of Shareholders, so qualified as aforesaid, be not present within One Hour from the Hour appointed for the Meeting, the existing Directors shall continue to act and retain their Powers until new Directors be appointed at the First Ordinary Meeting of the following Year.

Rotation of Directors first elected.

LXXVI. And be it enacted, That the Directors appointed by this Act and continued in Office as aforesaid, or the Directors elected to supply their Places as aforesaid, shall retire from Office at the Time and in the Proportions following, the Individuals to retire being in each Instance determined by Ballot among the Directors; (that is to say,)

At the End of the First Year after the First Election of Directors, One Fourth of such Directors shall go out of Office:

At the End of the Second Year One Third of the remaining Number of such Directors shall go out of Office:
At the End of the Third Year One Half of the Remainder of such Directors shall go out of Office:

And in each Instance the Places of the retiring Directors shall be supplied by an equal Number of Shareholders qualified as aforesaid.

Permanent Rotation of Directors.

LXXVII. And be it enacted, That at the First Ordinary Meeting in every subsequent Year One Fourth of the Directors, being those who have been longest in Office, shall go out of Office and cease to be Directors, and their Places shall be supplied in like Manner; nevertheless, every Director on retiring from Office may be re-elected immediately or at any future Time, and after such Re-election shall, with reference to the going out by Rotation, be considered as a new Director.

Cases in which Office of Director shall become vacant.

LXXVIII. And be it enacted, That if any of the Directors at any Time subsequently to his Election accept or continue to hold any other Office or Place of Trust or Profit under the Company, or be either directly or indirectly concerned in any Contract with the Company, or participate in any Manner in the Profits of any Work to be done for the Company, or become a Director or Officer of any other Gas Company, or any Company manufacturing or supplying Gas, within the Bills of Mortality or within Ten Miles thereof, or if such Director at any Time cease to be Holder of Thirty Shares (in his own Right) in the Company, then and in any of the Cases aforesaid the Office of such Director shall become vacant, and thenceforth the Person in respect of whom the Office of Director shall so have become vacant shall cease from voting or acting as a Director.

Occasional Vacancies in Office of Directors to be supplied.

LXXIX. And be it enacted, That if any Director of the Company die or resign, or become disqualified or incompetent to act as a Director, or cease to be a Director by any other Cause than that of going out of Office by Rotation as aforesaid, an Extraordinary General Meeting shall be called by the remaining Directors within Three Months after they shall have Notice of the Fact; and the Shareholders present at such Meeting, either personally or by Proxy, shall elect a Person duly qualified to supply the Place of the Director so dying, resigning, or becoming disqualified or incompetent to act as a Director, or ceasing to be a Director as aforesaid; and the Shareholder so elected to fill up any such Vacancy shall continue in Office as a Director so long only as the Person in whose Place he shall have been elected would have been entitled to continue if he had remained in Office.

Powers of the Company to be exercised by the Directors.

LXXX. And with respect to the Exercise of the Powers of the Company, be it enacted, That the Directors shall have the Management and Superintendence of the Affairs of the Company, and they may lawfully exercise all the Powers of the Company, except as to such Matters as are directed by this Act to be transacted by a

General Meeting of the Company; and amongst other Powers to be exercised by the Directors,

They may appoint and displace any of the Officers of the Company, except the Secretary, Treasurer, and Auditors;

They may fix the Salaries of all Officers, except the Salaries of themselves and of the Auditors, and of the Secretary and Treasurer;

They may make and enforce the Calls upon the new Shares of the respective Shareholders;

They may declare the Forfeiture of all new Shares on which such Calls are not duly paid, subject to the Confirmation of a General Meeting as aforesaid;

They may enter into Contracts for the Execution of the Works of the Company, and for all other Matters necessary for the Transaction of its Affairs;

They may purchase the Lands authorized to be purchased by the Company, and sell such Parts of the Land by this Act vested in the Company as may not be required for the Purposes of the Company;

They may fix the Rents and Sums to be taken by the Company; and

They may make Bye Laws for the Regulation of the Affairs of the Company;

but all the Powers so to be exercised shall be exercised in accordance with and subject to the Provisions of this Act in that Behalf; and the Exercise of all such Powers shall be subject also to the Control and Regulation of any General Meeting specially convened for the Purpose, but not so as to render invalid any Act done by the Directors prior to any Resolution passed by such General Meeting.

Powers of the Company not to be exercised by the Directors.

LXXXI. And be it enacted, That the following Powers of the Company; (that is to say,) the Choice and Removal of Directors and Auditors, the Appointment and Removal of the Treasurer and Secretary, the Determination as to the Remuneration of the Directors and of the Auditors, and of the Treasurer and Secretary, the Determination as to the borrowing of Money on Mortgage, the Determination as to the Augmentation of Capital, and the Declaration of Dividends, shall be exercised only at a General Meeting of the Company.

Meetings of Directors.

LXXXII. And be it enacted, That the Directors shall hold Meetings at such Times as they shall appoint for the Purpose, and they may meet and adjourn as they think proper, from Time to Time, and from Place to Place; and at any Time any Two of the Directors may require the Secretary to call a Meeting of the Directors; and in order to constitute a Meeting of Directors there shall be present at the least Three of the Directors; and all Questions, Matters, and Things considered at any such Meeting shall be determined by the Majority of Votes; and no Director, except the Chairman of such Meeting, shall have more than One Vote at any such Meeting, and if there be an equal Division of Votes upon any Subject entertained by such Meeting the Chairman of such Meeting, in addition to his Vote as One of the Directors, shall have a casting Vote as Chairman.

LXXXIII. And

Permanent Chairman of Directors.

LXXXIII. And be it enacted, That at the First Meeting of Directors held after the passing of this Act, and at the First Meeting of the Directors held after each annual Appointment of Directors, the Directors present at such Meeting shall choose one of the Directors to act as Chairman, and another to act as Deputy Chairman of the Directors for the Year following such Choice; and if the Chairman or Deputy Chairman die or resign, or cease to be a Director, or otherwise become disqualified to act, the Directors present at the Meeting next after the Occurrence of such Vacancy shall choose some other of the Directors to fill such Vacancy; and every such Chairman or Deputy Chairman so to be elected as last aforesaid shall continue in Office so long only as the Person in whose Place he may be so elected would have been entitled to continue if such Death, Resignation, Removal, or Disqualification had not happened.

Occasional Chairman of Directors.

LXXXIV. And be it enacted, That if at any Meeting of the Directors neither the Chairman nor the Deputy Chairman shall be present, the Directors present shall choose some one of their Number to be Chairman of such Meeting.

Committee of Directors;

Power of Committee.

LXXXV. And be it enacted, That the Directors may appoint One or more Committees, consisting of such Number of Directors as they may think fit, and may grant to any such Committee Power, on behalf of the Company, to do any Acts relating to the Undertaking or the Affairs of the Company which the Directors shall from Time to Time think proper to intrust to such Committee, except to make Calls for Money upon the Shareholders.

Meetings of Committee.

LXXXVI. And be it enacted, That such Committee may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; and no such Committee shall exercise the Powers intrusted to them, except at a Meeting at which there shall be present Three of its Members; and at all Meetings of the Committees One of the Members present shall be appointed Chairman, and all Questions at any Meeting of the Committee shall be determined by a Majority of the Members present; and in case of an equal Division of Votes the Chairman shall have a casting Vote in addition to his own Vote as a Member of the Committee.

Contracts by Committee or Directors.

LXXXVII. And be it enacted, That the Power which may be granted to any such Committee to make Contracts as well as the Power of the Directors to make Contracts on behalf of the Company, may lawfully be exercised as follows; (that is to say,)

With respect to any Contract which, if made between any private Persons, would be by Law required to be in Writing and under Seal, such Committee, or the Directors, may make such Contract on behalf of the Company in Writing and under the Common Seal of the Company:

With respect to any Contract which, if made between any private Persons, would be by Law required to be in Writing and signed by the Parties to be charged therewith, then such Committee, or the Directors, may make such Contract on behalf of the Company

Company in Writing, signed by such Committee or any Three of them, or any Three of the Directors, and in the same Manner may vary or discharge the same;

With respect to any Contract which, if made between any private Persons, would by Law be valid, although made by Parol only, and not reduced into Writing, such Committee, or the Directors, may make such Contract on behalf of the Company by Parol only, without Writing, and in the same Manner may vary or discharge the same:

And all Contracts made according to the Provisions herein contained shall be effectual in Law, and shall be binding upon the Company and their Successors, and all other Parties thereto, their Heirs, Executors, or Administrators, as the Case may be; and on any Default in the Execution of any such Contract, either by the Company or any other Party thereto, such Actions or Suits may be brought, either by or against the Company, as might be brought had the same Contracts been made between private Persons only.

Contracts for Works.

LXXXVIII. And be it enacted, That all Contracts made with the Company shall specify the Work to be done, the Quality of the Materials to be used, the Prices to be paid, the Term within which the Contract is to be performed, and the Penalties for Non-performance thereof, or such other Things as the Company think proper; and the Company may take such Security for the Performance of such Contract as to them shall seem necessary; nevertheless, the Company lawfully may, from Time to Time as they think fit, compound with any Person on account of any Breach or Non-performance of any such Contract for any Sum of Money which they think fit, or they may remit any Penalties on account thereof.

Payments by the Directors.

LXXXIX. And be it enacted, That all the various Payments to which the Funds or Property of the Company shall from Time to Time be subject or liable shall be made by the Order or Resolution of the Board of Directors, and no Payment shall be valid without such Order or Resolution, save and except such Payments as may be required for the Wages of Workmen and other Labourers, and all other Payments under the Sum of Ten Pounds each; and that the Board of Directors shall cause every Sum ordered to be paid by them which shall exceed Ten Pounds to be paid by a Draft or Drafts on the Bankers of the Company, signed by Three of the Directors, or by an Order upon the Treasurer, to be signed in like Manner.

Proceedings to be entered in a Book, and to be open to Inspection.

XC. And be it enacted, That the Directors shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by the Directors, and of the Orders and Proecedings of all Meetings, as well ordinary as extraordinary, of the Company, and of the Directors and Committee of Directors, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Directors; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received as Evidence in all Courts, and before all

Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Shareholders or Directors, or Members of Committees respectively, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of any of the Shareholders, upon the Production of a written Order signed by Three Directors.

Informalities in Appointment of Directors not to invalidate Proceedings.

XCI. And be it enacted, That all Acts done by any Meeting of the Directors, or of a Committee of Directors, or by any Person acting as a Director, shall, notwithstanding it may be afterwards discovered that there was some Defect or Error in the Appointment of any Person attending such Meeting as a Director, or acting as aforesaid, or that such Person was disqualified, be as valid as if such Person had been duly appointed and was qualified to be a Director.

Indemnity of Directors.

XCII. And be it enacted, That no Director by being Party to, or making, signing, or executing, in his Capacity of Director, any Contract or other Instrument on behalf of the Company, or otherwise lawfully executing any of the Powers given to the Directors, shall be subject to be sued or prosecuted, either collectively or individually, by any Person whomsoever; and the Bodies or Goods or Lands of the Directors or any of them shall not be liable to Execution of any legal Process by reason of any Contract or other Instrument so entered into, signed, or executed by them or any of them, or by reason of any other lawful Act done by them or any of them, in the Execution of any of their Powers as Directors; and the Directors, their Heirs, Executors, and Administrators, shall be indemnified out of the Capital of the Company for all Payments made or Liability incurred in respect of any Acts done by them, and for all Losses, Costs, and Damages which they may incur in the Execution of the Powers granted to them; and the Directors for the Time being of the Company shall apply the existing Funds and Capital of the Company for the Purposes of such Indemnity, and shall, if necessary for that Purpose, make Calls of the Capital remaining unpaid.

Auditors.

XCIII. And be it enacted, That the Number of Auditors shall be Three, and that *George Dyer*, *Emanuel Wait*, and *James Michael Holdship* shall be the first Auditors of the Company, and shall continue in Office until others or another shall be appointed in their or his Stead, in pursuance of this Act.

Notice to be given by Candidates.

XCIV. And be it enacted, That every Person being desirous to become a Candidate for the Office of Auditor shall give such Notice as is required from Candidates for the Directorship.

Qualifications of Auditors.

XCV. And be it enacted, That every Auditor shall have at least Ten Shares in his own Right, and shall have been a Shareholder for the Space of Six Calendar Months, and he shall not hold any Office in the Company, nor be in any other Manner interested in its Concerns, except as a Shareholder; and if such Auditor shall cease to

be the Holder of Ten Shares, and hold any Office in the Company, or be in any other Manner interested in its Concerns, except as aforesaid, the Office of such Auditor shall become vacant.

Rotation as to Auditors.

XCVI. And be it enacted, That one of the Auditors appointed by this Act, or the Auditor elected to supply his Place, agreeably to the Provisions herein contained, to be determined by Ballot by the Auditors, shall retire from Office at the first Ordinary Meeting to be held in the Month of *May* in the Year One thousand eight hundred and forty-three, and one other of such Auditors at the first Ordinary Meeting to be held in the Month of *May* in the Year One thousand eight hundred and forty-four, and the remaining one of such Auditors at the first Ordinary Meeting to be held in the Month of *May* in the Year One thousand eight hundred and forty-five; and at the first Ordinary Meeting in every subsequent Year, one of the Auditors. being the one who has been longest in Office, shall go out of Office, but the Auditor so going out shall be immediately re-eligible, and after any such Re-election shall, with respect to going out of Office by Rotation, be deemed a new Auditor.

Election of future Auditors.

XCVII. And with respect to the Election of future Auditors, be it enacted, That at the first Ordinary Meeting to be held in the Month of *May* in the Year of our Lord One thousand eight hundred and forty-three, and at the Ordinary Meeting to be held in the Month of *May* in every Year thereafter, the Shareholders present, personally or by Proxy, shall elect a Person to supply the Place of the Auditor then retiring from Office, agreeably to the Provisions herein-before contained; and the Person elected at any such Meeting, being neither removed or disqualified, nor having resigned, shall continue to be an Auditor until another is elected in his Stead as herein-before mentioned.

Vacancies in Office of Auditor.

XCVIII. And be it enacted, That if any Vacancy take place among the Auditors in the course of the current Year, then at any General Meeting of the Company the Vacancy may, if the Company think fit, be supplied by Election of the Shareholders.

Failure of Meeting to elect Auditor.

XCIX. And be it enacted, That the Provisions of this Act respecting the Failure of an Ordinary Meeting at which Directors are to be chosen shall apply to any Ordinary Meeting at which an Auditor is to be appointed.

Duty of Auditors.

C. And be it enacted, That it shall be the Duty of such Auditors to receive from the Directors the half-yearly or other periodical Accounts and Balance Sheet required to be presented to the Shareholders, and to examine the same.

Powers of Auditors.

CI. And be it enacted, That for the above Purposes such Auditors may employ such Accountants and other Persons as they may think proper, at the Expence of the Company, and they shall either make a special Report on the said Accounts, or simply confirm the same; and

and such Report or Confirmation shall be read, together with the Report of the Directors, at the Ordinary Meeting.

Delivery of Balance Sheet, &c., by Directors to Auditors.

CII. And be it enacted, That the Directors shall deliver to such Auditors the half-yearly or other periodical Accounts and Balance Sheet Fourteen Days at least before the ensuing Ordinary Meeting at which the same are required to be produced to the Shareholders, as herein-after provided.

Remuneration of Directors and Auditors.

CIII. And be it enacted, That the Remuneration of the Directors and Auditors shall from Time to Time be fixed by a General Meeting of the Company.

Company to appoint a Secretary and Treasurer.

CIV. And be it enacted, That at the first General Meeting after the passing of this Act the Company shall elect a Secretary and a Treasurer, and and any subsequent General Meeting may remove from Office any such Secretary or Treasurer; and if such Secretary or Treasurer die, or resign, or be so removed, another Secretary or Treasurer shall be elected in his Place at a General Meeting; and from Time to Time any such Meeting may fix the Salary or other Emoluments to be allowed to such Secretary or Treasurer respectively, as they think proper.

Suspension of Secretary or Treasurer.

CV. And be it enacted, That the Directors may at any Time suspend either the Treasurer or the Secretary from his Office, and may appoint some Person temporarily to fill the Office of the Treasurer or Secretary so suspended, or when vacant from any other Cause, with such Salary as they think fit; but in any such Case they shall forthwith call an Extraordinary Meeting of the Company for the Purpose of taking into consideration the Propriety of removing from his Office any Treasurer or Secretary so suspended, and of electing a new Treasurer or Secretary, as the Case may require.

Separation of Offices of Secretary and Treasurer.

CVI. And be it enacted, That neither the Person who shall hold the Office of Secretary, nor the Partner of such Secretary, nor any Person in the Service or Employ of such Secretary or of his Partner, shall be eligible to be the Treasurer; and that neither the Person who shall hold the Office of Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Secretary; and if any Person offend in any of the following Cases he shall for every such Offence forfeit One hundred Pounds; (that is to say,)

If any Person accept both the Offices of Secretary and Treasurer:

If any Person, being the Partner of such Secretary, or in the Service or Employ of such Secretary or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Secretary, or act as Deputy of the Secretary, or in any Manner officiate for the Secretary:

If

If any such Treasurer or Secretary hold any Place of Profit or Trust under the Company, other than that of Treasurer or Secretary, as the Case may be:

And any Person may sue for such Penalties, by Action of Debt or on the Case, in any of the Superior Courts, and shall on Recovery thereof be entitled to full Costs of Suit.

Security to be taken.

CVII. And be it enacted, That before any Person intrusted with the Custody or Control of Monies, whether Treasurer, Collector, or other Officer of the Company, shall enter upon his Office, the Directors shall take sufficient Security from him for the faithful Execution of his Office.

Officers to account, on Demand.

CVIII. And be it enacted, That every Officer or Person employed by the Company shall from Time to Time, when required by the Directors, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Company, and such Account shall state how and to whom and for what Purpose such Monies shall have been disposed of, and together with such Account such Officer shall deliver the Vouchers and Receipts for such Payments, and every such Officer shall pay to the Directors, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Summary Remedies against Parties failing to account.

CIX. And be it enacted, That if any such Officer fail to render such Account, or to produce and deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Three Days after being thereunto required he fail to deliver up to the Directors, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act or belonging to the Company, then, on Complaint thereof being made to a Justice, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before him, and upon such Officer being so brought before him, or if such Officer cannot be found, then in his Absence, such Justice may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Company are in the Hands of such Officer, or owing by him to the Company, such Justice may order such Officer to pay the same, and if he fail to pay the Amount it shall be lawful for such Justice to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months; and in any of the following Cases, (that is to say,)

If any such Officer do not appear before the Justices at the Time and Place appointed for that Purpose; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Justice the several Vouchers and Receipts relating to such Account; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Company,

such Justice may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

Sureties not to be discharged.

CX. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Company of any Remedy which they might otherwise have against any Surety of such Officer.

Accounts to be kept.

CXI. And be it enacted, That full and true Accountss hall be kept of all Sums of Money received or expended on account of the Company by the Directors, and all Persons employed by or under them, and of the Articles, Matters, and Things for which such Sums of Money shall have been received or disbursed and paid.

Books to be balanced.

CXII. And be it enacted, That the Books of the Company shall be brought to a Balance Fourteen Days at least before each Ordinary Meeting, and forthwith, on the Books being so balanced, an exact Balance Sheet shall be made up, which shall exhibit a true Statement of the Capital Stock, Credits, and Property of every Description belonging to the Company, and the Debts due by the Company at the Date of making such Balance Sheet, and a distinct View of the Profit or Loss which shall have arisen on the Transactions of the Company in the course of the preceding Half Year; and previously to each Ordinary Meeting such Balance Sheet shall be examined and docketed by the Directors, or any Three of their Number, and shall be signed by the Chairman or Deputy Chairman of the Directors.

Inspection of Accounts by Shareholders at stated Times.

CXIII. And be it enacted, That the Books so balanced, together with such Balance Sheet as aforesaid, shall, for Fourteen Days previous to each Ordinary Meeting, and for One Month thereafter, be open for the Inspection of the Shareholders at the principal Office or Place of Business of the Company; but the Shareholders shall not be entitled at any Time, except during the aforesaid Period before and after each Ordinary Meeting, to demand the Use or Inspection of such Books, unless in virtue of a written Order signed by Three of the Directors.

Balance Sheet to be produced.

CXIV. And be it enacted, That at such Ordinary Meeting the Directors shall produce to the Shareholders assembled such Balance Sheet as aforesaid, applicable to the Period immediately preceding such Meeting.

CXV. And

Book-keeper to allow Inspection.

CXV. And be it enacted, That a Book-keeper shall be appointed by the Directors, and such Book-keeper shall enter the Accounts aforesaid in Books to be provided for the Purpose; and every such Book-keeper shall permit any Shareholder, or any Loan Creditor, to inspect such Books at any reasonable Time during One Fortnight before and One Month after every Ordinary Meeting; and if he fail to permit any such Shareholder or Loan Creditor to inspect such Books, or take Copies or Extracts therefrom, during the Periods aforesaid, he shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Annual Account to be made up and a Copy transmitted to the Clerk of the Peace.

CXVI. And be it enacted, That the Company shall every Year cause an annual Account in abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied by virtue of this Act for the Year ending on the First Day of *March*, or some other convenient Day in each Year, under the several Distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Directors, or some of them, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Middlesex*, on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Company shall omit to prepare or transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Profits of the Company limited to Ten per Cent.

CXVII. And be it enacted, That the Profits of the said Undertaking, divisible amongst the Proprietors of the said Company, shall not exceed Ten Pounds *per Centum per Annum* in any One Year on the Amount of the Capital for the Time being of the said Company; and in order to ascertain the Profits of the said Undertaking the said Company shall cause a true and particular Account to be kept, and annually made up to the First Day of *March* or some other convenient Day in each Year, of all Monies received by them under the Authority of this Act, and of all Costs, Charges, and Expences of and attending the Purchase, Construction, repairing, and maintaining of the said Works, and the carrying on the said Undertaking; and if the clear Profits of the said Undertaking, after Payment of all such Costs, Charges, and Expences, shall in any Year amount to a larger Sum than shall be sufficient to make Distribution amongst the Proprietors of the said Company of Ten Pounds *per Centum per Annum* on the Amount of the Capital for the Time being of the said Undertaking, the Excess beyond the Sum which may be necessary for the Purposes aforesaid shall from Time to Time be invested in Government or other Securities, and the Dividends and Interest arising from such Securities shall also be invested in the same or like Securities, in order that the same may accumulate at Compound Interest, until the Fund so formed shall amount to the Sum of Twenty thousand Pounds, which Sum shall form a contingent or reserved Fund to answer any Deficiency which may at any Time happen in the Amount of divisible Profits of the said Company, or

Establishment of a Contingent Fund.

to

to meet any extraordinary Claim or Demand which may at any Time arise against the said Company.

When the Fund shall amount to 20,000*l.*

CXVIII. And be it enacted, That when such Fund shall by Accumulation or otherwise amount to the Sum of Twenty thousand Pounds, the Interest and Dividends thereon shall no longer be invested, but shall be applied to any of the general Purposes of the said Undertaking to which the Profits of the said Company are applicable; and an Abstract of such Account, together with an Account of the said contingent Fund, shall be annually laid before the Justices assembled at the Quarter Sessions of the Peace for the County of *Middlesex* next after the Time of making up such Account, and be filed with the Clerk of the Peace of the said County; and the said Company shall also, if required by the Justices, or by the Accountant or other Person to be appointed as herein-after mentioned, produce their Books of Account, and other Books, Bills, Receipts, Vouchers, and Papers relating to the said Undertaking.

Abstract of Account of Receipt and Expenditure to be verified if required.

Justices may nominate an Accountant to examine and report the State of the Concerns of the Company.

CXIX. And be it enacted, That such Justices shall nominate and appoint some Accountant or other competent Person, not being a Proprietor in any Gas Company, at the Expence of the said Company (the Amount of such Expence to be ascertained and decided by such Justices), to examine and ascertain the actual State and Condition of the Concerns of the said Company, and to make Report thereof to the said Justices, and the said Justices may examine any Witnesses upon Oath touching the Truth of the said Accounts and the Matters therein referred to; and if it shall thereupon appear to such Justices that the Profits of the said Company for the preceding Year shall have exceeded Ten Pounds *per Centum per Annum* on the Amount paid in respect of every Share in the said Undertaking, the said Company shall make such a rateable Reduction in the Rents and Prices of Gas to be furnished by the said Company for the then current Year as the said Company may deem prudent, or as in the Judgment of the said Justices shall be proper, but so as such Rents or Prices when reduced shall ensure to the said Company a Profit as near as may be to the Amount of Ten Pounds *per Centum per Annum* upon the Amount of the Capital for the Time being of the said Company for the then current Year.

Rates to be reduced, if Profits more than Ten per Cent.

Penalty for omitting to supply Account of Receipt and Expenditure.

CXX. And be it enacted, That if the Company shall refuse or wilfully neglect to lay before the said Justices the said Abstracts of Accounts, or to produce to the said Justices or to the said Accountant or other Person as aforesaid, the Books of Account, and other Books, Bills, Receipts, Vouchers, and Papers herein-before mentioned, for the Space of Fourteen Days after being required so to do by the said Justices or by such Accountant or other Person as aforesaid, the said Company shall forfeit and pay the Sum of Fifty Pounds for every such Refusal or wilful Neglect, and the further Sum of Ten Pounds for every Day such Refusal or wilful Neglect shall continue after the Expiration of the said Fourteen Days, such respective Penalties to be recovered by any Person who may sue for the same, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Superior Courts; and it shall be lawful for

any Consumer of Gas supplied by the said Company to inspect and peruse the Accounts so filed, on Payment to the Clerk of the Peace of the Sum of One Shilling for every such Inspection, and to take or make Copies thereof, paying for every such Copy the Sum of Sixpence for every One hundred Words.

Company may resort to contingent Fund, in case divisible Profits are less than Ten per Cent.

CXXI. And be it enacted, That if in any Year after the passing of this Act the Profits of the said Undertaking divisible amongst the Proprietors thereof shall not amount to the Sum of Ten Pounds *per Centum per Annum* on the Amount of the Capital for the Time being of the said Company, such a Sum may be taken from the contingent Fund as with the actual divisible Profits of such Year will enable the Company to make a Dividend of Ten Pounds *per Centum per Annum* on the Amount of the Capital for the Time being of the said Company, and so from Time to Time as often as the divisible Profits of the said Company shall fall short of Ten Pounds *per Centum per Annum* on the Amount of the Capital for the Time being of the said Company.

Dividend not to reduce Capital.

CXXII. And be it enacted, That the Company shall not make any Dividend whereby their Capital Stock will be in any degree reduced.

Dividend not to be paid unless all Calls are paid.

CXXIII. And be it enacted, That no Dividend shall be paid in respect of any new Share until all Calls then due in respect of that or of any other new Share held by the Person to whom such Dividend may be payable shall have been paid.

Power to make Bye Laws for the Officers of the Company.

CXXIV. And with respect to the Power of the Company to make Bye Laws, be it enacted, That it shall be lawful for the Company from Time to Time to make such Bye Laws as they shall think fit, for the Purpose of regulating the Conduct of the Officers and Servants of the Company, and for providing for the due Management of the Affairs of the Company, in all respects whatsoever, and from Time to Time to alter or repeal any such Bye Laws, and make others, provided such Bye Laws be not repugnant to the Laws of this Part of the United Kingdom where the same are to have Effect, or to the Provisions of this Act; and such Bye Laws shall be reduced into Writing, and shall have affixed thereto the Common Seal of the Company; and a Copy of such Bye Laws shall be given to every Officer and Servant of the Company.

Fines for Breach of Bye Laws.

CXXV. And be it enacted, That the Company may impose such reasonable Fines and Forfeitures upon all Persons, being Officers or Servants of the Company, offending against such Bye Laws, as the Company may think fit, not exceeding Five Pounds for any One Offence, and such Fines and Forfeitures may be recovered in the Manner herein-after provided.

Evidence of Bye Laws.

CXXVI. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the Company, having the Common Seal of the Company affixed thereto, shall be sufficient Evidence of such Bye Laws in all Cases of Prosecution under the same.

Services of Notices upon Company.

CXXVII. And with respect to the Service of Notices upon the Company, be it enacted, That any Summons, Notice, or Writ, or other Proceeding, at Law or in Equity, requiring to be served upon the Company, may be served by the same being given personally to the Secretary of the Company, or being left at the Office of the Company, or being delivered to some Inmate at the Place of Abode of such Secretary, or in case there be no Secretary, or the Place of Abode of the Secretary shall not be found, then by being given to any One Director of the Company, or by being delivered to some Inmate of the Place of Abode of any such Director.

Service by Company on Shareholders.

CXXVIII. And with respect to any such Notice required to be served by the Company upon the Shareholders, be it enacted, That it shall be sufficient to transmit the same by Post, directed according to the registered Address or other known Address of the Shareholder, within such Period as to admit of its being delivered in the due Course of Delivery, within the Period (if any) prescribed for the giving of such Notice; and in proving such Service it shall be sufficient to prove that such Notice was properly directed, and that it was so put into the Post Office.

Notices by Advertisement.

CXXIX. And be it enacted, That all Notices required by this Act to be given by Advertisement in a Newspaper shall be advertised in Three or more *London* daily Newspapers.

Authentication of Notices.

CXXX. And be it enacted, That every Summons, Demand, or Notice, or other such Document requiring Authentication by the Company, may be signed by One Director, or by the Treasurer or the Secretary of the Company, and need not be under the Common Seal of the Company, and the same may be in Writing or in Print, or partly in Writing and partly in print.

Release to Witnesses.

CXXXI. And be it enacted, That in all legal Proceedings under this Act, general or other Releases, for the Purpose of qualifying any Person in the Service of the Company to give Evidence as a Witness, may be granted by any Two or more of the Directors; and every such Release or Discharge under the Hands and Seals of Two of the Directors shall be as effectual for the Purpose aforesaid as if made under the Common Seal of the Company.

Proof of Debts in Bankruptcy.

CXXXII. And be it enacted, That if any Person against whom the Company shall have any Claim or Demand become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Secretary or Treasurer of the Company, in all Proceedings against the Estate of such Bankrupt or Insolvent, or under any Fiat, Sequestration, or Act of Insolvency against such Bankrupt or Insolvent, to represent the Company, and act in their Behalf in all respects as if such Claim or Demand had been the Claim or Demand of such Secretary or Treasurer, and not of the Company.

Tender of Amends.

CXXXIII. And with respect to Actions brought in respect of any Proceedings under the Provisions of this Act, be it enacted, That if

before Action brought any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make Tender of sufficient Amends to the Party injured, such Party shall not recover in any Action brought, on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Defendant, by Leave of the Court where such Action shall be pending, at any Time before Issue joined to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Company authorized to complete Contract for Purchase of Land on which present Works erected.

CXXXIV. And whereas the Land or Ground upon which the Buildings and Works belonging to the Equitable Gas Light Company have been erected is held under a Contract for the Purchase thereof: And whereas it is expedient that the Company should be authorized to complete such Contract; be it therefore enacted, That the Company may complete the Contract for the Purchase of the said Land or Ground, and to accept and take a Conveyance thereof.

Vesting the present Gas Works and other Property in the Company.

CXXXV. And be it enacted, That all and every the Erections, Buildings, and Lands heretofore purchased or contracted to be purchased by or conveyed to the Equitable Gas Light Company, or to any Trustee or Trustees on their Behalf, for the Purpose of the said Undertaking, and all and every the Works, Mains, Pipes, Plugs, Pedestals, Pillars, Posts, Lamp Brackets, Lamps, Burners, Apparatus, Matters, and Things which have been by them purchased or provided, laid down, erected, or placed in any Street within the Limits of this Act, or which at the Time of the passing of this Act shall be the Property of or belonging to the said Company, and all other Property whatsoever belonging to the said Company, or to any Trustee or Trustees on their Behalf, for the Purposes aforesaid, shall be and the same and each and every of them are (subject to all existing Charges and Liabilities thereon) hereby vested in the Company incorporated by virtue of this Act.

Indemnity to Trustees of the Company.

CXXXVI. And be it enacted, That every Trustee or other Person or Persons in whom or in whose Name any Building, Lands, or Property belonging to the Equitable Gas Light Company shall be vested at the Time of the passing of this Act, and who shall have entered into any Bond, Covenant, Contract, or Engagement in respect of or with reference to such Buildings, Land, or Property, shall be indemnified and saved harmless out of the Funds or Property of the Company from all Liability, and against all Loss, Costs, Charges, and Expences which he or they may sustain, incur, or be put unto by reason or in consequence of his or their having entered into any such Bond, Covenant, Contract, or Engagement.

Power to purchase Lands.

CXXXVII. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Company to agree with the Owners of any Lands which they may think requisite or proper for the Purposes of the said Undertaking, for the absolute Purchase, for a Consideration

Consideration in Money, of any such Lands, or such Parts thereof as they shall think proper, not exceeding in the whole Six Statute Acres, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all other Estates or Interests in such Lands, of what Kind soever: Provided always, that no such Purchase of Land shall be made in the respective Parishes of *Saint Mary Paddington*, *Saint Marylebone*, or *Saint Pancras*, without a Resolution of the Vestry of such Parish consenting to such Purpose being first had and obtained.

Parties under Disability enabled to sell and convey.

CXXXVIII. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such Lands, or any such Estate or Interest therein, as hereinafter mentioned, to sell and dispose of, and convey, assign, or release the same to the Company, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in Trust for charitable or other Purposes, Executors and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated or unborn, or not to be found, and as to such Married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators, on behalf of their Cestuisque Trust, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same Extent as such Cestuisque Trust respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

Parties under Disability to exercise other Powers.

CXXXIX. And be it enacted, That every Power required to be exercised by the Lord of any Manor pursuant to the Provisions of this Act, and the Power to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of, or convey, assign, and release Lands to the Company.

Consideration to be a gross Sum.

CXL. And be it enacted, That, except as herein-after mentioned, the Consideration to be paid for the Purchase of any such Lands shall be in a gross Sum.

Acceptance of Compensation for

CXLI. And be it enacted, That the Owners of any such Lands, or of any such Estate or Interest therein as aforesaid, and all Parties by

by this Act enabled to convey any such Lands, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept Satisfaction for the Value of such Lands, or any Interest therein to which such Party shall be entitled.

Price of or Damage of Lands.

CXLII. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey except under the Provisions in this Act contained, be it enacted, That such Consideration Money shall not be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Company, and the other by the other Party, and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

CXLIII. And be it enacted, That all Conveyances of Lands so to be purchased as aforesaid may be according to the Form in the Schedule (H.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Company, and shall operate to merge all Terms of Years attended by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and in the Lands comprised in such Conveyances, as shall have been purchased by the Consideration therein mentioned; but although Terms of Years be thereby merged, they shall in Equity afford the same Protection as if they had been kept on foot, and assigned to a Trustee for the Company, to attend the Reversion and Inheritance.

Form of Conveyance.

CXLIV. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life or for any other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor or Administrator, or Person under any Disability, shall be entitled to, and shall under the Powers of this Act be enabled to convey or dispose of the same, shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* "The Equitable Gas Light Company," pursuant to the Method prescribed by an Act of the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Indorsements thereon,*

Purchase Money payable to Parties under Disability, amounting to Two hundred Pounds, to be deposited in Bank of England.

12 G. 1. c. 32.

thereon, as likewise Indorsements on South Sea Bonds, and pursuant to the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His
12 G. 2. c. 24. Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest thereupon for answering the Charges of the Office of the Accountant General of the said Court;* and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

Application of Monies deposited.

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of other Lands, to be conveyed, limited, and settled upon to the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or,

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Chancery shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

Order for Application.

CXLV. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the Court of Chancery, made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold, or converted into Money, for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition.

Sums from Twenty Pounds to Two hundred Pounds to be deposited or invested in Trustees.

CXLVI. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under

under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made unless the Company approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under their Common Seal; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein before directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding Twenty Pounds to be paid to Parties.

CXLVII. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit; or in case of the Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Court of Chancery may direct Investment on Payment of Money in respect of Leases for Lives, Years, &c. or Reversions as they may think just.

CXLVIII. Provided always, and be it enacted, That where any Purchase Money or Compensation so paid into the Court of Chancery under the Provisions of this Act shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or of any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Chancery, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid, in such Manner as the said Court may consider will give to the Parties interested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Party in possession deemed to be the Owner.

CXLIX. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid as aforesaid, the Parties respectively in possession or receipt of the Rents of such Lands at the Time of such Lands being purchased shall be deemed to have been lawfully entitled to such Lands until the contrary be shown to the Satisfaction of the Court, and unless the contrary be shown as aforesaid the Parties so in possession, and all Parties claiming under them, or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Costs in Cases of Money deposited.

CL. And with respect to Costs in Cases of Monies deposited in the Bank of *England*, be it enacted, That the Court of Chancery may in all such Cases order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto,

thereto, to be paid by the Company; (that is to say,) the Costs of the Purchase of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and of the Reinvestment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

Authority to Company to sell and re-purchase such Lands.

CLI. And be it enacted, That it shall be lawful for the Company to sell the Lands which they at any Time shall have acquired, or any Part thereof, in such Manner, and for such Considerations, and to such Persons, as the Company may think fit, and again to purchase other Lands for the Purposes of this Act, and afterwards sell the same, and so from Time to Time; but the total Quantity of Land to be held at any One Time by the Company for the Purposes aforesaid shall not exceed Ten Acres.

Restraint on Purchase from incapacitated Persons.

CLII. And be it enacted, That the Company shall not purchase more than Six Acres from any Party under legal Disability, or who would not be able to sell and convey such Lands except under the Powers of this Act; and if the Company purchase the said Quantity of Land from any Party under such legal Disability, and afterwards sell the Whole or any Part of the Land so purchased, it shall not be lawful for any Party being under legal Disability to sell to the Company any other Lands in lieu of the Land so sold or disposed of by the Company.

Providing for Deficiencies in Land Tax and Poor's Rate.

CLIII. And for the Purpose of providing against Deficiencies in the Assessments for Land Tax or Poor's Rate, be it enacted, That if the Company become possessed by virtue of this Act of any Lands charged with Land Tax, or liable to be assessed to the Poor's Rate, the Company shall from Time to Time, until assessed to such Land Tax and Poor's Rate, be liable to make good the Deficiency in the several Assessments for Land Tax and Poor's Rate arising by reason of such Lands having been taken or used for the Purposes of the Company, and such Deficiency shall be computed according to the Rental at which such Lands, with any Building thereon, were valued or rated at the Time of the passing of this Act, and on Demand of such Deficiency the Treasurer of the Company shall pay all such Deficiencies to the Collector of the said Assessments respectively; nevertheless, if at any Time the Company think fit to redeem such Land Tax, they may do so in accordance with the Powers in that Behalf given by the Acts for the Redemption of the Land Tax.

Company empowered to construct

CLIV. And be it enacted, That it shall be lawful for the Company, subject to the Restrictions herein contained, from Time to Time to

make, construct, lay down, maintain, alter, or discontinue such Pipes, and to construct such Gasometers and other Works as may be necessary for lighting with Gas the said several Parishes and Places within the Limits of this Act, and for supplying the Inhabitants of the said several Parishes and Places with Gas. Gas Works, &c.

CLV. And be it enacted, That the Company may let to Hire any Meter for ascertaining the Quantity of Gas supplied, and any Fittings for consuming Gas, at such Rent or Sum as shall be agreed upon between the Parties, and such Rent or Sum shall be recoverable in the same Manner as other Rents due to the Company, and the said Meter and Fittings shall not be liable to any Landlord's Distress for Rent of the Premises. Authority to lend Meters and Fittings.

CLVI. And be it enacted, That every Branch or Service Pipe which shall be used by the Company for lighting with Gas the said Streets shall be kept fully charged with Gas, and the Stopcock shall be so turned as not to impede any such Branch or Service Pipe being filled with Gas during the Time the same shall be lighted. Service Pipes to be kept fully charged.

CLVII. And be it enacted, That if any Person supplied with Gas by the Company shall neglect to pay any Rate, Rent, or Sum of Money due to them at any of the Times appointed for Payment thereof, it shall be lawful for the Company, or their Lessee, to stop the Supply of Gas to such Person by cutting off the Service Pipe to the Premises of such Person, or by such Means as the Company shall think fit, and to recover the Rate, Rent, or Sum due from such Person, if less than Twenty Pounds, together with the Expence of cutting off such Supply as aforesaid, and Costs of recovering the same, by the same Means as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered; or if the Rate, Rent, or Sum due shall amount to Twenty Pounds or upwards, it shall be lawful for the Company to recover the same, together with the Expences of cutting off such Supply of Gas, as the Case may be, in any of the Superior Courts, by Action of Debt or on the Case. Recovery of Rent.

CLVIII. And be it enacted, That if any Person supplied with Gas by the Company shall suffer any Pipe or Cock or Gas Meter belonging to or used by him to be out of repair, so that the Gas supplied to him by the Company shall be wasted, or the Supply thereof improperly increased, he shall forfeit for every such Offence a Sum not exceeding Five Pounds. Penalty for suffering Meters, &c. to be out of repair.

CLIX. And be it enacted, That it shall be lawful for the Company to epair any such Pipe or Cock or Gas Meter, and the Expences of such Repair shall be payable by the Person so allowing the same to be out of repair, and shall be recovered in manner herein provided for the Recovery of the Gas Rate or Rent. Company may repair and recover the Expences.

CLX. And be it enacted, That it shall be lawful for the Surveyor, or any other Person acting under the Authority of the Company, between the Hours of Ten of the Clock in the Forenoon and Four of Power to Company's Surveyor to enter Houses to inspect.

of the Clock in the Afternoon, upon giving Twelve Hours previous Notice of their Intention, to enter into any House, Building, or Premises supplied with Gas by virtue of this Act, in which a Meter shall not be used, for the Purpose of ascertaining the Quantity of Gas consumed, in order to inspect and examine if there be any Waste or improper Use of such Gas; and if such Surveyor, or other Person acting by the Authority of the Company, shall at any such Time be refused Admittance into such Dwelling House, Building, or Premises for the Purpose aforesaid, or shall be prevented from making such Inspection and Examination as aforesaid, it shall be lawful for the Company to cut off the Gas supplied by the Company from such House, Building, or other Premises.

Penalty for allowing Persons to use the Company's Gas.

CLXI. And be it enacted, That every Person supplied with Gas under the Provisions of this Act who shall supply to any other Person, or wilfully permit any other Person to take any Gas supplied by the Company, from any Pipe conveying Gas belonging to him, shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Penalty on laying Pipes of Communication without Consent of Company.

CLXII. And be it enacted, That any Person who shall lay any Pipe to communicate with any Gas Pipe belonging to the Company, or fit or alter any of the Fittings of any Pipe or Lamp, or alter any Meter belonging to the said Company, without the Consent of the Company first obtained, shall for every such Offence forfeit to the Company any Sum not exceeding Forty Shillings *per* Day for every Day such Offence shall continue.

Penalty for wilfully damaging Pipes.

CLXIII. And be it enacted, That every Person who shall wilfully or maliciously commit or cause to be committed any of the following Offences shall for every such Offence forfeit any Sum not exceeding Five Pounds, and shall make satisfaction to the Company for any Damage occasioned by such Offence; (that is to say,)

Every Person who shall damage any of the Mains, Branches, or Service Pipes of the Company:

Every Person who shall remove, destroy, or injure any Pipe, Post, Plug, Lamp Glass, Burner, Meter, or other Apparatus, Matter, or Thing, Buildings, Works, or Appurtenances, belonging to the Company:

Every Person who shall waste any of the Gas supplied by the Company, or shall alter the Burners, or shall consume such Gas beyond the Time agreed:

Every Person who shall use a greater Number of Jets or Lights of Gas than shall have been agreed for.

Damage for accidentally injuring Pipes, &c.

CLXIV. And be it enacted, That any Person who shall negligently or accidentally break, remove, or injure any Pipe, Lamp, Lamp Post, Lamp Iron, or other Apparatus, Matter, or Thing belonging to the Company, or waste the Gas supplied by the Company, shall, immediately upon Demand by the Company or their Directors, or Persons by them authorized, make satisfaction for the Damage done, or for the Gas so wasted.

CLXV. And

Penalty for corrupting Water within the Limits of the Act.

CLXV. And be it enacted, That if the Company, or any Person supplied by the said Company, shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water within the Limits of this Act, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water whereby the Water therein shall be fouled or corrupted, then the Company or the Person so offending shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for in Superior Courts within Twelve Months.

CLXVI. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any of the Superior Courts, by Action of Debt or on the Case, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby: Provided always, that the said Penalty shall not be recoverable unless the same be sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Daily Penalty during the Continuance of the Offence.

CLXVII. And be it enacted, That in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not), the Company or the Person so offending shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day such Washing, Substance, or Thing shall be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue, after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on the Company or the Person so offending, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during Escape of Gas after Notice.

CLXVIII. And be it enacted, That whenever any Gas shall escape from any Pipe which shall be laid down or set up by the Company, they shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case they shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then they shall for every such Offence forfeit the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Service of such Notice, during which the Gas shall be suffered to escape.

Position of Gas Pipes with reference to Water Pipes.

CLXIX. And be it enacted, That every Pipe belonging to the Company for the Conveyance of Gas within the Limits of this Act shall be laid at the greatest practicable Distance, and if the Width of the Carriageway will admit thereof at the Distance of Four Feet at least, and in no Case nearer than Six Inches, from the nearest Part of any Water Pipe already laid down or hereafter to be laid down

down for the Conveyance of Water within the Limits of this Act, except where it shall be necessary to lay the Gas Pipe across any Water Pipe, in which Case such Gas Pipe shall be laid at the greatest practicable Distance therefrom, but in no Case nearer than Two Inches, and not to cross at a Socket, and shall form therewith a Right Angle; and such Gas Pipe shall, if the same shall be of less Diameter than Three Inches, be Six Feet in Length, and be so laid down that no Joint of such Gas Pipe shall be nearer to any Part of the Water Pipe than Two Feet and a Half; and if such Gas Pipe shall be of the Diameter of Three Inches or more, then the same shall be at least Nine Feet in Length, and shall be so laid down that no Joint of such Gas Pipe shall be nearer to any Part of the Water Pipe than Four Feet.

Manner of laying the Gas Pipes.

CLXX. And be it enacted, That in laying down any such Gas Pipes of the Company no Two of such Gas Pipes shall be joined together previously to their being laid in the Trench, but each Pipe shall be laid as near as may be in its Place in the Trench, and the Jointing with the other Pipes to be added thereto shall be made after the Pipes shall be so laid in the Trench, with proper Materials; and every such Pipe, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, shall be made and kept Air-tight, so that in every respect the Gas shall be prevented from escaping therefrom.

Penalty for laying Gas Pipes contrary to the Act.

CLXXI. And be it enacted, That if any Gas Pipe shall be laid down, formed, or jointed contrary to any of the Provisions herein contained, or if the Gas shall escape from any such Pipe, the Company shall forfeit for every such Offence the Sum of Ten Pounds, and after Conviction for any such Offence shall forfeit the Sum of Five Pounds for every Day such Offence shall continue after the Conviction.

Penalty on Companies if Water contaminated.

CLXXII. And be it enacted, That whenever any Water within the Limits of this Act shall be contaminated by the Gas of the Company, except in the Case of accidental Escape of Gas, the Company shall forfeit for every such Offence the Sum of Twenty Pounds to the Person whose Water shall be so contaminated or affected.

Daily Penalty during the Continuance of the Contamination after Notice.

CLXXIII. And be it enacted, That if the Company shall not, within Twenty-four Hours next after Notice in Writing of any Water being contaminated or affected served on them by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, they shall, over and above the before-mentioned Penalty of Twenty Pounds, forfeit for every such Offence, to the Person whose Water shall be contaminated or affected, the Sum of Ten Pounds for each Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

CLXXIV. And

Power to examine Gas Pipes, to asertain Cause of Contamination.

CLXXIV. And whereas it may become a Question, upon any such Complaint as aforesaid, whether the said Water be contaminated or affected by Gas; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Company, for the Purpose of ascertaining whether the said Water has been contaminated or affected by the Gas of the Company: Provided always, that before proceeding to dig and examine Twelve Hours Notice shall be given to the Company of the Time at which such Digging and Examination are intended to take place.

Expences of Examination to abide the Result.

CLXXV. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by Gas, the Expences of the Digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the Company; but if, upon such Examination, it shall appear that the Water has not been contaminated or affected by Gas, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the Company any Injury which may be occasioned to the Works of the Company by such Examination.

The Amount of the Expences to be ascertained and recovered as other Damages.

CLXXVI. And be it enacted, That the Amount of the Expences of every such Examination and Repair, and of any Injury done to the said Company, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages, for the ascertaining and Recovery of which no special Provision is made by this Act, are hereby directed to be ascertained and recovered.

Company to be liable to Indictment for Nuisance.

CLXXVII. Provided always, and be it enacted, That nothing in this Act contained shall prevent the Company from an Indictment for any Nuisance or any other legal Proceeding to which they may be liable in consequence of the making or supplying such Gas.

Contracts, &c. prior to Act to be binding.

CLXXVIII. And be it enacted, That all Bonds, Covenants, Contracts, and Agreements entered into or made before the passing of this Act, by any of the Members of the Company, relating to the Undertaking, or by any Director, Trustee, or Committee, or any other Person or Persons acting on their Behalf, and now in force, shall be as binding upon the Company hereby incorporated, and be of as full Force and Effect in Law, in all respects, against and upon the Company hereby incorporated, as if the same had been respectively entered into or made by the Company after the passing of this Act; and all Bodies Corporate and all Persons whomsoever who at the Time of the passing of this Act shall be Parties to any such Bonds, Covenants, Contracts, or Agreements as aforesaid, shall be answerable to the Company hereby incorporated for the full Performance of any such Covenant, Contract, or Agreement therein stipulated to be done or performed by such Parties, in like Manner

as if such Bonds, Covenants, Contracts, or Agreements respectively had been made or entered into with the Company in pursuance of this Act; and all Bodies Corporate and all Persons whomsoever who at the Time of the passing of this Act shall stand indebted to the Company, or to any Director, Trustee, or Committee, or any other Person or Persons acting on their Behalf, on account of the said Undertaking, shall be liable for the Payment of such Debts to the Company hereby incorporated; and in case of Nonpayment thereof, or of any Part thereof, the Company are hereby empowered to proceed for the Recovery thereof, and to recover the same, in such and the same Manner, and the Company shall have and possess the same Remedies in respect thereof, as are given to them by this Act in respect of Covenants, Contracts, or Agreements made and entered into with the Company in pursuance of this Act.

Report of Works to be sent to the Secretary of State for the Home Department, if required.

CLXXIX. And be it enacted, That the Directors of the Company shall and they are hereby required, within Two Calendar Months after every General Meeting of the Company, if required by Her Majesty's Secretary of State for the Home Department for the Time being so to do, to transmit to the said Secretary of State a Report in Writing, signed by the Chairman or Deputy Chairman or One of the said Directors, of the State of the Company and of their Works, and the Means possessed by the Company for securing the Continuance of their Operations, and such other Matters relating to the Works and Proceedings of the Company as the said Secretary of State shall from Time to Time require; and in case the said Directors shall not, within the said Period of Two Calendar Months after every such General Meeting as aforesaid, or within the like Period, after being required by Her Majesty's Secretary of State for the Home Department, transmit to the said Secretary of State such Report in Writing, the Company shall forfeit and pay the Sum of Fifty Pounds for every such Offence, to be recovered by Her Majesty's Attorney General by Information in the Court of Exchequer, or by Action of Debt in Her Majesty's Court of Queen's Bench, for the Use of Her Majesty.

Stations and Works to be open at all Times to the Inspection of Persons appointed by the Secretary of State.

CLXXX. And be it enacted, That all the Stations and Works of the Company shall be open at all convenient Times for the Inspection and Examination of such Person or Persons as the Secretary of State for the Home Department for the Time being shall appoint from Time to Time for that Purpose, and the Company shall and they are hereby required to conform to such Regulations and Proceedings in the several Parts of their Works and Operations hereinafter to be erected and executed as the said Secretary of State shall consider necessary and proper, and shall direct to be adopted, for the better and more effectual lighting the several Parishes and Places within the Limits of this Act, where the Mains and Pipes of the Company shall lie, and for more effectually securing a proper and permanent Supply of Gas for lighting the public Lamps therein, and for assisting and advancing the Benefits to be derived from an active and efficient Police, and for such other Purposes as to the said Secretary of State shall seem meet and proper for the Advantage of the Public.

CLXXXI. And

Fitters-up to be approved of by the Company.

CLXXXI. And be it enacted, That no Person shall carry, fit up, and furnish any Pipes, Cocks, Branches, Materials, or Apparatus for the Purpose of supplying Gas from the Mains and Service Pipes of the Company, or shall repair, alter, or renew any Pipe, Cock, Branch, Material, or Apparatus, or any Part thereof, or cause the same to be done, but under the Direction or Superintendence of such Person as shall have been previously approved of by the Company, and shall, upon such Approval, have been appointed by the Company a Fitter-up for the Purposes aforesaid; but in case the Company shall, without any reasonable or proper Cause, refuse or decline to appoint any Person to be a Fitter-up, it shall be lawful for the Person appointed for the Time being by the Secretary of State for the Home Department to superintend the Stations and Works of the Company to signify his Approbation of such Person to be a Fitter-up, and such Person shall thereupon be forthwith appointed by the Company to be a Fitter-up accordingly; and in case any Person not being approved of and appointed as aforesaid, or who having been approved of and appointed shall have his Appointment suspended or revoked, as herein-after mentioned, shall act as a Fitter-up, he shall forfeit the Sum of Twenty Pounds for every Fitting-up, to be recovered as any Penalty for the Recovery of which no special Provision is made by this Act is hereby directed to be recovered, or by Action, with full Costs of Suit, by any Person who shall sue for the same: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Person from employing any such Fitter-up as he shall think proper, provided that the Work be done under the Inspection and Superintendence of some Inspector or Officer of the Company to be appointed for that Purpose.

Regulating the Fittings-up.

CLXXXII. And be it enacted, That the several Tubes which shall be used and employed in each Fitting-up for the Conveyance of Gas shall for each particular Class of Work be of an uniform Quality and Size, which Quality and Size shall be conformable to the Regulations which the Company shall make, and which they are hereby authorized and empowered from Time to Time to make in that Behalf; and in case any bad or improper Materials or inefficient Workmanship shall be used and applied in such Fitting-up, it shall be lawful for the Company to employ any other Person or Persons, not being a Workman or Servant in the Pay or Employ of the Company, to make good the same, and to supply all necessary Materials; and the Expence attending such Employment and such Materials shall be paid by the Fitter-up occasioning the same, which shall and may be recovered as aforesaid by the Company, with full Costs of Suit; and when any such Fitter-up shall fit up, for the Purpose of supplying any Light or Number of Lights, he shall, within Seven Days after completing the same, make a Return in Writing to the Company of the Light or Number of Lights so fitted up by him, and in default thereof shall pay for every such Light for which he shall so fit up the Sum of Five Pounds, to be recovered as aforesaid by the Company, with full Costs of Suit.

CLXXXIII. And

Appointments of Fitters-up may be suspended in certain Cases.

CLXXXIII. And be it enacted, That it shall be lawful for the Company to suspend or revoke the Appointment of any Fitter-up in case he shall use or supply any bad Materials or Workmanship, or shall execute any Work in an unskilful or inefficient Manner, or shall be found to have made a false Return of the Light or Number of Lights fitted up by him in any Instance, but not otherwise.

Provision for Damages not otherwise provided for.

CLXXXIV. And be it enacted, That in all Cases where any Compensation, Damages, or Charges are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in Case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by One or more Justices; and when by this Act any Damages or Charges are directed to be paid, in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in Case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justice or Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment of the Damages or Charges, in any of the Cases aforesaid, on Demand, the same may be levied by Distress, and such Justices shall issue their Warrant accordingly.

For ascertaining Compensation.

CLXXXV. And for the Purpose of ascertaining and determining any such Compensation, Expences, Charges, or Damages, be it enacted, That any Justice of the Peace may summon any Person liable to pay the same to appear before him, at a Time mentioned in such Summons, and at such Time, either on the Appearance or Default of the Party summoned to appear, to inquire into such Compensation, Expences, Charges, or Damages, and to determine the same.

Justices to examine Parties and Witnesses.

CLXXXVI. And be it enacted, That where in this Act any Question of Compensation or Damages is referred to the Determination of any Justice, it shall be lawful for such Justice to examine the Parties to such Question and their Witnesses on Oath, and to administer the Oaths necessary for that Purpose; and the Costs of every such Inquiry shall be in the Discretion of such Justice; and if either Party to any such Question fail to appear at the Time and Place appointed by the Justice for going into any such Question, without reasonable Excuse to the Satisfaction of such Justice (due Notice of such Appointment having been given to such defaulting Party), it shall be lawful for such Justice to proceed *ex parte*.

Distress against the Company.

CLXXXVII. And with respect to any Sum of Money under the Provisions of this Act adjudged by any Justice to be paid by the Company, for which no other Mode of Proceeding is provided by this Act, be it enacted, That if such Money be not paid by the Company to the Party entitled to receive the same within Seven Days after Demand thereof in Writing, stating the Order of the Justice for the Payment of such Money, the Amount may be recovered by Distress, and the Justice by whom such Sum of Money shall have been ordered to be paid, or any other Justice,

on Application, shall issue his Warrant accordingly; and if sufficient Goods or Effects of the Company cannot be found whereon to levy such Sum of Money, the same may be recovered by Distress of the Goods of the Treasurer of the Company; and the Justice aforesaid, or any other Justice, on Application, shall issue his Warrant accordingly; but no such Distress shall issue against the Goods of such Treasurer, unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, shall have been given to such Treasurer, or left at his Residence.

Distress against the Treasurer.

CLXXXVIII. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid, he may retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Company coming into his Custody or Control, or he may sue for the same against the Company by Process of Law.

Reimbursement of Treasurer.

CLXXXIX. And for the Purpose of providing for the due Publication of all Penalties and Forfeitures exigible under this Act, be it enacted, That from Time to Time the Company shall publish the short Particulars of the several Offences for which any such Penalty is imposed by this Act, and of the Amount of every such Penalty, and shall cause such Particulars to be painted on a Board, or printed upon Paper and pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Place of Business of the Company; and such Particulars shall be renewed as often as the same, or any Part thereof, is obliterated or destroyed; and no such Penalty shall be recoverable unless it shall have been published and kept published in the Manner herein-before required.

Publication of Penalties.

CXC. And be it enacted, That if any Person pull down or break or deface any such Board put up or affixed as required by this Act for the Purpose of publishing any Penalty, or shall obliterate any of the Letters or Figures thereon, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, and he shall also defray the Expences attending the Restoration of such Board; and such Expences shall be recoverable as any Penalty by this Act imposed may be recovered.

Defacing Boards used for Publication.

CXCI. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before One or more Justices, and on the Complaint being made to any such Justice he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person, or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or upon the Default to appear, of the Party offending, it shall be lawful for any One

Penalties to be summarily recovered before One Justice or more.

or more Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before him; and upon Proof of the Offence, either by Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any One or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties to be levied by Distress.

CXCII. And be it enacted, That if forthwith, upon any such Adjudication as aforesaid, the Amount of the Penalty or Forfeiture, and of such Costs as aforesaid, be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any Justice shall issue his Warrant of Distress accordingly.

Imprisonment in default of Distress.

CXCIII. And be it enacted, That it shall be lawful for the Justice or Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justice or Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Justice or Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, he or they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justice or Justices shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Application of Penalties.

CXCIV. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act; the Application whereof is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Informer, and the other Half thereof to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish, or if the Place wherein the Offence shall have been committed shall be extra-parochial, then such Justice shall direct such Half to be applied for the Benefit of the Poor of such Extra-parochial Place, or of any adjoining Parish or District, and shall order the same to be paid over to the proper Officer for that Purpose.

Penalties to be sued for within Six Months.

CXCV. And be it enacted, That no Person, except the Company, shall be liable to the Payment of any Penalty or Forfeiture imposed by

by virtue of this Act, for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalty on Witnesses making default.

CXCVI. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness on any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act, or any Matter in which such Justice shall have Jurisdiction by the Provisions of this Act, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Transient Offenders.

CXCVII. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Company, and all Persons called by him to his Assistance, in the Absence of any Police Constable, may seize and detain any Person who shall have committed any Offence against any of the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch to the nearest Police Station House, for the Purpose of his being taken before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Form of Conviction.

CXCVIII. And be it enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (G.) to this Act annexed.

Informalities.

CXCIX. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed, by Certiorari or otherwise, into any of the Superior Courts.

Distress, how to be levied.

CC. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

CCI. And

Distress not unlawful for Want of Form.

CCI. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Parties may appeal to Quarter Sessions, on giving Security.

CCII. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice, under the Provisions of this Act, he may appeal to the general Quarter Sessions for the County in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

Costs.

CCIII. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Saving the Rights of the Commissioners of Sewers within the Limits of the Act.

CCIV. Provided always, and be it further enacted, That nothing in this Act contained shall take away, control, suspend, prejudice, or interfere with any of the Rights, Privileges, Powers, and Authorities vested in or belonging to any Commissioners of Sewers within the Limits of this Act, but that all such Rights, Privileges, Jurisdictions, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

Act not to affect the Powers of Commissioners of Pavements.

CCV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to give to or invest the said Company, or any other Person or Persons whomsoever, with any Right, Power, or Authority which may at all interfere with the Jurisdictions, Rights, Powers, or Provisions heretofore granted by an Act passed in the Fifty-seventh Year of the Reign of His Ma-
57 G.3. c. 29. jesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing*

and preventing Nuisances and Obstructions therein; but all the Rights, Powers, and Authorities vested in the Commissioners for carrying the said Act into execution shall be as good, valid, and effectual as if this Act had not been made.

Saving the Rights of the Commissioners for paving the Crown Estates. 5 G.4. c. 100.

CCVI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to abridge, repeal, alter, amend, or interfere with all or any of the Enactments, Powers, Provisions, and Clauses respectively contained in an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually paving, lighting, watching, cleansing, and regulating the* Regent's Park, *together with the new Streets from the* Regent's Park *to* Pall Mall, *and the new Streets and Improvements in the Neighbourhood of* Parliament Street *and* Privy Gardens; *and for maintaining a convenient Sewage for the same;* or in another Act passed in the Sixth Year of the Reign of His said Majesty, intituled *An Act for extending the Jurisdiction of the Commissioners acting in the Execution of an Act of the Fifth Year of His present Majesty, for paving and regulating the* Regent's Park, *together with the new Street from thence to* Pall Mall; *and for other Purposes relating thereto;* and one other Act passed in the Ninth Year of the Reign of His said Majesty, intituled *An Act to extend the Jurisdiction of the Commissioners acting in the Execution of Two Acts, for paving and regulating the* Regent's Park, *together with the new Street from thence to* Pall Mall; *and to amend the said Acts;* and in one other Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to extend the Jurisdiction of the Commissioners acting in the Execution of Three Acts, for paving and regulating the* Regent's Park, *and several Streets and Places in* Westminster, *to certain other Streets and Places in* Westminster; *and for other Purposes;* or to abridge or interfere with all or any of the Powers or Authorities of the Commissioners acting in execution of the said several Acts. 6 G.4. c.38. 9 G.4. c.64. 2 & 3 W. 4. c. 56.

Saving the Rights of the Commissioners of the Metropolis Roads.

CCVII. And be it enacted, That nothing in this Act contained shall extend to, or be construed to extend to authorize the Company to open or break up any Road or any Part of a Road under the Charge of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, without the previous Licence and Consent of the said Commissioners, any thing herein contained to the contrary notwithstanding.

General Saving.

CCVIII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made; and nothing in this Act contained shall extend or be construed to extend to interfere with, alter, lessen, or in any Manner affect the Rights, Powers, and Authorities heretofore given or granted to or vested in any Commissioners, Trustees, Bodies Politic or Corporate, or other Persons, having the Superintendence, Control, or Management of any Street, or of any Pavement, Ground, or Soil, or of or in any Street, Bridge, or public Place.

Interpretation Clause.

CCIX. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall extend to Corporations, whether Aggregate or Sole:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of other Persons exempted by Law from the Necessity of taking an Oath:

The Word "Secretary" shall include the Word "Clerk":

The Word "Lands" shall extend to Brooks, Streams, Waters, Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Words "Limits of this Act" shall be held to include the several Parishes of *Saint Margaret* and *Saint John the Evangelist*, *Saint James*, *Saint Martin-in-the-Fields*, *Saint George Hanover Square*, *Saint Clement Danes*, *Saint Paul Covent Garden*, *Saint Anne*, *Saint Mary-le-Strand*, and the Close of the Dean and Chapter of *Westminster*, within the City and Liberty of *Westminster* in the County of *Middlesex*, the several Parishes of *Saint Luke Chelsea*, *Saint Mary-le-bone*, *Saint Mary Paddington*, *Saint Pancras*, *Saint Giles-in-the-Fields*, *Saint George's Bloomsbury*, the United Parish of *Saint Andrew Holborn above the Bars* and *Saint George the Martyr*, *Lincoln's Inn*, *Gray's Inn*, the Liberty of the Duchy of *Lancaster* called the *Savoy* Liberty, and the Parish of *Saint John the Baptist* in the *Savoy* otherwise the Precinct of the *Savoy*, all in the County of *Middlesex*:

The Word "Justice" shall mean Justice of the Peace for the County or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter:

The Expression "the Company" shall mean the Company incorporated by this Act: And

The Expressions "the Directors" and "the Secretary" shall mean the Directors and the Secretary respectively of such Company:

The Word "Street" shall include any Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, public Passage or Place, within the Limits of this Act.

Public Act.

CCX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Certificate of Share.

THE EQUITABLE GAS LIGHT COMPANY.

Number

THIS is to certify, That *A.B.* of is the Proprietor of the Share Number of "The Equitable Gas Light Company," subject to the Regulations of the said Company. Given under the Common Seal of the said Company, the Day of in the Year of our Lord .

SCHEDULE (B.)

Form of Transfer of Shares.

I of in consideration of the Sum of paid to me by of do hereby transfer to the said Share [*or* Shares] numbered in the Undertaking called "The Equitable Gas Light Company," to hold unto the the said his Executors, Administrators, and Assigns [*or* Successors and Assigns], subject to the several Conditions on which I held the same at the Time of the Execution hereof; and I the said do hereby agree to take the said Share [*or* Shares] subject to the same Conditions. As witness our Hands and Seals, the Day of .

SCHEDULE (C.)

Form of Mortgage Deed.

THE EQUITABLE GAS LIGHT COMPANY.

Mortgage, Number £

BY virtue of an Act passed, *&c.*, intituled, *&c.*, we, "The Equitable Gas Light Company," in consideration of the Sum of Pounds paid to us by *A.B.* of do assign unto the

the said *A. B.* of his Executors, Administrators, and Assigns, the said Undertaking [and (*in case such Loan shall be in anticipation of the Capital authorized to be raised*) all future Calls on Shareholders], and all the Lands, Works, Rates, and Rents of or belonging to the said Company, under or by virtue of the said Act, and all the Estate, Right, Title, and Interest of the Company in the same, to hold unto the said *A. B.*, his Executors, Administrators, and Assigns, until the said Sum of Pounds, together with Interest for the same at the Rate of for every One hundred Pounds by the Year, be satisfied [the Principal Sum to be repaid at the End of Years from the Date hereof (*in case any Period be agreed upon for that Purpose*)]. Given under our Common Seal, this Day of in the Year of our Lord

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SCHEDULE (D.)

Form of Bond.

THE EQUITABLE GAS LIGHT COMPANY.

Bond, Number £

BY virtue of an Act passed, *&c.*, intituled, *&c.*, we, "The Equitable Gas Light Company," in consideration of the Sum of Pounds to us in hand paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above Obligation is such, that if the said Company shall pay to the said *A. B.*, his Executors, Administrators, or Assigns, on the Day of which will be in the Year One thousand eight hundred and the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly on the Day of and Day of then the above-written Obligation is to become void, otherwise to remain in full Force. Given under our Common Seal, this Day of One thousand eight hundred and

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SCHEDULE (E.)

Form of Transfer of Mortgage or Bond.

I *A. B.* of in consideration of the Sum of paid to me by *G. H.* of do hereby transfer to the said *G. H.*, his Executors, Administrators, and Assigns, a certain Bond [*or*

[*or* Mortgage] Number made by "The Equitable Gas Light Company," to bearing Date the Day of for securing the Sum of Pounds and Interest [*or, if such Transfer be by Indorsement,* the within Security], and all my Right, Estate, and Interest in and to the Money thereby secured [*and if the Transfer be of a Mortgage,* and in and to the Lands, Works, Rates, Rents, Money, and Property thereby assigned]. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and .

SCHEDULE (F.)

Form of Proxy.

A.B. of one of the Proprietors of "The Equitable Gas Light Company," doth hereby appoint *C.D.* of being a Proprietor duly qualified to vote, to be the Proxy of the said *A.B.*, in his Absence to vote in his Name upon any Matter relating to the Undertaking proposed at the Meeting of the Proprietors of the said Company to be held on the Day of next, in such Manner as he the said *C.D.* doth think proper. In witness whereof the said *A.B.* hath hereunto set his Hand [*or, if Corporation, the Common Seal of the Corporation*], the Day of One thousand eight hundred and .

SCHEDULE (G.)

Form of Conviction.

To wit.

BE it remembered, That on the Day of in the Year of our Lord *A.B.* is convicted before me *C.D.*, one of Her Majesty's Justices of the Peace for the County of [*here describe the Offence generally, and the Time and Place when and where committed*], contrary to the Equitable Gas Act, 1842. Given under my Hand and Seal, the Day and Year first above written.

SCHEDULE (H.)

Form of Conveyance.

I of in consideration of the Sum of paid to me [*or, as the Case may be,* into the Bank of England, in the Name and with the Privity of the Accountant General of the Court of Chancery, ex parte "The Equitable Gas Light Company," (*or* to *A.B.* of and *C.D.* of Two Trustees appointed to receive the same)], pursuant to an Act

passed, *&c.*, intituled, *&c.*, by "The Equitable Gas Light Company," incorporated by the said Act, do hereby convey to the said Company, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereunto belonging, and all such Estate, Right, Title, and Interest in and to the same as I am or shall become seised or possessed of, or am by the said Act empowered to convey, to hold the Premises to the said Company, their Successors and Assigns, for ever, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord .

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