



ANNO QUINQUAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. Iv.

An Act for lighting with Gas the City of *Bath*, and the Liberties and Precincts thereof, and that Part of the Parish of *Walcot* which lies without the Liberties of *Bath*, and the Parish of *Bathwick*, in the County of *Somerset*, and for constructing Gasometers and other Works therein, and in the Parish of *Weston*, in the said County.

[8th *May* 1818.]

WHEREAS the City of *Bath*, and the Liberties and Precincts thereof, and that Part of the Parish of *Walcot* which lies without the Liberties of the said City of *Bath*, and the Parish of *Bathwick*, in the County of *Somerset*, are large and populous Places, and it would be of great Advantage to the Citizens and Inhabitants thereof, and to the Public at large, if the Streets and other public Passages and Places were better lighted: And whereas Carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be procured from Coal: And whereas the said Carburetted Hydrogen or Coal Gas, being conveyed by means of Pipes, may be safely and beneficially used for lighting the several Streets, Highways, Squares, Market Places, and other Places within the said City, Liberties, Precincts, Parishes, and Places; and for lighting Shops, and private Houses, and Buildings; and the Coke may be beneficially employed as Fuel in Private Houses and Manufactories; and the said Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential

[*Local.*]

14 B

Oil,

Oil, may be used and applied in various other Ways, with great Advantage: And whereas the several Persons herein-after named are willing and desirous at their own Costs and Charges to effect the several Purposes aforesaid; but such beneficial Purposes cannot be carried fully and completely into Execution without the Aid and Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Pine Coffin, Thomas Mayris, Jabez Mackenzie* Lieutenant Colonel in the Army, *Charles Thomas, James Burkitt* Doctor of Medicine, *Thomas Ballans, Samuel Nichols, Thomas Shew, Robert Vansittart, Baldwin Leighton* Lieutenant General in the Army, *John Bower Brooks, William Henry Douce, John Hill, William Parker* Captain in the Army, *Jonathan Morgan, Lionel Lee, Harry Lancelot Lee, Joseph Wilkins, John Walsh, James Plumer* Lieutenant Colonel in the Army, *John Pendrill, George Sharland, James Bishop, G Wright* Clerk, *O'Brian* Captain in the Army, *James Morrish, William Rundall, A Lawrence, George Wood, Thomas Shewring, W H Murch* Clerk, *Henry Griffith, William Foreman, John Loder, B Nesbit,* *Charles Foreman, Edmund Davies, Charles Fead* Captain in the Army, *Lyon Gompetz, William Bucknall, Walter Prideaux, Richard Cruttwell, Thomas Roe, William Lye* Captain in the Royal Navy, *James Deere, James Garbett, Thomas Hunt, Thomas Edward Roe, William Sutcliffe, William Davis, John Phillpott, William Barrett, Thomas Eyre Hume, John Langdon, J Brooke, Oliver Hayward, William C Empson, A E Smith, Jeremiab Daniell, Henry Miller, Thomas Kirkham, Simon Rawlings, George Peacocke, Robert Sutcliffe, I Dunn* General in the Army, *Edward Hibden, Thomas Lawrence, William Prideaux, William Henry Lawrence, Rigby Collins* Clerk, *James Hammett, William Welch, Thomas Parker Butler, Charles Kigan, William Cooper Keating, James Hewlett, Henry Fraser* Doctor of Medicine, *Charles Hicks* Doctor of Medicine, *Nathaniel Cavenagh, William Browne, Henry Browne, William Henry Eastwick, Marshall Williams, Henry Wansley, Thomas Marsh, David Wilmer, Thomas Calley, William Bourne, Thomas Austin, John Gregory, Samuel I Browne, Benjamin Rotch, Alexander John Goldie* General in the Army, *John Taulman* Major in the Army, *C S Courtney* Colonel in the Army, *Henry Gye, Ward Cadogan, W H Prescod, William Nicholson, Francis Moore* Lieutenant General in the Army, *Henry Deacon, Charles Pooley, John Donmall, Raffray* Captain in the Royal Navy, *Richard Garbett, Richard Cooper, Arthur Lysaght* Captain in the Royal Navy, *Joseph Blades, John Smith Soden* Doctor of Medicine, *Edward Scott* Major General in the Army, *Francis Pender* Vice Admiral of the White, *Benjamin Richardson, Thomas Humphries, Cornelius Gill, Charles Elton Prescott, Joseph Garland, Roger Harris, James Colquhoun, John Wray, John Wray junior, Michael Harley, William Edward junior, John Shave, Richard Brant, Charles Lewis Muller, Edward Long Fox, W R Stokes, Charles Francis, the Right Honourable the Earl of Tyrconnell, the Honourable Charles Godfrey, Baron Wolff, John Whitehead Walton, Richard William Silvester, George Edward Watts* Captain in the Royal Navy, *John Grey, Edward Lee, William Harris, William Fanning, J H Deacon, Thomas Collett, Thomas Macauley, Cruttwell, Thomas Fallows* Captain in the Army, *George Alcock, John Adams, Richard Warner* Clerk, *George*

Company
incorporated.

George Richard Robinson; and all and every such other Person or Persons as from Time to Time shall become a Subscriber or Subscribers, and be duly admitted as herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be one Body Politic and Corporate by the Name of *The Bath Gas Light and Coke Company*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and that the said Company of Proprietors shall be established for the Purpose of producing Carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, from Coal; and shall have full Power from Time to Time to make Contracts, or agree with any Commissioners or Directors or Trustees having the Controul, Direction, or Management of the lighting of the said City, Liberties, Precincts, Parishes, and Places, or any or either of them, or any Part or Parts thereof respectively; or with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, who may be willing and desirous of contracting or agreeing with the said Company of Proprietors, for the lighting of such City, Liberties, Precincts, Parishes, or Places, or of any public Streets, Roads, Squares, or Market Places, or of any Manufactories or Places of public Exhibition, or Shops, or Buildings, or private Houses, or any of them, within the said City, Liberties, Precincts, Parishes, or Places, or any or either of them, and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Products arising from Coal, and for other Purposes relating thereto, under such Conditions, Limitations, and Restrictions as shall be herein-after expressed; provided that no such Contract or Agreement for lighting as aforesaid shall be made for a longer Term than Three Years.

Their Style
and Powers.

II. And be it further enacted, That in order to enable the said Company to construct or make Gasometers and other necessary Works, and to erect any Manufactory or Manufactories or other Buildings for the Purposes of this Act, it shall and may be lawful to and for the said Company, and they are hereby empowered, as soon as conveniently may be after the passing of this Act, to contract and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said City, Liberties, Precincts, Parishes, and Places aforesaid, and within the Parish of *Weston* in the said County, or any or either of them (not exceeding Ten Acres in the whole), with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their *Cestuique* Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised, possessed of, or interested in their own Right, or with any Person or Persons whomsoever, who shall be willing to sell the same, or his, her, or their Right and Interest in the same, for the Uses and Purposes of this Act; and upon Payment of the Purchase Money for any such Lands, Tenements, or Hereditaments to the Parties or Persons respectively

Power to
contract for
the Purchase
of Lands and
Buildings.

respectively entitled thereto, or upon Payment thereof into the Bank of *England*, in Manner by this Act directed (as the Case may be), such Lands, Tenements, and Hereditaments may be taken and used for the Purposes of this Act, and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title, Claim or Reversion to such Lands, Tenements, or Hereditaments, and the same Lands, Tenements, and Hereditaments shall be vested in the *Bath Gas Light and Coke Company*; and it shall and may be lawful to and for the said Company of Proprietors to hold such Lands, Tenements, and Hereditaments, and any Term, Right, and Interest therein so purchased, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and in all Actions, Suits, Prosecutions, Indictments, Informations, or other Proceedings to be brought, commenced, or prosecuted by or against the said Company, it shall be sufficient to state generally that such Lands, Tenements, or Hereditaments is or are the Property of the *Bath Gas Light and Coke Company*, without stating or being obliged to state the Names or Name of the whole or of any or either of the Members of the said Company.

Bodies Politic, &c. empowered to sell.

III. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their *Cestuique* Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Females Covert, who are or shall be seised, possessed of, or interested in their own Right, and all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company of Proprietors to be purchased for the Uses and Purposes of this Act, and to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Company of Proprietors, for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective *Cestuique* Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail General or Special, or for any Term
or

or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

IV. And be it further enacted, That if any Money shall be contracted and agreed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* "The Bath Gas Light and Coke Company," together with the Name or Names of such Person or Persons as any Three or more of the Committee of Management of the said Company shall by Writing signed by them direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Wills, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which shall be purchased, taken, or used for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall by Order of the said High Court of Chancery, upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

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

V. Provided always, and be it further enacted, That if any Money so contracted and agreed to be paid for any Lands, Tenements, or Hereditaments

[Local.]

14 C

ditaments

Directing
Application
of Purchase

Money when
less than 200l.
and exceed-
ing 20l.

Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Two Trustees to be named by the Person or Persons making such Option, and approved by Three or more of the said Committee of Management (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such principal Money and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Directing
Application
of Purchase
Money not
exceeding
20l.

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

In case of
questionable
Title to the
Money, Per-
sons in Pos-
session of the
Lands to be
deemed en-
titled thereto
until the con-
trary shall be
shewn.

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

a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

Expences of Purchases may be allowed by the Court.

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

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

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

‘ I, [or We, as the Case may be] of _____ in considera-
 ‘ tion of the Sum of _____ to me [or us] paid by the Form of Con-
 ‘ Company of Proprietors established under or by virtue of an Act passed conveyance.
 ‘ in the Fifty-eighth Year of the Reign of King *George* the Third,
 ‘ intituled *An Act* [here insert the Title of this Act] do hereby grant and
 ‘ release [or assign, as the Case may be] to the said Company of Proprietors
 ‘ and their Successors all [here describe the Premises to be conveyed] and
 ‘ all my [or our] Right, Title, and Interest in and to the same and every
 ‘ Part thereof, to hold to the said Company of Proprietors and their Suc-
 ‘ cessors for ever, [or, as the Case may be] during all the Remainder of
 ‘ my Term, Estate, and Interest in the said Premises. In Witness
 ‘ whereof I [or we] have hereunto set my Hand and Seal [or our Hands
 ‘ and Seals] this _____ Day of _____ in the
 ‘ Year of our Lord One thousand eight hundred and _____

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual, to all Intents and Purposes whatsoever, as to and against the Person or Persons making the same, and his, her, or their Cestuique Trusts,

Trusts, and all other Persons claiming or to claim by, from, under, or in Trust for him, her, or them respectively, or in Remainder, Reversion, or Expectancy as aforesaid; and the same shall be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Empowering
Company to
resell Lands,
&c. not
wanted.

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

Subscriptions
for Joint
Stock not
to exceed
50,000l.

XII. And be it further enacted, That the Capital or Joint Stock of the said Company, to be applied and used in establishing and carrying on the Undertaking and the Purposes aforesaid, shall not exceed in the whole the Sum of Fifty thousand Pounds Sterling, the whole of which Sum has already been subscribed.

Company
not to borrow
Money.

XIII. Provided also, and be it further enacted, That the said Company shall not borrow or take up by way of Loan any Sum or Sums of Money whatsoever, other than by a Subscription for Shares, in Manner and to the Extent herein-before directed.

Subscribers
to share in
the Stock in
proportion
to their Sub-
scriptions.

XIV. And be it further enacted, That all and every Person or Persons by or for whom any Subscription shall have been made or accepted, or any Payment made pursuant to the Orders of any Meeting or Meetings to be held for that Purpose, by the Committee of Management to be appointed as herein-after mentioned, for or towards the raising of the said Capital Sum of Fifty thousand Pounds as aforesaid, his, her, or their Executors, Administrators, and Assigns respectively, shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Company in proportion to the Monies which he, she, or they shall have so contributed towards making up the same, and to a proportionable Share of the Profits and Advantage attending the Capital Stock of the said Company, and shall be admitted to be a Member or Members of the same.

XV. And

XV. And be it further enacted, That the Lands and Hereditaments, Manufactories, Gasometers, Machinery, Apparatus, and Works of the said Company and their Successors, shall be liable and answerable for the just Debts and Demands of the Creditors of the said Company; and that the several Persons composing the said Company shall respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company, to the full Amount of their several and respective Shares in the Capital of the said Joint Stock; but the several Persons composing the said Company shall not be any further or otherwise liable, either personally or in their several and respective Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, for any Undertakings, Engagements, Contracts, or Agreements entered into by the said Company, or be subject or liable, by reason of his, her, or their being a Member or Members of the said Company, or of any the Acts of the said Company, to the Statutes respecting Bankrupts or any of them.

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

XVI. And be it further enacted, That the said Sum of Fifty thousand Pounds shall be divided into Shares of Twenty Pounds Sterling each; and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Twenty Pounds Sterling; and that all Shares in the said Undertaking, and in the net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

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

XVII. And be it further enacted, That the several Persons who have subscribed for and towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed for, or such Parts or Portions thereof as shall from Time to Time be called for, pursuant to or by virtue of the Powers and Directions of this Act, at such Times and Places as shall be ordered and directed by the Committee of Management to be appointed by virtue of this Act; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Time and in such Manner as shall be ordered and directed by the Committee of Management as aforesaid, it shall be lawful for the said Company to sue for and recover the same.

To compel Payment of Subscriptions.

XVIII. Provided always nevertheless, and be it further enacted, That nothing herein-before contained shall authorize or empower the said Committee of Management to call for, or to compel Payment of more than Eighty Pounds *per Cent.* in respect of every such Share, towards carrying on the Works and other Purposes of the said Company; but that every Member or Proprietor for the Time being of the said Company shall be answerable to the Extent of the remaining Twenty Pounds *per Cent.* for and in respect of every Share he, she, or they may hold or be entitled to as aforesaid, for the Purpose of making good, defraying, or paying any Damage and Costs which may be awarded against the said Company; and that the said Committee of Management shall have the same Powers, and are hereby required to call for such remaining Twenty Pounds *per Cent.* and to use the same Remedies to recover the same as are by this Act given for the Recovery of any other Call or Calls herein-before authorized to be made; and they are also hereby authorized and required to apply such Twenty Pounds *per Cent.* towards making good, defraying, or

One-fifth of the Capital to be reserved for satisfying any Damages or Costs.

[Local.]

14 D

paying

paying any such Damage and Costs which may be awarded against the said Company as aforesaid.

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

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

First Committee of Management.

XX. And be it further enacted, That *Thomas Austin, William Bourne, John Pine Coffin, Edward Pine Coffin, Richard Cruttwell, James Hammett, Arthur Lysaght, George Peacocke, James Hewlett, Thomas Shew, Robert Sutcliffe, Charles Thomas, Henry Wansley, William Welsh, and Joseph Wilkens,* shall be and they are hereby constituted and appointed the Committee of Management for managing the Affairs of the said Company.

Vacancies in the Committee how to be filled up.

XXI. And be it further enacted, That when and so often as any Member or Members of the Committee of Management hereby nominated and appointed, or to be elected and appointed by virtue of this Act, shall die or become disqualified, or refuse or neglect to act, it shall be lawful for the said Company, at any Special Meeting or Meetings to be called and held for that Purpose, pursuant to the Directions of this Act, to elect and appoint some other of the said Proprietor or Proprietors to be a Member or Members of the said Committee of Management; and every such Proprietor so elected and appointed to fill such Vacancy or Vacancies, and being duly qualified, shall continue in his or their several and respective Office and Offices so long as the Person in whose Place or Stead he was elected should have been entitled under the Provisions of this Act to have continued in Office, if such Death, Disqualification, Refusal, or Neglect had not happened.

Members of Committee to serve Three Years, &c.

XXII. And be it further enacted, That the several Members hereby nominated of the First Committee of Management shall continue in Office for the Term of Three Years from the Fifteenth Day of *June* One thousand eight hundred and eighteen, and until others should be appointed in their Stead in pursuance of this Act; and at the Expiration of the said Term the First Five of the Members hereby nominated shall go out of Office, and Five Persons duly qualified shall in Manner herein-after mentioned be elected and appointed Members of the said Committee; and on the Fifteenth Day of *June* in the following Year the next Five of the Members hereby nominated shall go out of Office, and their Places be supplied in like Manner; and on the Fifteenth Day of *June* in the following Year the last Five of the Members hereby nominated shall go out of Office,

Office, and their Places be supplied in like Manner; and on the Fifteenth Day of *June* in every subsequent Year Five of the Members of the said Committee who shall have been longest in Office, shall go out of Office, and their Places be supplied in like Manner; and every such Election of Members of the said Committee of Management shall be made at some General Meeting of the said Company to be held pursuant to the Directions of this Act.

XXIII. Provided always, and be it further enacted, That the Person or Persons who shall have served or acted upon the said Committee, and who by the Expiration of the said Term of Service, Rotation, or otherwise, shall go out of Office, shall and may, notwithstanding such Service or the Expiration of such Term, if otherwise properly qualified, be eligible to be re-elected to, and to serve or act as a Member of the said Committee of Management.

Members
may be re-
elected.

XXIV. Provided also, and be it further enacted, That if any of the Persons hereby nominated or to be hereafter elected Members of the said Committee of Management shall at any Time after such Appointment or Election cease to be possessed of or entitled to the full Number of Twenty Shares in the said Undertaking, or shall refuse or neglect to attend the Meetings of the said Committee for the Space of Six Calendar Months, every such Person shall thereupon cease to be a Member of the said Committee; and some Person duly qualified shall be elected or appointed to be a Member of the said Committee in his Stead by the said Company at some General or Special Meeting of the said Company; and every such Person so elected or appointed, and being duly qualified, shall be entitled to continue in Office so long as the Person in whose Place he shall be elected or appointed might have continued in Office if duly qualified.

Members of
the present
Committee
not to hold
less than
Twenty
Shares.

XXV. Provided always, and be it further enacted, That no Person shall be qualified to be elected a Member of the said Committee, unless such Person shall have subscribed for or shall have been possessed of at least Twenty Shares in the said Undertaking for the Space of Three Calendar Months previous to such Election, nor unless the said Number of Twenty Shares be entered, and continue in the Name or Names of such Person or Persons respectively, in the Books of the said Company; nor shall any Person be qualified to be elected, nor to serve or act on the said Committee of Management, who shall be a Dealer either directly or indirectly in any one of the Articles to be provided or manufactured by the said Company.

Persons
holding less
than Twenty
Shares, or
being certain
Dealers, dis-
qualified.

XXVI. And be it further enacted, That all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management, shall be decided and determined by the Majority in Number of Members present (the Number present not being less than Three, except in Cases where the Suspension or Removal of any Treasurer, Engineer, Clerk, or Agent of the said Company shall be decided and determined, where the Number of the Committee present shall not be less than Nine); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and that if, on the Day appointed for any Meeting of the said Committee, Three in Number shall not attend, that then and in every such Case the Meeting shall be adjourned till the

Meetings of
the Com-
mittee, and
Regulations
for their Pro-
ceedings.

next

next Day by the Members or Member then present, or if none be present, by the Clerk to the said Company, or such other Person as shall attend in his Place; and if such next Day shall be *Sunday*, then such Meeting shall be adjourned till the *Monday* next following.

Power of
Committee,
&c.

XXVII. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time, and from Place to Place, and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out, or disposed of for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and entering into Contracts and Agreements for the lighting of the said City, Liberties, Precincts, or any such Parishes, Places, Streets, Market Places, Shops, or Buildings aforesaid; and in ordering, directing, and employing the Works and Workmen; and in selling and disposing of all Articles produced from Coal as aforesaid; and in appointing or placing and displacing any Officer or Servant of the Company (not being a Treasurer of the said Company, who is to be elected and appointed at a General Meeting of the Company as herein-after mentioned); and making all Contracts and Bargains touching or in anywise concerning the same; subject to such Orders, Bye-laws, Rules, and Regulations as shall at any Time be duly made by the said Company in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted; and no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or any other Officer or Officers to be appointed by the said Company on account of the said Company, without an Order or Orders in Writing signed by the Chairman of the said Committee of Management for the Time being, and Two Members at the least of the said Committee present at some Meeting of the said Committee of Management; and the said Committee of Management shall and may require such Security to be given to the said Company of Proprietors from the present or any future Treasurer or Treasurers, Officer or Officers, or other Person, for the faithful Execution of their respective Duties, as they may think proper.

For tempo-
rary Ap-
pointment
of Officers
in certain
Cases.

XXVIII. And be it further enacted, That it shall be lawful for the said Committee of Management to suspend any Treasurer or Treasurers of the said Company for any Neglect, Misconduct, or Inability, and to appoint some other Person in his Place, and also to fill up the Vacancy that may occur by Death, Resignation, or otherwise; but in case any such new Appointment shall be made by the said Committee of Management, the same shall only continue until the next General or Special General Meeting of the said Company, when the Appointment of such Person shall either be confirmed, or such other fit Person shall be appointed to succeed to such Office as the said Company at such General or Special General Meeting of the said Company shall think proper.

First Meet-
ing.

XXIX. And be it further enacted, That the said Company of Proprietors, or any Five or more of them, shall meet together at the *Literary and Philosophical Rooms* in the Parish of *Saint James* in the said City of *Bath*, within Thirty Days next after the passing of this Act, between the Hours of Eleven in the Forenoon and Two in the Afternoon, or as soon as conveniently

veniently may be, and shall then and there proceed in the Execution of this Act; and shall and may adjourn such Meeting to the same Place, or such other convenient Place in the City of *Bath*, or Liberties or Precincts, Parishes or Places aforesaid, or either of them, as the said Company of Proprietors or any Three or more of them shall think proper; and if it shall happen that there shall not appear before the Hour of Twelve at Noon at any Meeting a sufficient Number of Proprietors to act or to adjourn (Two Proprietors being hereby declared sufficient for the Purpose of Adjournment only), then and so often as the Case shall happen, such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Time and Place, or until another Day shall be appointed by the said Company of Proprietors or Three or more of them, by Notice in Writing to be affixed on the outer Door of the said Literary and Philosophical Rooms, or of such other Place where the said Company shall from Time to Time think proper to meet, Ten Days at least before such General Meeting.

XXX. And be it further enacted, That from and after the First Meeting of the said Company of Proprietors there shall be held in each Year Two General Meetings of the said Company; (that is to say), on the Fifteenth Day of *June* and the Fifteenth Day of *December*, or within Fourteen Days next after such Days respectively, of which several Meetings Fourteen Days Notice at the least shall be given by Advertisement in One or more of the Public Newspapers published in the said City of *Bath*; and the First General Meeting to be held by virtue of this Act shall be holden on such of the said Days as shall first happen next after the First Meeting of the Proprietors; and that all such Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and that the Subscribers and Proprietors, or any Five or more of them, present at such General Meeting, or at any other Special Meeting to be called for that Purpose, of which Fourteen Days Notice shall be given in Manner aforesaid, specifying the Purpose for which such Special Meeting is called, shall have Power to elect other Persons qualified according to this Act to be Members of the Committee of Management, and to serve in the Place of such Person or Persons whose Office shall have respectively become vacant by Death, Amotion, Resignation, or Want of Qualification or otherwise, by a Majority of Votes of the Proprietors present, according to their respective Number of Votes, such Votes to be taken by Ballot; and in all Cases whatever, when the Number of Votes, including the Vote of the Chairman, shall be equal, then the Chairman for the Time being shall have another and decisive or casting Vote.

General Meetings to be held in each Year.

XXXI. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General Meetings as aforesaid, to make such Rules, Orders, and Bye-laws as to them shall seem meet and proper, for the good Government of the said Undertaking, and for regulating the Proceedings of the said Committee of Management, and for the regulating of all Officers, Workmen, and Servants to be employed in and about the Affairs and Business of the said Company; and for the Superintendence and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Bye-laws, or any of them, and to make others, and impose and inflict such reasonable Fines and Forfeitures

General Meetings may make Bye-laws.

[*Local.*]

14 E

upon

upon all Officers, Workmen, and Servants of the said Company, and other Persons to be employed in and about the Affairs and Business of the said Company, or in the Superintendence and Management of the said Undertaking, but no others, offending against such Rules, Orders, and Bye-laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Company at a General Meeting shall seem meet and expedient; and all Rules, Orders, and Bye-laws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, shall be printed, and be binding upon all such Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye-laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or any of the express Directions or Provisions of this Act: Provided also, that Copies thereof shall be fixed and continued in the Office of the said Company, and in some conspicuous public Place in the said City of *Bath*; and all such Rules, Orders, and Bye-laws shall be subject to Appeal in Manner by this Act directed; and if any Person or Persons shall wilfully pull down or damage or deface any Copy or Copies so fixed up, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Special Meetings of the Proprietors may be convened.

XXXII. And be it further enacted, That if at any Time it shall appear to the said Committee of Management for the Time being at any of their Meetings, or if at any Time it shall appear to any Ten or more of the said Company of Proprietors who shall together be Holders of One hundred Shares at the least, to be necessary or expedient to call a Special Meeting of the Proprietors at large for the Purpose of taking their Opinion and Determination upon any Matter or Thing relating to the said Company, then and in every such Case it shall be lawful for such Committee of Management, of their own Authority, or at the Requisition in Writing, to be signed by such Ten or more Proprietors being Holders of at least One hundred Shares, and which Requisition shall specify the Object of such Meeting, to call a Special Meeting of the said Company at large; and in case the Committee of Management for the Time being shall refuse or neglect for the Space of Fourteen Days to comply with such Requisition, then and in such Case it shall be lawful for the Proprietors who shall have signed the same, to call a Special Meeting of the Company at large; and Notice of every such Special Meeting shall be given by Advertisement in one or more of the Newspapers published in the said City of *Bath*, specifying the Place where and the Time when such Meeting is to be held, the Time not being less than Twenty-one Days after such Notice, and the Place to be somewhere in the said City of *Bath*; and likewise specifying in such Notice the Reason for and Intention of calling such Special Meeting; and the Proprietors are hereby authorized to meet pursuant to such Notice, and take into Consideration the Matter or Matters to be submitted to them by the Persons calling such Special Meeting, and specified in such Notice; and the Decision and Determination of the Proprietors present at such Meeting, or the major Part of them, according to the Number of Votes they shall have a Right to give respecting such Matter or Matters, shall be as valid to all Intents and Purposes as if the same had been made at any General Meeting of the said Company of Proprietors.

I

XXXIII. And

XXXIII. And be it further enacted, That it shall be lawful for the said Company at any General Meeting of the said Company to nominate, elect, and appoint, under the Common Seal of the said Company, a Treasurer or Treasurers, as to them the said Company shall seem proper, and from Time to Time to remove any such Treasurer or Treasurers, or any of them, and to nominate, elect, and appoint another Person or Persons in his or their room or stead in Manner aforesaid.

Officers to the Company to be appointed at General Meetings.

XXXIV. And be it further enacted, That all Orders and Proceedings of the said Company of Proprietors, and of the Committee of Management, shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered and signed by the Clerk of the said Company of Proprietors, or by the Chairman of each respective Meeting, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts and Places whatsoever.

Proceedings to be entered in Books.

XXXV. And be it further enacted, That all and every Person or Persons who shall have subscribed for or become entitled to and be in the actual Possession of One or more Share or Shares in the said Undertaking, shall have a Vote or Votes in respect of such Share or Shares at the General and Special Meetings of the said Company, to be held for carrying on the said Undertaking, or for any Purposes relative thereto, in proportion to the Number of Shares following; (that is to say), for One Share and less than Five Shares, One Vote; for Five Shares and less than Ten Shares, Two Votes; for Ten Shares and less than Twenty Shares, Three Votes; for Twenty Shares and less than Thirty Shares, Five Votes; for Thirty Shares and upwards, Seven Votes; but no Person shall be entitled to give any Vote at such Meeting or Meetings, unless such Person shall be possessed of One Share at least in the said Undertaking, and shall have held such Share for Three Calendar Months preceding such Meeting: Provided always, that every Owner or Proprietor of any Share or Shares in the said Undertaking shall be qualified and entitled to vote for himself or herself, who has possessed his or her Share or Shares, and whose Name has been entered in the Books of the said Company as the Possessor or Proprietor of such Share or Shares, for the Space of Three Calendar Months then next preceding, at any General or Special Meeting of the said Company, according to the Rules contained and directed in this Act; any Thing herein contained to the contrary thereof in anywise notwithstanding: Provided also, that no Person shall be entitled to vote at any General or Special Meeting of the said Company, in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid and satisfied all Arrears of Money which shall or may have become due in pursuance of any Call or Calls which shall have been made by the said Committee of Management for or in respect of such Share or Shares: Provided also, that no Person shall vote at any of the Meetings of the said Company, upon any Question or Questions relating to the Concerns of the said Undertaking, in which such Person or Persons shall be anyways interested other than as a Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Undertaking.

Proprietors to vote according to the Number of their Shares.

XXXVI. And

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

XXXVI. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the Undertaking, the Owner or Proprietor whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares shall for all the Purposes of this Act be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices hereby required to be given to the Owner or Proprietor of any Share or Shares in the said Company shall and may be given to or served upon such Person whose Name shall so stand first in the Books of the said Company; and such Service upon such Person shall be deemed and taken to be a Service upon all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Service is intended to be made upon the said Owner or Proprietor of any such Share or Shares; and that such Owners or Proprietors shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares; and his or her Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares.

Empowering Proprietors of Shares to vote by Proxy.

XXXVII. And be it further enacted, That any Proprietor of any Share or Shares in the said Company's Stock, entitled to vote in respect of such Share or Shares at any General or Special Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General or Special Meetings as aforesaid, either in Person or by Proxy, every such Proxy being a Proprietor in the said Undertaking: Provided nevertheless, that no Person shall deliver in Proxies for more than Ten Proprietors; and the Appointment of such Proxies may be made in the Form or to the Effect following; (*videlicet*),

Form of Proxy.

‘ I *A. B.* of _____ one of the Proprietors
 ‘ of and in ‘ The *Bath* Gas Light and Coke Company,’ do hereby
 ‘ nominate, constitute, and appoint *C. D.* of
 ‘ to be my Proxy, in my Name and in my Absence to vote or give my
 ‘ Assent to or Dissent from any Business, Matter, or Thing relating to the
 ‘ said Undertaking, that shall be mentioned or proposed at any General
 ‘ or Special Meeting of the said Company, in such Manner as he the said
 ‘ *C. D.* shall think proper, according to his Opinion and Judgment, for
 ‘ the Benefit of the said Undertaking, or any Thing relating thereto. In
 ‘ Witness whereof, I have hereunto set my Hand, the
 ‘ Day of _____’

Calls to be made on Subscribers.

XXXVIII. And be it further enacted, That the Committee of Management for the Time being shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Committee of Management shall from Time to Time find wanting and necessary for the Purposes of the said Undertaking, so that no such Call do exceed the Sum of Five Pounds for or in respect of any One Share of Twenty Pounds, and so that no Call or Calls be made but at the Distance of Three Calendar Months at least from each other; and that the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer of the said Company for the Time being, to be issued and applied by virtue of an Order or Orders given to him for that

that Purpose, and that such Order or Orders shall be signed by the Chairman of the said Committee of Management for the Time being, and Two of the Members of the said Committee at least present at some Meeting of the said Committee duly held; and that the said several Sums of Money so called for shall be paid at such Time and Place as shall be appointed by such General Meeting of the said Company, of which Time and Place One Calendar Month's Notice at least shall be given in One or more of the said Newspapers published in the said City of *Bath*, or in such other Manner as the said Committee of Management shall at any Meeting direct and appoint in that Behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of the Money so to be called for, during the Space of Three Calendar Months next after the Time appointed for Payment thereof, then and in such Case such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money heretofore advanced by him, her, or them on Account thereof, to and for the Use and Benefit of the rest of the said Company; and that all Shares which shall or may be so forfeited, shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Company; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, unless the same shall be declared to be forfeited at some General or Special Meeting of the said Proprietors, which shall be held not earlier than Two Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor and Proprietors, or his, her, or their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

In default
of Payment
of Calls,
Shares to be
forfeited.

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

Executors,
&c. indemnified in paying
Calls.

XL. And whereas, in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk to the said Company, it may not be

For ascertaining the
Proprietorship of Shares
in certain
Cases.

[Local.]

14 F

in

and on the same Conditions, that I held the same immediately before
 the Execution hereof; and I the said do hereby agree
 to take and accept the said Share, subject to the
 same Rules, Orders, Restrictions, and Conditions. As Witness our
 Hands and Seals, this Day of in the Year of
 our Lord

And every such Transfer shall be produced and notified to the Clerk of the
 said Company, and shall be entered or registered in the Books of the said
 Company; and the Entry or Registry thereof shall specify the Date, Names
 of the Parties, and the Number of Shares transferred, for which Entry or
 Registry the Sum of Five Shillings shall be paid to the Clerk or other
 Officer making the same; and a Copy of such Register, signed by the
 Clerk or other Officer of the said Company duly authorized thereto, shall
 be sufficient Evidence of every such Sale and Transfer, and received as
 such in all Disputes and in all Trials before any Court in the United
 Kingdom; and that, until such Transfer shall be entered or registered
 in the Books of the said Company as aforesaid, no Purchaser or Pur-
 chasers of any Share or Shares, their Executors, Administrators, Suc-
 cessors, and Assigns, shall have any Part or Share in the said Under-
 taking, or in the Profits and Advantages thereof, nor shall receive any
 Interest or Dividend for or in respect of such Share or Shares so pur-
 chased, nor be entitled to vote at any Meeting or Meetings as Proprietor or
 Proprietors of the said Undertaking.

Transfers to
 be registered.

XLII. Provided always, and be it further enacted, That after any Call for
 Money shall be made by virtue of this Act, no Person or Persons shall sell
 or transfer any Share or Shares which he, she, or they shall possess in the
 said Undertaking, after the Day appointed for the Payment of the said
 Call, until the Money so called for or in respect of his, her, or their Share
 or Shares intended to be sold shall be paid; and that, until such Money
 so called for shall be paid, any such Sale or Transfer of any Share or
 Shares shall be void; and all and every Person or Persons making default
 herein, shall be subject and liable to forfeit such his, her, or their Share
 or Shares in the said Undertaking to and for the general Benefit of the
 said Undertaking, unless he, she, or they shall at the Time of such Sale or
 Transfer pay to the Treasurer of the said Company the full Sum of
 Money called for upon every Share so to be sold or transferred; such For-
 feiture nevertheless to be first notified and declared in manner directed by
 this Act with respect to the Forfeiture of Shares for not answering the
 Calls to be made thereon as aforesaid.

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

XLIII. And be it further enacted, That on the Tenth Day of *July* and
 the Tenth Day of *January* in every Year, or within Fourteen Days of the
 same respectively, a Half-yearly Dividend or Dividends shall be made by
 the Committee of Management for the Time being aforesaid, out of the
 Interests, Profits, or Advantages of the said Undertaking, at a Meeting or
 Meetings of the said Company, to be held at such several Times as last
 aforesaid respectively, unless the Proprietors of the said Undertaking shall
 at such Meeting or Meetings declare otherwise; and such Dividend or Di-
 vidends shall be at and after the Rate of so much for every One hundred
 Pounds upon all and every Sum and Sums of Money paid to the said
 Company by such Proprietors, their Executors, Administrators, Successors,
 and Assigns, as the said Company shall think fit at such Meeting or Meet-
 ings

Dividends
 to be made
 Half-yearly.

ings to appoint and determine; provided that no Dividend shall be declared, made, or paid, for Twelve Months after the passing of this Act: Provided always, that no Dividend shall be made whereby the Capital of such Company shall be in any Degree reduced or impaired.

Power in certain Cases to break up the Soil and Pavement of the Streets, &c. for laying Pipes, &c.

XLIV. And whereas, for the Purpose of using Carburetted Hydrogen or Coal Gas for lighting the Public Streets, Highways, Lanes, Ways, or Passages as aforesaid, it will be requisite the said Gas should be conveyed by means of Pipes to be properly laid for that Purpose; be it further enacted, That if at any Time after the passing of this Act any Commissioners or Directors or Trustees, or other Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, in whom, by any Act or Acts of Parliament or otherwise, the Care, Superintendence, and Controul of lighting or repairing the public Streets, Highways, Lanes, Passages, or Places, or any Part of them, or either of them, in the said City of *Bath*, Liberties, Precincts, Parishes, and Places, or any or either of them, should think it fit and convenient to contract with the said Company to light the public Streets, Highways, Lanes, or Passages, or any Part of them, or either of them, in the said City, Liberties, Precincts, Parishes, and Places, or any or either of them, by means of such Gas as aforesaid; that then and in all such Cases it shall be lawful for the said Company and their Successors, and they are hereby fully authorized and empowered, under the Direction and Inspection of such Commissioners or Directors or Trustees, or any Two or more of them, or of their Surveyor or Surveyors (unless any such Street, Highway, Lane, Passage, or Place, or any Part or Parts thereof, shall belong to the Right Honourable Earl *Manvers*, in Possession, Reversion, or Remainder, that then and in every such Case it shall be lawful for the said Company and their Successors, and they are hereby fully authorized and empowered, under the Direction and Inspection of the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors), to break up the Soil and Pavements of any such Streets, Highways, Ways, Lanes, Passages, and Places, and to dig and sink Trenches, and lay Pipes, and put Stopcocks, or Plugs, or Branches from such Pipes in such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Light as aforesaid; and from Time to Time, under such Direction and Inspection as aforesaid; to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, and Plugs, and do all such other Acts, Matters, and Things, as the said Company and their Successors shall, under such Direction and Inspection as aforesaid, from Time to Time think necessary and convenient for completing, amending, repairing, improving, and using the same.

No Gasometer or Drain to be used within the Boundaries of the Liberties, &c.

XLV. And whereas the Subscribers to the said Undertaking are in Treaty for the Purchase of Three several Plots of Ground situate in the said Parish of *Weston*, containing together by Admeasurement One Acre or thereabouts, and now belonging to *John Allen* and *Samuel Sims*; be it therefore further enacted, That it shall not be lawful for the said Company to erect or use, or cause to be erected or used, any Gasometer or any Manufactory, or to make or cause to be made any Drain, Cut, or Sewer for the Purpose of carrying off the Washings or other Waste Liquids which may arise in the Prosecution of the Works aforesaid, or to empty or cause to be emptied the Contents of any Drain, Cut, or Sewer upon, from, or out

out of any other Land or Ground situate to the Eastward of the said Three Plots of Ground, or within the Boundaries of the said City of *Bath*, or of the Liberties or Precincts thereof, without the Consent of the Mayor, Aldermen, and Common Council of the said City of *Bath*, in Writing under their Common Seal, first had and obtained.

XLVI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to carry or convey, or to cause to be carried or conveyed, into the River *Avon* any Washings or Liquids which shall arise or be produced in manufacturing or procuring the said Gas, or in or by the Prosecution of any of the Works aforesaid.

Washings not to be carried into the River *Avon*.

XLVII. And be it further enacted, That the said Company shall have full Power and Authority, under the Direction and Inspection of the Surveyor or Surveyors to the said Commissioners or Directors or Trustees, or (as the Case may be) of the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, or Surveyor or Surveyors, to break up the Soil and Pavement of any of the said Streets, Highways, Lanes, Ways, Passages, or Places, or any Part of them, or either of them, and to sink Trenches, and lay any Main or Pipe communicating or to communicate with the Works of the said Company, under, across, and along any of the said Streets, Highways, Lanes, Ways, Passages, or Places, or any or either of them, requisite for the Supply of any Dwelling House or Houses, Manufactories, public or private Buildings, and to erect and set up, by themselves or their Agents, Servants and Workmen, any Machine or other Apparatus necessary or requisite for securing to such Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been placed or which shall be injured or damaged, in such Dwelling House or Houses, Manufactories, public or private Buildings, although no Contract may have been entered into with the said Commissioners or Directors or Trustees for lighting any public Street, Highway, Lane, Way, Passage, or Place in the Parish or Place where such Houses, Manufactories, or Buildings shall lie or be situated; any Thing contained in this Act to the contrary notwithstanding.

Power to lay Mains and to erect Machinery to supply the Dwelling Houses, &c. with Gas.

XLVIII. Provided always, and be it further enacted, That in case the said Commissioners or Directors or Trustees, or any Two or more of them, or their Surveyor or Surveyors, or (as the Case may be) the Agent or Agents, Surveyor or Surveyors of the said Earl *Manvers*, his Heirs or Assigns, shall refuse or neglect to attend to direct and inspect any of the Works hereby directed to be done under their or his Direction and Inspection, after being thereunto required by Notice in Writing from the said Company or their Clerk, given to or left at the Place of Abode of the Clerk and Surveyor or Surveyors to the said Commissioners or Directors or Trustees, or (as the Case may be) the Agent or Agents, Surveyor or Surveyors of the said Earl *Manvers*, his Heirs or Assigns, at least Fourteen Days before any such Work shall be done (except in Cases of Emergency, when Three Hours Notice only shall be deemed sufficient, and as otherwise provided for in this Act, that the said Company are hereby fully authorized to do and perform such Works without the Direction or Inspection of any such Surveyor or Surveyors, Agent or Agents, or any other Power

In case Surveyor does not attend after Notice, Company may proceed in the Works, &c.

[Local.]

14 G

or

or Authority whatsoever, any Thing herein contained to the contrary notwithstanding; but in case the said Company, their Servants, Agents, or Workmen, shall commence any such Works without previously giving such Notice as aforesaid, the said Company, their Servants, Agents, or Workmen, so offending, shall forfeit and pay any Sum not exceeding Forty Shillings.

Powers of the
Company in
lighting
Houses.

XLIX. And be it further enacted, That the said Company of Proprietors shall have full Power and Authority, in such Cases as to them shall seem meet and convenient, to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Highway, Way, Lane, Passage, or Place, by the said Company by virtue of this Act, in, to, or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same, or any public or private Lamp, from any such Main or Pipe, with the Consent of the Owner or Occupier of such Dwelling House or Houses, public or private Buildings, but not otherwise (except as herein-after provided for), although no Contract may have been entered into with the said Commissioners or Directors or Trustees for lighting any public Street, Highway, Lane, Way, Passage, or Place in the said City, Liberties, Precincts, Parishes, or Places, or any or either of them, where such Houses, Manufactories, or Buildings shall lie or be situated; any Thing in this Act to the contrary thereof in anywise notwithstanding: Provided nevertheless, that nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting any other Dwelling House or Houses, Manufactory, public or private Building, without the previous Consent of the Owner and Occupier of any such Dwelling House or Houses, Manufactory, public or private Building, through which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

Workmen in
laying Pipes
to make good
the Pavement.

L. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Pipes, Plugs, Cocks, or Branches, shall fill in the Trenches, and make good the Pavements and Roads, in such Manner and Form as shall be directed or required by the said Commissioners or Directors or Trustees, or any Two or more of them, or their Surveyor or Surveyors, or (as the Case may be) the Agent or Agents, Surveyor or Surveyors, of the said Earl *Manvers*, his Heirs or Assigns, and carry away the Rubbish occasioned thereby; and shall in the meantime fence or guard and affix sufficient Light at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages, and as the said Commissioners or Directors or Trustees, or (as the Case may be) the Agent or Agents, Surveyor or Surveyors of the said Earl *Manvers*, his Heirs or Assigns, shall from Time to Time direct: Provided always, that if there shall be any Delay in the said Company of Proprietors, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads, in such Manner and Form as shall be directed or required as aforesaid, then and in every such Case it shall and may be lawful to and for the said Commissioners or Directors or Trustees, or their Surveyor or Surveyors, or any other Person or Persons

Persons acting by or under the Authority of the said Commissioners or Directors or Trustees, or (as the Case may be) the Agent or Agents, Surveyor or Surveyors of the said Earl *Manvers*, his Heirs or Assigns, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage, or Place so broken up; and that the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors or their Treasurer; and that in default of Payment thereof for Ten Days next after Demand shall be made by such Surveyor, or other Person acting by or under the Authority of the said Commissioners or Directors or Trustees, or (as the Case may be) the Agent or Agents, Surveyor or Surveyors of the said Earl *Manvers*, his Heirs or Assigns, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said City of *Bath* or County of *Somerset*, all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to the said Commissioners or Directors or Trustees, or their Treasurer, or (as the Case may be) to the said Earl *Manvers*, his Heirs or Assigns; and in case the said Company, or the Workmen employed to dig any Trench or Trenches, or to open any Ground for any of the Purposes of this Act, shall neglect or refuse to fence or guard and properly light the Place or Places where any Ground shall be opened as aforesaid, so as to prevent such Accidents as aforesaid, then and in such Case the said Company or Workmen so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

LI. Provided also, and be it further enacted, That nothing in this Act contained shall give any Power or Authority to the said Company to break up any Soil or Pavement between *Hot Bath Street* and *Hetling Court* within the said City of *Bath*, or to break up any Soil or Pavement whereon the Market is erected in the said City of *Bath*, except with the Consent and under the Direction of the Mayor, Aldermen, and Common Council of the said City of *Bath*.

Pavement in Hot Bath Street, &c. not to be broken without the Consent of the Mayor, &c.

LII. And be it further enacted, That when and as often as the said Company, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main or Mains, Pipe or Pipes, or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Water Pipe or Pipes belonging to the Mayor, Aldermen, and Citizens of the said City of *Bath*, for conveying Water into or about the said City of *Bath*, Liberties and Precincts, or any Branch or Service Pipe or Pipes, for the Supply of any Dwelling House or Building, shall be laid, the said Company, their Servants, Agents, or Workmen, shall and they are hereby required to give such previous Notice thereof to the Surveyor for the Time being of the said Mayor, Aldermen, and Citizens, or to the Occupier of such Dwelling House or Building supplied by such Branch or Service Pipe or Pipes, as the Case may be, as is herein-before required to be given to the said Commissioners,

For the Protection of Water Pipes.

missioners, Directors, or Trustees, or their Surveyor or Surveyors, for other Purposes under this Act; and on every such Occasion the said Company, their Servants, Agents, and Workmen, shall, under the Direction and Inspection of the Surveyor for the Time being of the said Mayor, Aldermen, and Citizens, or of the Occupier of such Dwelling House or Building, or his or her Surveyor, as the Case may be, protect and secure such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default being made in any of the Matters aforesaid, the said Company, their Servants, Agents, and Workmen, or such of them as shall offend herein, shall forfeit and pay any Sum not exceeding Forty Shillings, and shall also pay to the said Mayor, Aldermen, and Citizens, or to such Occupier of such Dwelling House or Building, as the Case may be, the Costs and Expences which shall have been incurred by them, him, or her, in the securing and protecting, or in repairing or making good any Injury or Damage that may be done to such Pipe or Pipes by the Means aforesaid; such Costs and Expences to be ascertained by any Justice of the Peace for the City of *Bath*, or the County of *Somerset*, as the Case may be, and to be sued for and recovered in the same Manner as any Penalty under this Act may be sued for and recovered.

After Consent allowed for Company to do any Works, no further Consent necessary.

LIII. Provided always, and be it further enacted, That in all Cases where any Consent is required to be and shall be obtained by the said Company to break or take up or remove any Stones, Ground, Soil, or Pavement in or of any Streets, Roads, or public Places whatsoever or wheresoever, in order to lay down any Main or Mains, Pipe or Pipes, to convey Gas, or for any other Purpose which may be required under this Act, nothing in this Act contained shall, after such Consent obtained as aforesaid, and after Twenty-four Hours previous Notice, or in case of Emergency, after Three Hours previous Notice in Writing from the said Company or their Clerk, given to or left at the Place of Abode of the Surveyor or Surveyors of the said Commissioners or Directors or Trustees, or (as the Case may be) of the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors, be deemed or construed to extend to prevent the said Company from repairing such Main or Mains, Pipe or Pipes, or from breaking or taking up or removing any Stones, Ground, Soil, or Pavement in or of any Streets, Roads, or public Places whatsoever, for the Purpose of laying down or repairing any such Main or Mains, or any Pipe or Pipes whatever, or for any other Purpose which may be required under this Act.

Pavement to be broken up only during the Summer Months.

LIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize the said Company to break up the Soil or Pavement of any of the said Streets, Highways, Lanes, Ways, Passages, or any Part of them, or either of them, for the Purpose of laying down any new Main, Pipe, Stopcock, Plug, or any other Apparatus, between the Thirty-first Day of *October* and the First Day of *May* in any Year (except in the Cases herein-after provided for), unless with the Consent of the said Commissioners or Directors or Trustees, or any Five or more of them, or the said Earl *Manvers*, his Heirs or Assigns.

Not to break up the Pavement, &c.

LV. Provided also, and be it further enacted, That nothing in this Act contained shall extend to authorize the said Company, except in all Cases of

of sudden Emergency, to break up the Soil or Pavement of any of the said Streets, Highways, Lanes, Ways, Passages, or Places, or any Part of them, or either of them, for the Purpose of repairing, relaying, and maintaining any Pipe, Stopcock, Plug, or any other Apparatus, or for laying or placing any new Pipe, Stopcock, Plug, or any other Apparatus, in lieu of any such as may be or become unserviceable, after the Hour of Nine in the Forenoon from *Lady-day* to *Michaelmas*, nor after the Hour of Eleven in the Forenoon from *Michaelmas* to *Lady-day*, unless with the Consent of the said Commissioners or Directors or Trustees, or any Five or more of them, or (as the Case may be) of the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors.

LVI. And be it further enacted, That if for the Purposes of any or either of the Acts of Parliament for pitching, paving, steining, repairing, lighting, watching, or cleansing the City, Liberties, Precincts, Parishes, or Places aforesaid, it shall at any Time or Times be deemed necessary or expedient by the Commissioners or Directors or Trustees acting under and by virtue of any or either of the said Acts, or (as the Case may be) by the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors, to require the said Company of Proprietors to raise, sink, or otherwise alter the Situation of any of the Pipes, Stopcocks, Plugs or Branches, which shall be laid down for the Purposes aforesaid, the said Company of Proprietors shall at their own Expence, within One Week next after being required so to do, by Notice in Writing to them given by the said Commissioners or Directors or Trustees signed by their Clerk, or (as the Case may be) by the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors, raise, sink, or alter such Pipes, Stopcocks, Plugs, or Branches, according to such Notice, in such Manner and in such Place or Places as the said Commissioners or Directors or Trustees, or (as the Case may be) the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors, shall think right and proper; and in default thereof it shall and may be lawful to and for the said Commissioners or Directors or Trustees, or their Surveyor or Surveyors, or any other Person or Persons acting by their Order or under their Authority, or (as the Case may be) for the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors, to cause such Pipes, Cocks, Plugs, or Branches to be raised, sunk, or altered, and that the reasonable Costs and Charges for doing the same shall immediately thereafter be paid by the said Company of Proprietors or their Treasurer: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Four Days next after Demand shall be made by such Surveyor or other Person acting by or under the Authority of the said Commissioners or Directors or Trustees, or (as the Case may be) of the said Earl *Manvers*, his Heirs or Assigns, or his or their Agent or Agents, Surveyor or Surveyors, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace of the said City, all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices

Power to
raise, sink, or
alter Pipes,
&c.

is and are hereby empowered to grant; and such Costs and Charges shall be paid to the said Commissioners or Directors or Trustees, or their Treasurer, or (as the Case may be) to the said Earl *Manvers*, his Heirs or Assigns.

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

LVII. Provided also, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, on pain of forfeiting and paying to the said Company the Sum of Fifty Pounds, and also the Sum of Forty Shillings a Day for every Day such Pipe shall so remain, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said City of *Bath* or County of *Somerset* (as the Case may be), and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture and the Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol of the said City or County (as the Case may be), there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Two Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied.

Penalty for damaging Pipes, &c.

LVIII. And be it further enacted, That if any Person shall wilfully and maliciously remove, take away, destroy, damage, or injure any or any Part of any Pipe, Plug, or other Matter or Thing belonging to the said Company, or shall wilfully or maliciously waste or improperly use any of the inflammable Air or Gas supplied by the said Company, any Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath of One credible Witness before One or more Justice or Justices for the said City or County (as the Case may be), shall forfeit and pay to the aforesaid Company any Sum not exceeding the Sum of Five Pounds, and Double the Amount of the Damage to be ascertained by such Justice or Justices to be done; such Penalty and Damage, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels, or such Offender shall and may be committed to the Common Gaol of the said City or County (as the Case may be), there to remain for any Time not exceeding Three Calendar Months.

Appeal may be made to Quarter Sessions.

LIX. Provided always, and be it further enacted, That any Body or Bodies Corporate or Collegiate, or any other Person or Persons whatsoever, thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye-law, or Order of the said Company of Proprietors, or by the Order or Determination of any Justice or Justices of the Peace, in pursuance of this Act, may, within Six Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter Sessions to be held in and for the said City or County (as the Case may be) where the Cause of Appeal

peal shall arise, and not elsewhere, the Person or Persons appealing having given at least Ten clear Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk of the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such City or County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General Quarter Sessions of the Peace, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for such City or County (as the Case may be); and, if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye-law, Order, or Determination; and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

LX. And be it further enacted, That in case the said Commissioners, Directors, or Trustees already appointed, or hereafter to be appointed for, or having the Controul and Superintendence of the lighting of the several Squares, Streets, Lanes, Ways, Passages, and Places within the said City of *Bath* and the Liberties and Precincts thereof, shall at any Time or Times hereafter be desirous of having such of the said Squares, Streets, Lanes, Ways, Passages, and Places as at the Time of passing this Act are lighted in the usual Manner, lighted with Gas, the said Company of Proprietors shall and they are hereby directed and required to contract and agree with the said Commissioners, Directors, or Trustees, to light the same during the usual Hours for the Annual Sum of One thousand one hundred and fifty Pounds Sterling, or for such less Annual Sum of Money as may be agreed on between the said Company and the said Commissioners, Directors, or Trustees, including therein the Costs of the Lamps and all other Apparatus, Matters, and Things necessary for the Purpose; in which said Contract or Agreement shall be contained a Clause or Clauses on the Part of the said Company and their Successors, compelling them to furnish a stronger and better Light, during the Existence of such Contract, than the said City of *Bath* and the Liberties and Precincts thereof could be supplied with if lighted in the usual Manner; and also that the said Company shall and may, so long as they shall light the said City, Liberties, and Precincts under such Contract or Agreement, have the gratuitous Use of such Lamps, Lamp-posts, and Lamp-irons as belong to the said Commissioners, Directors, or Trustees, and as are used by them for lighting the said City and the Liberties and Precincts thereof, the said Company and their Successors using the same, or such and so many of them only as may be necessary for the Purpose of lighting the said City, Liberties, and Precincts, and undertaking to restore the same, at the Expiration of such Contract or Agreement, to the said Commissioners, Directors, or Trustees, in the same Form, State, and Condition as when they assumed the Use thereof, except as to the reasonable Wear thereof.

Specifying
the Sum for
which Con-
tracts with
Commis-
sioners, &c.
shall be made.

LXI. Pro-

Authorizing placing of additional Lamps after the Contracts are made.

LXI. Provided nevertheless, and it is hereby enacted, That nothing herein contained shall extend, or be construed to extend, to compel or oblige the said Company or their Successors to the Use of the said Lamps belonging to the said Commissioners, Directors, or Trustees, or to the Number of any Lamps to be lighted, but only to furnish a stronger and better Light than the said City, Liberties, and Precincts could be supplied with if lighted in the usual Manner: Provided, that if in the Event of any such Contract or Agreement being made for lighting the said City of *Bath*, Liberties and Precincts, with Gas as aforesaid, and during the Existence of any such Contract, the said Commissioners, Directors, or Trustees shall be desirous of erecting or setting up any additional Lamp or Lamps for better lighting the said Squares, Streets, Lanes, Ways, Passages, or Places as at the Time of passing this Act are lighted in the usual Manner, or any other Squares, Streets, Lanes, Ways, Passages, or Places within the said City, Liberties, or Precincts, the same shall be erected and set up by and at the Costs of the said Company and their Successors, in such Situation as the said Commissioners, Directors, or Trustees shall direct, and who shall pay to the said Company and their Successors such further Annual Sum of Money for and in respect of every such additional Lamp or Lamps as the same shall bear to the whole Number of Lamps which shall be then supplied by the said Company for lighting the said City, Liberties, and Precincts, and to the Sum of Money to be specified in such Contract or Agreement, as aforesaid.

Contracts for lighting with Gas to be at a lower Rate, &c. than for other Lightings.

LXII. And be it further enacted, That every Contract or Agreement to be entered into by any of the said Commissioners, Directors, or Trustees with the said Company, for lighting that Part of the Parish of *Walcot* which lies without the Liberties of the said City of *Bath*, or any Part or Parts thereof, or the said Parish of *Bathwick*, or any Part or Parts thereof, shall contain a Clause on the Part of the said Company and their Successors, to furnish such Parish or Parishes, or such Part or Parts of such Parish or Parishes respectively, with a sufficient Supply of Gas for the Purposes of lighting the said Parish or Parishes, or Part or Parts thereof, with a stronger and better Light, and at a cheaper and lower Price, all Expences included, than such Parish or Parishes, or Part or Parts of such Parish or Parishes, could be supplied with if lighted in the usual Manner, during the Existence of any such Contract or Agreement.

Rights of Persons to light Streets, &c. not to be affected.

LXIII. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect of depriving the Commissioners, or Directors or Trustees, or their Successors, or any Person or Persons, of any Right which they or any of them at present possess, or of interfering with any Right which they or any of them may hereafter acquire, of lighting Streets or Houses with Gas Lights, or in any other Manner: Provided also, that nothing in this Act contained shall extend or be construed to defeat, abridge, alter, obstruct, or in any Manner interfere with the Powers and Authorities of the Commissioners, Directors, or Trustees for paving, repairing, cleansing, lighting, and watching the said City, Liberties, Precincts, Parishes, and Places, or any Body Corporate or Politic, Sole or Aggregate, established for the Supply of Water in or for the said City, Liberties, Precincts, Parishes, or Places, or any Part or Parts thereof, or the Rights of any Person or Persons to make, enlarge, repair, or amend
any

any Vault or Sewer under any Street, Way, or Place within the said City, Liberties, Precincts, Parishes, or Places: Provided also, that nothing herein contained shall extend or be construed to prevent any Person or Persons from proceeding against the said Company, or against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Actions against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting, or the Carelessness or Want of Skill of the Persons employed therein.

LXIV. Provided always, and be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing of this Act, shall be paid and discharged by the said Committee of Management out of the Monies already subscribed or to be subscribed by virtue of this Act.

Expences of the Act how to be paid.

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

For compelling the Attendance of Witnesses.

LXVI. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before the said Commissioners or any Justice of the Peace under this Act upon Oath, or in case of a Quaker or Quakers, on solemn Affirmation, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he, she, or they so giving false Evidence shall be subject to the Pains and Penalties inflicted on Persons guilty of wilful and corrupt Perjury.

Persons giving false Evidence to be punished for Perjury.

LXVII. And be it further enacted, That in all Cases of Notices and Summonses by this Act directed or required to be given or served, which shall or may be necessary for carrying into Execution any of the Powers of this Act, the Service of any of such Notices or Summonses, either on the Person or Persons on whom the same ought to be given, or leaving the same or a true Copy thereof at his, her, or their Dwelling House or usual or last Place of Abode, shall be good and sufficient Service of any and every such Notices or Summonses; and that in all Cases whatsoever where any such Notices or Summonses ought to be given to Two or more Persons for or respecting the joint Act or Omission of any such Person or

Directing the Manner of serving Notices.

[*Local.*]

14 I

Persons,

Persons, whether the said Person or Persons be in Partnership in Trade, or otherwise jointly concerned in any such Act or Omission, the like Service of any such Notices or Summonses on any One such Partner or Partners, Person or Persons, shall be and is hereby declared to be as good and sufficient Service thereof as if the same had been served on both or all such Persons.

Directing
what shall be
deemed a Ser-
vice of No-
tices, &c. on
the Company.

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

Proceedings
to be within
Three
Calendar
Months.

LXIX. And be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences against this Act, unless Information respecting such Offence or Offences shall have been lodged before a Magistrate within Three Calendar Months next after such Offence committed.

Recovery and
Application
of Penalties.

LXX. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the City of *Bath* or County of *Somerset* (as the Case may be), in a summary Way, by Information upon the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath such Justice is hereby authorized to administer); and that all Penalties and Forfeitures by this Act imposed (the Manner of levying or recovering whereof is not hereby otherwise particularly directed) shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of some Justice of the Peace for the said City or County, as the Case may be, which Warrant such Justice is hereby required and empowered to grant, upon Confession of the Party or Parties, or upon the Information of One or more credible Witness or Witnesses upon Oath, which Oath such Justice is hereby required and empowered to administer; and one Moiety of the Penalties and Forfeitures when recovered, after rendering the Overplus (if any) on Demand to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charge of such Distress and Sale being first deducted), shall be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the Parish wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be paid, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Prison of the said City, or to some Gaol in the said County, as the Case may be, for any Time not exceeding Three Calendar Months.

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

County of Somerset, to wit, (*or, as the Case may be*) } BE it remembered, That on the _____ Day of
 City of Bath, in } in the _____ Year of the Reign of
 the County of Somerset, to wit. } and in the Year of our Lord One thousand
 eight hundred and _____ is [*or are*] convicted before
 me [*or us, as the Case shall be*] _____ of
 His Majesty's Justices of the Peace for the County of Somerset, [*or City of Bath, as the Case shall be*] by virtue of an Act of Parliament passed in the Fifty-eighth Year of the Reign of His Majesty King George the Third, intituled [*here insert the Title of this Act*] of having [*specifying the Offence and the Time and Place when and where the same was committed, as the Case shall be*] contrary to the said Act; and for which Offence I [*or we, as the Case shall be*] doth [*or do*] adjudge the said _____ to have forfeited the Sum of _____
 Given under my Hand and Seal [*or, as the Case shall be, our Hands and Seals*] the Day and Year first above written.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1818.

