



ANNO QUINQUAGESIMO OCTAVO

# GEORGI II. REGIS.

\*\*\*\*\*

## Cap. lvii.

An Act for lighting with Gas the Town and County  
of the Town of *Nottingham*. [8th May 1818.]

**W**HEREAS the Town and County of the Town of *Nottingham* is a large and populous Place, and it would be of great Benefit to the Inhabitants thereof, and to the Public at large, if the Streets and other Public Passages and Places were better lighted: And whereas inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be procured from Coal: And whereas the said inflammable Air, being conveyed by Means of Pipes, may be safely and beneficially used for lighting the several Streets, Squares, Market Places, and other Places within the said Town and County of the Town of *Nottingham*, and for lighting private Houses; and the Coke may be beneficially employed as Fuel in private Houses and Manufactories; and the said Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be used and employed 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 Allen*, *James Roger Allen*, *John Allen the younger*, *Cornelius Allen*, *Lewis Allsopp*, *John* Proprietors.

[Local.] 14 R

John Ashwell, Edward Beardsley, Samuel Bean, George Bradley, Peter Bretland, Thomas Lowe Bradley, Edward Bacon, William Butcher, John Bakewell, John Houselman Barber, Hercules Barnett, James Bishop, John Bell, Jonas Bradley, Samuel Cartledge, Coltman, Timothy Chouler, James Dale, Jonathan Dunn, Henry Enfield, Thomas Evans, John Fellows, Alfred Thomas Fellows, John Gill, Francis Gawthorn, John Green, John Gill, Robert Gill, William Hurst, Samuel Hall, Thomas Hall, Francis Hardwick, George Harvey, Henry Holdsworth, Richard Hopper the younger, Charles Homer, Henry Homer, James Hedderley, John Jephson, John Kendall, Joseph Kyte, Henry Leaver, James Lomax, Charles Lacey, William Lacey, William Lowe, Ann Lockton, Charles Lomas Morley, William Melville, Thomas Moore, Thomas Maltby, William Morley, the Mayor and Burgesses of the Town of Nottingham, Nathaniel Need, Matthew Needham, John Newton, John Parker the elder, John Parker the younger, William Ford Rawson, Jeremiah Dummer Rogers, Edward Allatt Swann, Samuel Henry Swann, William Simes, Edward Staveley, James Smith, William Stretton, Christopher Swann, Joshua Ransome Scales, William Smith, Thomas Simpson, John Simpson, John Stones, William Soars, George Stretton, Samuel Stretton, William Taylor, Alfred Tomlin, Robert Thompson, William Trentham, Thomas Turner, Francis Wakefield, Thomas Wakefield, William Watts, John White, John Wells, and Henry Youle, and all and every such other Person or Persons as from Time to Time shall be duly admitted Members into their Company, 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 Nottingham 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; and that the said Company of Proprietors shall be established for the Purpose of procuring inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, from Coal, and shall have full Power to enter into any Contracts with the Directors and Trustees for putting into Execution an Act passed in the Second Year of the Reign of His present Majesty King George the Third, intituled *An Act for the enlightening the Streets, Lanes, and Passages within the Town and County of the Town of Nottingham*, or any Thirteen of them, or with any other Persons having the Control, Direction, or Management of the lighting of any of the Parishes within the Town and County aforesaid, or any of the Liberties or Precincts thereof respectively, or any Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, willing and desirous of contracting with the said Company of Proprietors for the lighting of any such Parishes or Places, or any Streets, Squares, public Market Places or Manufactories, or private Houses, or Places of Public Exhibition, within the said Town and County or Liberty thereof, and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and all other Products arising from Coal, under such Conditions, Limitations, and Restrictions as shall be herein-after expressed.

Their Name  
and Powers.

Company of  
Proprietors  
may contract  
for the Pur-  
chase of  
Lands and  
Buildings.

II. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby empowered and required, 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 Town and County of the Town of Nottingham (not exceeding Ten Acres in the whole), with any Body Politic, Corporate,

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 Femés 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 for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company of Proprietors to hold such Lands, Tenements, and Hereditaments 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.

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, by and with the Consent of the Lessor or Lessors, but not otherwise, 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 Femés 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 anywise 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 Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby

Bodies Politic,  
&c. em-  
powered to  
sell.

hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Application  
of Purchase  
Money when  
amount-  
ing to 200l.  
and upwards.

IV. And be it further enacted, That if any Money shall be contracted and agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any 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 Nottingham 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 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 so 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.

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

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 purchased, taken, or used for the Purposes aforesaid, and belonging to any Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic,  
or

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.

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 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 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.

Directing Application of Purchase Money when not exceeding 20l.

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 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.

In case of questionable Title to the Money, Persons in Possession of the Lands to be deemed entitled thereto until the contrary shall be shewn.

Expences of Purchases may be allowed by the Court.

VIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons 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 Purchases as the said Court shall direct.

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

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 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 Person or Persons respectively, to 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.

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),

Form of Conveyance.

‘ I of in Consideration  
 ‘ of the Sum of Pounds to me paid by the  
 ‘ Company of Proprietors established under or by virtue of an Act  
 ‘ passed 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 to the said Company of Proprietors and their Successors, all  
 ‘ [*here describe the Premises to be conveyed*], and all my Right, Title, and  
 ‘ Interest in and to the same, and every Part thereof, to hold to the said  
 ‘ Company of Proprietors and their Successors for ever. In Witness  
 ‘ whereof, I have hereunto set my Hand and Seal, this  
 ‘ Day of in the Year of our Lord

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual, to all Intents and Purposes whatsoever, as to and against the Person or Persons making the same, and his, her, or their Cestuique Trusts, and all other Persons claiming or to claim by, from, under, or in Trust for him, her, or them respectively, or in Remainder, Reversion, or Expectancy as aforesaid; and the same shall be deemed and construed to bar the Dower and Dowery 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.

XI. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute among themselves a Sum of Money by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the Undertaking, and the Purposes aforesaid, not exceeding in the whole the Sum of Sixteen thousand Pounds Sterling, to be subscribed in Shares of Fifty Pounds each.

Stock to be raised not to exceed 16,000l.

XII. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, or their Committee of Management after mentioned, by and with the Advice and Direction of any General Assembly of the said Company of Proprietors, to borrow or take up on Loan, at legal Interest, any Sum or Sums of Money for the Use and Behoof of the said Company, not exceeding the Sum of Five thousand Pounds Sterling in the whole, and to grant, execute, and deliver to and in favour of the Lenders, or those having Rights, such Bonds, Obligations, or other Deeds in Writing, as may be required, binding the said Company of Proprietors and Committee of Management, and their Successors in Office, and the Trade, Stock, and Estate of the said Company, for Payment of the Sum or Sums so borrowed with Interest.

The Company or their Committee may borrow Sums of Money, not exceeding 5,000l. in the whole.

XIII. Provided also, and be it further enacted, That the said Company shall not be authorized to exercise any of the Powers granted under this Act, until such Time as the Sum of Sixteen thousand Pounds shall have been subscribed.

16,000l. to be subscribed before the Works are begun.

XIV. And to the Intent that a sufficient Sum of Money may be provided for answering and paying all Demands upon the said Company of Proprietors, and to furnish the said Company with Money for its necessary and lawful Occasions, it is hereby further enacted, That the said Company shall be obliged to raise among themselves the full Sum of Sixteen thousand Pounds within the Period of Five Years from the passing of this Act.

Joint Stock to be raised within Five Years.

XV. And be it further enacted, That all and every Person and Persons by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to the Orders of any General Meeting or Meetings to be held by the said Company for that Purpose, for or towards the raising the said Capital Sum of Sixteen 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 to which he, she, or they shall have so contributed towards making up the same, and to a proportional Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Member or Members of the same.

Subscribers to share in the Stock in proportion to their Subscriptions.

XVI. Provided always, and be it further enacted, 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

Subscribers liable to the Debts of the Company in Proportion to their Share in the Stock:

in the Capital of the said Joint Stock ; but 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 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.

Stock to be divided into Shares of 50*l.* each, and be Personal Estate, and no one to have more than Ten Shares.

XVII. And be it further enacted, That the said Sum of Sixteen thousand Pounds shall be divided into Shares of Fifty Pounds Sterling each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Fifty 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 : Provided nevertheless, that no Person shall at any Time hereafter hold more than Ten Shares in the said Undertaking.

Proprietors to vote according to the Number of their Shares.

XVIII. And to the Intent that all Matters and Things touching the Concerns of the said Company may be managed and conducted in the most beneficial Manner ; 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 in 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 Three Shares, One Vote ; for Three Shares and less than Five Shares, Two Votes ; for Five Shares and less than Eight Shares, Three Votes ; for Eight Shares and not exceeding Ten Shares, Four Votes ; provided that no Person shall be entitled to give any Vote at such Meeting or Meetings, except at the First General Meeting, unless such Person shall be possessed of One Share at least in the said Undertaking, and shall have held such Share for Two Calendar Months preceding such Meeting.

If Two or more Persons be Joint Proprietors, the first named shall vote.

XIX. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to One or more Share or Shares in the said Undertaking, and in the Profits and Advantages thereof, such Persons 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 Shares ; and that no Person or Persons 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.

Empowering Proprietors of Shares to vote by Proxy.

XX. And be it further enacted, That any Female, Infant, or other Proprietor of One or more Share or Shares in the said Joint 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 Member of the said



said Company entitled to vote: Provided nevertheless, that no Person shall deliver in Proxies for more than Three Members, and the Appointment of such Proxies may be made in the Form following; (*videlicet*),

‘ I A. B. of One of the Proprietors of and in Form of Ap-  
 ‘ “The *Nottingham* Gas Light and Coke Company,” do hereby nomi- pointment of  
 ‘ nate, constitute, and appoint C. D. of Proxies.  
 ‘ 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 Under-  
 ‘ taking, 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

XXI. 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 or Clerks 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.

XXII. And be it further enacted, That there shall be from Time to Time elected, from the Members of the said Company, Nine Persons (to be appointed as after mentioned), who have subscribed for or been possessed of not less than Two Shares in the said Undertaking, for a longer Space of Time than Two Calendar Months, and such Persons when so elected shall and are hereby declared to be the Committee of Management for managing the Affairs of the said Company; but no Person who shall be concerned or interested in any Contract or Contracts made with the said Company, shall be a Member of the said Committee, or hold any Place or Office of Trust under the said Company. Committee of Management to be appointed.

XXIII. And be it further enacted, That the said Company of Proprietors, or any Five or more of them, shall meet together at the *Guildhall* of the said Town and County of the Town of *Nottingham*, 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 after as conveniently 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 Town and County of the Town of *Nottingham* afore said, 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 at any One Meeting a sufficient Number of Proprietors to act or to adjourn (Three Proprietors being hereby declared sufficient for the Purposes 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. First Meeting.

[Local.]

14 T

XXIV. And

Appointment  
of Commit-  
tee of Ma-  
nagement,  
Officers, &c.

XXIV. And be it further enacted, That the said Company of Proprietors, or any Five or more of them present at such Meeting or Meetings as last aforesaid, shall and may proceed to elect Nine of the said Proprietors, to form and become such Committee of Management as aforesaid, 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 case such Votes shall be equal, then the Chairman, to be first elected and appointed at such Meeting, and at every other Meeting to be held in pursuance of this Act, shall have a casting Vote; and that the said Company of Proprietors, or any Five or more of them present as aforesaid, or at any General or Special Meeting of the said Proprietors to be held in Manner herein-after mentioned, shall and may appoint One or more Treasurer or Treasurers, Clerk or Clerks, or such other Officers and Persons for the Execution of this Act, as they the said Company of Proprietors shall think proper, and shall and are hereby required to take Security from such Treasurer or Treasurers, Officer or Officers, or other Person, for the faithful Execution of their respective Duties.

Clerk re-  
strained from  
acting as  
Treasurer,  
and vice  
versa.

XXV. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who shall or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who shall or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company of Proprietors; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

One General  
Meeting to  
be held in  
each Year.

XXVI. 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 One General Meeting of the said Company; that is to say, on the Twenty-fourth Day of *June*, or within Fourteen Days next after such Day, of which Meeting Fourteen Days Notice at the least shall be given by Advertisement in One or more of the public Newspapers published in the said Town and County of the Town of *Nottingham*; and the First General Meeting to be held by virtue of this Act shall be holden on the Twenty-fourth Day of *June* which shall first happen next after the First Meeting of Proprietors; and that all such Meetings may be adjourned from Time to Time, and from Place to Place, within the said Town and County, as shall be found expedient; and that the Subscribers and Proprietors at such General Meeting, or at any other Special Meetings 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 as last aforesaid, or to re-elect such Persons qualified as last aforesaid, 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; and that no Member or Members of the said Company to be chosen One of the said Committee of Management of the said Company shall be capable of being so chosen or of continuing in such Office as aforesaid, unless the said Number of Two Shares be entered and continue in the Names of such Person or Persons respectively in the Books of the said Company.

XXVII. And be it further enacted, That the said several Persons therein to be nominated and appointed the Committee of Management as aforesaid, who shall not resign, or be removed, or become ineligible and disqualified, shall continue in their respective Offices for the Space of Three Years, to be accounted from the Day of Election, and until others shall be duly elected into their Places, (except as after mentioned); and that all succeeding Members of the said Committee shall respectively be chosen out of the Members of the said Company, at the said Day of General Meeting, or some Adjournment thereof, or some Special Meeting so to be called as aforesaid: Provided nevertheless, that at the Second General Meeting of the said Proprietors, Three of the said Committee of Management shall be removed therefrom by Ballot, and at the Third General Meeting of the said Proprietors, Three others of the said Committee of Management so originally appointed as aforesaid, or chosen in lieu thereof, shall also be removed by Ballot.

Committee to continue in Office Three Years (except as to the First Two Years).

XXVIII. Provided always, and be it further enacted, That any Vacancy or Vacancies in the said Committee, by Death, Resignation, Removal (otherwise than by Ballot as aforesaid), or becoming ineligible or unqualified as aforesaid, may and shall be filled up at any Special Meeting or Meetings to be called for that Purpose in Manner aforesaid; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall continue in his or their several and respective Office or Offices as long as the Person or Persons in whose Place or Stead he was elected would have continued in Office.

Vacancies in the Committee how to be filled up.

XXIX. 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 Meeting, or to any Ten or more of the said Company of Proprietors, who shall together be Holders of Twenty 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 other Proprietors, being Holders of at least Twenty Shares, and which Requisition shall specify the Object of such Meeting; 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 Proprietors at large, by Advertisement in One or more of the Newspapers published in the Town and County of the Town of *Nottingham*, 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 somewhere in the said

Special Meetings of the Proprietors may be convened.

Town

Town and County of the Town of *Nottingham*, 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 to 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.

Meetings of the Committee and Regulations for their Proceedings.

XXX. 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 them then present, and in case of an equal Division the Chairman for the Time being shall have the 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 to the next Day, or some subsequent 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.

Power of Committee, &c.

XXXI. 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 for the lighting of any such Parishes, Places, Streets, Market Places, Houses, 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 placing and displacing Officers, Agents, and Servants, and making all Contracts or 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, Controul, or Regulation of the Powers and Authorities by this Act granted.

Treasurer not to issue Money without an Order from the Committee of Management.

Dividends to be made Half-yearly.

XXXII. And be it further enacted, That the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, shall not issue any Sum or Sums of Money 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 that on the Twenty-fourth Day of *June* and the Twenty-sixth Day of *December* 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 as aforesaid, out of the Interest, Profits, or Advantages of the said Undertaking, at a Meeting or Meetings of the said Committee, unless the Proprietors of the

the said Undertaking shall at their General Meeting or some Special Meeting declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much for every Fifty-Pound Share subscribed by such Proprietors, their Executors, Administrators, Successors, and Assigns, as the said Committee or Company shall think fit at such Meeting or Meetings 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.

XXXIII. And be it further enacted, That every General Meeting of the said Company, or the Committee of Management for the Time being (in consequence of any Resolution that shall have been first passed for such Purpose, at any Meeting of such said Committee of Management for the Time being, to have been on that Account held), 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 for the Time being 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 Ten Pounds for or in respect of any One Share of Fifty 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 to the said Company for the Time being, to be issued and applied by virtue of an Order or Orders given to him for 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 Three 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, or the Committee of Management for the Time being, 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 Town and County of the Town of *Nottingham* aforesaid, 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 Profits and Advantage thereof; and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the 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, until after Twenty-one Days Notice shall be given by the Treasurer or Clerk to the said Company to the Owner or Owners thereof, or Notice in Writing left at his, her, or their usual or last Place of Abode, nor unless the same shall be declared to be forfeited at the First Meeting of the said

Calls to be made on Subscribers.

In default of Payment of Calls Shares to be forfeited;

but Notice first to be given.

[Local.]

14 U

Proprietors

Proprietors which shall be held not earlier than Two Calendar 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 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.

Executors,  
&c. indemnified in paying  
Calls.

XXXIV. 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 as aforesaid, by Will or otherwise, how such Share or Shares shall be disposed of, and how the future Calls in respect thereof shall be answered, that then and in such Case the Executors or Administrators of such Proprietor, and 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.

For ascer-  
taining the  
Proprietor-  
ship of Shares  
in certain  
Cases.

XXXV. And if it should happen that the 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 in the Power of the said Company, or any Officer acting for the said Company, to know who is the Owner or Proprietor of such Share or Shares, for the Purpose of giving him, her, or them, their Executors, Administrators, Successors, and Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions against him, her, or them, their Executors, Administrators, Successors, and Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, their Executors, Administrators, Successors, and Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore further enacted, That in all Cases aforesaid, where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein specified, an Affidavit shall be made and sworn to by Two credible Persons before any One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, their Executors, Administrators, Successors, and Assigns; and that such Affidavit shall be transmitted to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the Clerk of the said Company; and that in all or any of the said Cases, it shall be lawful for the

Subscribers

Subscribers and Proprietors, at any General Meeting, after Three Calendar Months Notice shall have been given by the said Treasurer or Clerk to the Owners or Persons claiming by such Affidavit to be Owner or Owners thereof, and that such Person or Persons, their Executors, Administrators, Successors, and Assigns, shall not have paid his, her, or their Proportion of the Money becoming payable by virtue of any Call or Calls, and after Notice thereof shall have been given Three Times, at the Interval of Ten Days at least between each Advertisement, in some one Newspaper circulated in the said Town and County of the Town of *Nottingham*, to declare at any General Meeting the same Share or Shares to be forfeited, and that in such Case the same shall be and become forfeited, and be sold and disposed of in such Manner as the said Subscribers and Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the General Fund of the said Company.

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

Shares may be transferred.

I of in Consideration of  
 I paid to me by of do hereby bargain,  
 sell, and transfer to the said the Sum of  
 Capital Stock of and in the Undertaking called 'The *Nottingham Gas*  
 Light and Coke Company,' being of my Share, Number  
 in the said Undertaking; to hold to the said  
 Executors, Administrators, and Assigns, subject to the same Rules,  
 Orders, and Restrictions, 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

Form of Transfer.

And that every such Transfer shall be registered in the Books of the said Company; 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 registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, their Executors, Administrators, Successors, and Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking.

Transfers to be registered.

XXXVII. 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 Payment of the said Call, until the Money so called for or in respect of his, her, or their Shares intended to be sold shall be paid; and until such Money so called

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

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 Forfeiture nevertheless to be first notified and declared in Manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

Proprietors  
to vote who  
have had  
their Shares  
Two Calen-  
dar Months.

XXXVIII. And be it further enacted, That from and after the First General Meeting of the said Company of Proprietors to be held in pursuance of this Act, no 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 not possessed his or her Share or Shares, and whose Name has not been entered in the Books of the said Company, as the Possessor or Proprietor of such Share or Shares, for the Space of Two 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 always, 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 made or to be made by the said Committee of Management for or in respect of such Share or Shares.

Profits not  
to exceed  
Five Pounds  
per Share  
per Annum.

XXXIX. Provided always, and be it further enacted, That the clear Profits to be received by the said Company of Proprietors from the said Undertaking, shall never exceed Five Pounds *per Annum* upon each Share of Fifty Pounds; and in order to ascertain the Amount of the clear Profits of the said Undertaking, the said Company shall and are hereby required, from the last *Tuesday in April* next after the Expiration of Two Years from the Time of passing this Act, to cause a true, exact, and particular Account to be kept and annually made up and balanced to the last *Tuesday in April*, of the Money collected or received by them or for their Use by virtue of this Act, and of the Charges and Expences attending the supporting, maintaining, and using the said Works; and if the clear Profits of the said Undertaking shall at any Time amount to a larger Sum of Money than shall be sufficient to make a Distribution amongst the said Proprietors of Five Pounds *per Annum* upon every such Share, such Percentage to be computed and take place from the Time of the passing of this Act, then and in such Case the Excess or Surplus which shall be more than sufficient for the Purposes aforesaid, shall from Time to Time be placed in the Hands of such Person or Persons, or on such Government or other Security or Securities, to answer any Deficiencies that may happen in the next or any succeeding Year or Years, as the said Company shall for that Purpose order or direct, until such Excess or Surplus shall amount to the Sum of Four thousand Pounds; and the Interest or Dividends of such Sum or Sums so to be invested shall be paid and applied in like Manner as the Money to be received by or for the  
Use



Use of the said Company by virtue of this Act are to be paid or applied; and the total Amount of every such Annual Account as aforesaid, together with an Account of the Dividends and Interest to be from Time to Time received on all such Money so to be placed out as aforesaid, shall be laid before the Justices of the Peace at their *Michaelmas* Quarter Sessions to be holden for the said Town and County of the Town of *Nottingham*, next after the making up of every such Annual Account; and if by any such Annual Accounts it shall appear to the Justices at such Sessions that the clear Profits of the said Undertaking, after such Sum shall have been so vested, including the said Dividends and Interest, shall upon the Average of Three Years then next preceding have exceeded the Rate of Five Pounds *per Annum* upon every such Share, then and in every such Case the said Justices shall and are hereby authorized, by an Order to be made at such Session, or at any Adjournment thereof, to dispose of such Surplus in the better lighting of the said Town of *Nottingham* or any Part thereof, or to such other public Purpose as the said Justices may direct, any Thing in this Act to the contrary thereof notwithstanding; and for the better ascertaining the Truth of the said Accounts it shall be lawful for the Justices of the Peace at any such General Quarter Session as aforesaid, when and as often as they shall think fit, to authorize any Person to examine the Books in which the said Accounts shall be entered and kept, and to take Copies thereof, or such Extracts therefrom as they shall think proper; and every such Person shall be permitted at all seasonable Times to examine such Books, and to take such Copies or Extracts as aforesaid, without paying any Thing for the same, and the Justices at any such Session may examine any Witnesses upon Oath touching the Truth of the said Accounts.

XL. And be it further enacted, That the said Company, or their Committee of Management, shall and they are hereby required to cause the Names and Designations of the several Persons who shall be entitled to Shares in the said Undertaking, with the Number of the 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 to cause a Certificate signed by the Clerk to be 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.

Names of Proprietors to be entered.

XLI. And whereas the said inflammable Air or Gas cannot be used for lighting Houses, Manufactories, or Buildings, and the public Streets, Ways, Passages or Places, as aforesaid, unless the said Air or Gas be conveyed by Means of Pipes properly laid for that Purpose; be it further enacted, That the said Company of Proprietors shall have full Power and Authority to break up the Soil and Pavement of any such Streets, Ways, Lanes, Passages, and Places in the Town and County of the Town of *Nottingham* aforesaid, and dig and sink Trenches and lay Pipes, and put Stop Cocks or Plugs or Branches from such Pipes in such Places as aforesaid, and to lay any Mains or Pipes communicating with the Works of the said

Power to break up Pavements for laying Pipes, &c.

[Local.]

14 X

Company,

Company, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, for the Purpose of lighting any Houses, Manufactories, or Buildings whatsoever in the Parish or Place where such Houses, Manufactories, or Buildings shall lie or be situated, and also such and the like Power and Authority for the Purpose of lighting the Public Streets, Market Places, Highways, Passages, Lanes, or Places, or any Part of them, in the Town and County of the Town of *Nottingham* aforesaid, by Means of such Gas as aforesaid, in case the Directors and Trustees under the said Act, in pursuance of the Powers granted to them by the said herein-before mentioned Act of the Second Year of the Reign of His present Majesty, or such other Person or Persons as aforesaid, shall think fit and convenient to contract or agree with the said Company for the lighting of the said Public Streets, Market Places, Highways, Passages, Lanes, or Places, and from Time to Time to alter the Position of and to repair, re-lay, and maintain such Pipes, Stop Cocks, and Plugs, and to do all such other Acts, Matters, and Things as the said Company and their Successors, the said Committee of Management, or such other Person or Persons as aforesaid, shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, and using the same; and for the Privilege of breaking up such Soil and Pavement as aforesaid, the Company shall yearly and on the Twenty-fifth Day of *March* in every Year pay unto the Mayor and Burgeses of the said Town of *Nottingham*, the Sum of One Pound as an Acknowledgement of their Right of Soil as Lord of the Manor of the said Town and County of the Town of *Nottingham*.

Power to make a Sewer for carrying off the Washings.

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

Washings not to be carried into the River Trent, &c.

XLIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to carry or convey or cause to be carried or conveyed into the River *Trent*, or any other River, Stream, or Brook whatsoever, 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.

Workmen in laying Pipes to make good the Pavement.

XLIV. 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, and carry away the Rubbish occasioned thereby, and shall repair any Damage arising from any Sewers or Cuts which may be made for carrying off the Washings or Waste Liquids aforesaid, without the least Delay, and shall in the meantime guard the Place or Places where any Ground shall be opened, by placing and setting up Lamps or Lights during the Night, and in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages, and as the Mayor of the said Town for the Time being shall from Time to

**Time direct:** Provided always, that if there shall, in the Judgment of the Mayor of the said Town for the Time being, 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 in making good any such Pavements or Roads, or repairing any such Damages, then and in every such Case it shall and may be lawful to and for the Mayor of the said Town for the Time being, or any Person or Persons acting by and under the Authority of the Mayor of the said Town for the Time being, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Way, Lane, Passage, or Place so broken up, and to repair such Damages; 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 the Mayor of the said Town for the Time being, or other Persons acting by or under the Authority of the Mayor of the said Town for the Time being, 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 Town and County of the Town, 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, and of the Information, Warrant, and other Proceedings incident thereto, 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, upon Information and the Oath of one or more credible Witness or Witnesses, in the usual Way; and such Costs, Charges, and Penalties shall be paid to the Mayor of the said Town for the Time being, who shall dispose of the said Penalties to some public Purpose or Charity, as he shall see meet.

**XLV.** And be it further enacted, That if for the Improvement or Alteration of any of the Streets, Places, Roads, or Ways in the said Town and County of the Town of *Nottingham*, it shall at any Time or Times be deemed necessary or expedient by the Surveyors of the Highways of any of the Parishes in the said Town and County of the Town of *Nottingham*, having first for that Purpose obtained the Consent or Order in Writing of the Mayor or any Two of the Aldermen of the said Town of *Nottingham* for the Time being, to require the said Company of Proprietors to raise, sink, or otherwise alter the Situation of any of the Pipes, Stop Cocks, Plugs, or Branches which shall be laid down for the Purposes aforesaid, or to complete or make good any Part of the Pavement so to be broken up as aforesaid, the said Company of Proprietors shall at their own Expence, within Two Calendar Months next after being required so to do, by Notice in Writing to them given by the said Surveyors, raise, sink, or alter such Pipes, Stop Cocks, Plugs, or Branches, according to such Notice, in such Manner and in such Place or Places as the said Surveyors shall think right and proper; and in default thereof it shall and may be lawful to and for the said Surveyors, or any other Person or Persons acting by their Order or under their Authority, to cause such Pipes, Cocks, Plugs, or Branches to be raised, sunk, or altered,

Power to  
raise, sink, or  
alter Pipes.

or

or such Pavement to be completed or made good; 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 One Month next after Demand shall be made by such Surveyor or other Person acting by or under the Authority of the said 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 Town and County of the Town of *Nottingham*, 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 is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Surveyors.

Damage to be made good.

XLVI. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Cocks, Plugs, or Branches, any Damage or Injury shall be wilfully or negligently done to the same by the said Surveyors or their Servants, then and in every such Case such Damage or Injury shall be made good as soon as Circumstances permit, and the Costs, Charges, and Expences thereof shall be paid by the said Surveyors.

The Company not to interfere with Rights of Persons to supply Water, and to make good Damages to their Pipes, &c.

XLVII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said *Nottingham* Gas Light and Coke Company, or any other Person or Persons, in any way whatsoever to interfere with or abridge the Rights or Privileges of any Person or Persons, Bodies Politic or Corporate, now having or who shall or may at any Time hereafter have any Right, Privilege, or Power to supply the Inhabitants of the said Town and County of the Town of *Nottingham* or the Neighbourhood thereof with Water, or with any Thing relating thereto; and the said *Nottingham* Gas Light and Coke Company shall be and are hereby made answerable for any Damage, Spoil, Injury, or Mischief which shall be done to any of the Pipes, Works, or Property of such Persons or Person, Bodies Politic or Corporate, or which shall or may be sustained by them or any of them, or to the Pipes or Branches of any Person or Persons communicating with such Pipes, Works, or Property, by reason or in consequence of any Act, Matter, or Thing to be done or executed by the said *Nottingham* Gas Light and Coke Company, or any of their Agents, Servants, or Workmen; and the said *Nottingham* Gas Light and Coke Company shall and they are hereby required to pay the Amount of such Damage, Spoil, Injury or Mischief on Demand.

If Contracts be not duly performed, they may be voided on giving Notice, &c.

XLVIII. And be it further enacted, That if the said Company shall contract with any such Directors and Trustees or the Persons as aforesaid for lighting any Parish or Place, or Part of any Parish or Place, and shall not duly perform such Contract, then and in such Case it shall and may be lawful for such Directors and Trustees or other Persons to determine such Contract, giving Six Calendar Months Notice thereof; and then and in such Case, and also at the Expiration of any such Contract, it shall be lawful for the said Company of Proprietors to remove the Pipes, Cocks,

Cocks, Plugs, Branches, and other Materials belonging to the said Company, and employed in lighting such Parish or Place, at the Expiration of such Contract or Determination thereof by such Notice.

XLIX. 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, or such other Person or Persons as aforesaid, without the Consent of the said Company under their Common Seal first had and obtained, on pain of forfeiting the Sum of Fifty Pounds, to be recovered by Action at Law in any of His Majesty's Courts at *Westminster* or elsewhere; and also the further 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 Town and County, and which Warrant such Justice or Justices is and are hereby empowered to grant; and the Surplus, after such Penalty or Forfeiture, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol of the said Town and County, 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.

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

L. 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, Post, Plug, or other Matter or Thing belonging to the said Company, every Person so offending in any one 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 Town and County, shall forfeit and pay to the aforesaid Company, or such other Person or Persons as aforesaid, double the Amount of the Damage proved upon Oath to be done, at the Discretion of such Justice or Justices; such Penalty, together with the reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any); or such Offender shall and may be committed to the Common Gaol of the said Town and County of the Town of *Nottingham*, there to remain for any Time not exceeding Three Calendar Months, at the Discretion of the Justice or Justices before whom such Offender shall be committed.

Penalty for damaging Pipes, &c.

LI. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General or Special 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 regulating of all Officers, Workmen, and Servants to be employed in and about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all Respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Bye-Laws, or any of them, and to make

General Meeting may make Bye-Laws.

[Local.]

14 Y

others,

others, and impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye-Laws, or any of them, not exceeding the Sum of Five Pounds for any 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 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 continue in the Guildhall of the said Town and County of the Town of *Nottingham*; and all such Rules, Orders, and Bye-Laws shall be subject to Appeal in Manner by this Act directed.

Appeal may  
be made to  
the Quarter  
Sessions.

LII. 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 (except only as to the reasonable Costs and Charges incurred by filling up Ground, removing Rubbish, repairing and making good Pavements, and repairing Damages, by Direction of the Mayor of the said Town of *Nottingham* for the Time being, and to the Order or Orders of the Mayor for the Time being in that behalf, and any Warrant or Warrants to be issued to enforce the same; but this Exception not to extend to the Five Pounds Penalty herein-before directed to be in certain Cases paid), 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 Town and County of the Town, or County or Place where the Cause of Appeal shall arise, and not elsewhere; the Person or Persons appealing having first 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 Town and County of the Town of *Nottingham*, County or Place, with 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 Town and County of the Town or Place, 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.

LIII. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe or advance any Money for and towards carrying on the Works hereby authorized to be made, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Portions thereof as shall from Time to Time be called for by the said Committee of Management or General Meeting, under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Committee or Meeting in Manner before mentioned; and in case any Person or Persons shall neglect or refuse to pay the same, at the Time and in the Manner required for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

To compel Payment of Subscriptions.

LIV. 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 any one of the Members of the Committee of Management, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent of or 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.

Declaring what shall be good Service of Notices on the Company.

LV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying or recovering and the Application 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 Town and County of the Town of *Nottingham*, 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 Charges 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 Town and County of the said Town, for any Time not exceeding Three Calendar Months.

Recovery and Application of Penalties.

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

‘ to wit. } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_  
 in the \_\_\_\_\_ Year of the Reign of \_\_\_\_\_

Form of Conviction.

and

‘ and in the Year of our Lord One thousand eight hundred and  
 ‘ is convicted before me, One of His Majesty’s Justices of  
 ‘ the Peace for the Town and County of the Town of *Nottingham*, by  
 ‘ virtue of an Act passed in the Fifty-eighth Year of the Reign of His  
 ‘ Majesty King *George* the Third, intituled *An Act* [here insert the Title of  
 ‘ *this Act*], of having [specify the Offence, and the Time and Place when and  
 ‘ where the same was committed], contrary to the said Act; and for which  
 ‘ Offence I do adjudge the said to have forfeited the  
 ‘ Sum of . Given under my Hand and Seal, the Day  
 ‘ and Year first above written.’

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

LVII. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect of depriving the said Directors and Trustees, 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 or other Places with Gas Lights or in any other Manner, and 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 said Directors and Trustees for lighting the said Town and County of the Town of *Nottingham*, or any Body Corporate or Politic, Sole or Aggregate, or Company established for the Supply of Water in or for any of such Parishes or Places, or any Part or Parts thereof: 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.

General  
 Saving of all  
 other Rights.

LVIII. Saving always to the King’s most Excellent Majesty, His Heirs and Successors, and to the Mayor and Burgeses of the Town and County of the Town of *Nottingham* and their Successors, and to the Directors and Trustees in the said Act herein-before mentioned, and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and all other Person and Persons whomsoever, all their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

Public Act.

LIX. 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.