



ANNO QUINQUAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. lxxxvii.

An Act for lighting with Gas the Town of *Bright-
helmston* in the County of *Suffex*. [10th June 1818.]

WHEREAS the Town of *Brighthelmston* is a large and populous Place, and now considerably increasing in Extent and Population; and it would be of great Benefit to the Inhabitants thereof, and to the Public at large, if the Steynes, Streets, Highways, and other public Passages and Places were better lighted by means of Coal Gas: And whereas inflammable Air, carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be procured from Coal: And whereas the said inflammable Air, carburetted Hydrogen, or Coal Gas, being conveyed by means of Pipes or Tubes, may be safely and beneficially used and applied for lighting the public Streets, Steynes, Squares, and Market Places in the said Town of *Brighthelmston*, and also for lighting Shops, private Houses, and public Buildings therein; and the said Coke may be beneficially employed and used as Fuel in private Houses, Manufactories, and other Places; and the aforesaid Articles 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 the Right Honourable the Earl of *Tyrconnell*, *John Wray*, *John Wray* junior, *Charles Elton Prescott*, *John Adams*, *George Mackintosh*, *John Slee*, *Thomas* Company incorporated.

[Local.] 22 X

Name.

Power to
make Con-
tracts, &c.

*Thomas Humphries, Richard Oakley, James Colquhoun, James Henry Deacon, Joseph Garland, William Ellwand, Richard William Silvester, Joseph Briggs, George Edward Watts, Thomas Okey, James M'Dougall, Charles M. Willich, Edward Long Fox, William R. Stokes, John Whitehead Walton, William Walton, James Chaffin, Cornelius Gill, William Townson, William Styan, Charles Francis, Michael Hasley, William Fanning, John James, Richard Brant, Richard de Lannoy, Richard de Lannoy junior, Thomas de Lannoy, William de Lannoy, John Newcomb, John Dix, William Walker, Thomas Dyer, William Street, John Colt, Thomas Sherborne, James Gregory, James Hefeltine, James Pay, Robert Sharman, William Parker, James Chaffin junior, William Alexander, John Shave, James A. West, John Hall, John Henry Bates, Thomas Attree, Edward Thunder, and the Reverend Thomas Scutt, and all and every such other Person or Persons as from Time to Time shall become a Subscriber or Subscribers and be duly admitted a Proprietor or Proprietors 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 Brighton 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 shall be established for the Purpose of producing inflammable Air, carburetted Hydrogen, or Coal Gas, for lighting with Gas the several Steynes, Streets, Ways, Lanes, and other public Passages and Places, and also Shops, private Houses, and public Buildings in the said Town of *Brighthelmston*, and for producing Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Products arising from or by the Carbonization of Coal and for other Purposes relating thereto or that may be connected therewith, and shall have full Power to enter into and make any Contracts, or agree with the Commissioners for putting into Execution an Act passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to repeal an Act made in the Thirteenth Year of His present Majesty, for paving, lighting, and cleansing the Town of Brighthelmston in the County of Suffex, and removing and preventing Nuisances and Annoyances therein; for regulating the Market; for building and repairing Groyns to render the Coast safe and commodious; for landing Coal and Culm, and laying a Duty thereon; and for making other Provisions in lieu thereof; and for regulating Weights and Measures, and building a Town Hall;* or with such Number of them as is by the said Act competent to act in the Execution thereof, or with any other Persons having the Controul, Direction, or Management of the lighting of any of the Steynes, Streets, Highways, or other Places within the Town of *Brighthelmston*, or with any Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, who may be willing and desirous of contracting or agreeing with the said Company (and who are hereby empowered to contract with the said Company) for the lighting of any such Streets or Places, or any Manufactories or private Houses, or public Buildings, or Places of public Exhibition within the Streets or Places aforesaid; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and all other Products arising from or by the Carbonization of Coal, and for*

other Purposes relating thereto or connected therewith, under such Conditions, Limitations, and Restrictions as are herein-after expressed.

II. And be it further enacted, That it shall and may be lawful to and for the said Company or their Committee of Management, and they are hereby empowered, from Time to Time to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments which may be requisite for any of the Purposes of this Act (not exceeding Ten Acres of Land in the whole) with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life or Lives, or in Fee Tail General or Special, or with any Feoffees in Trust, Trustees, Executors, Administrators, Husbands, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, or with any Femes Covert who are or shall be seized, possessed of, or interested in their own Right, or with any other Person or Persons whomsoever, who shall be willing to sell the same, or his, her, or their Right and Interest in the same, or in case the Lands, Tenements, or Hereditaments which shall be necessary for the Purposes of this Act shall be Copyhold, to prevent any Doubts or Difficulties in obtaining Admission thereto of or for the said Company, it shall and may be lawful for any Three or more Persons, as Trustees for and on Behalf of the said Company, for the Purposes of Admission to or Surrender of such Lands, Tenements, or Hereditaments, to treat, contract, and agree for the Purchase thereof on Behalf of the said Company, for the Uses and Purposes of this Act; and upon Payment of the Purchase Money for any such Lands, Tenements, or Hereditaments to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England* in Manner by this Act directed (as the Case may be), such Lands, Tenements, and Hereditaments may be taken and used for the Purposes of this Act; and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title, Claim, or Reversion to such Lands, Tenements, or Hereditaments, and the same Lands, Tenements, and Hereditaments shall vest in the *Brighton Gas Light and Coke Company*, or such Trustees on their Behalf; and it shall and may be lawful to and for the said Company to hold any such Lands, Tenements, and Hereditaments, and any Term, Right, and Interest therein so purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the 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 *Brighton 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.

Power to contract for the Purchase of Lands and Buildings.

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,

Bodies Politic, &c. empowered to sell.

Successors, but also for and on Behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seized, possessed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seized, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company to be purchased as aforesaid for the Use and Purposes of this Act, to treat, contract, and agree with the said Company, or such Trustees on their Behalf, 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 or such Trustees on their Behalf, 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, Trust, 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, Widow and Free-bench of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies 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 Year 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 or cause to be done by virtue and in pursuance of this Act.

Application
of Purchase
Money when
amounting
to 200l. or
upwards.

IV. And be it further enacted, That if any Money shall be contracted or agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased 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 there *ex parte* "The Brighton 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

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 Court upon Application thereto, 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.

V. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased 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 Lands, Tenements, or Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy, 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 Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the 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,

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

[Local.]

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and

and the Dividends arising thereon, may be applied in Manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the High Court of Chancery.

Application
of Purchase
Money not
exceeding
20l.

VI. Provided always, 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 to be purchased for the Purposes of this Act, in such Manner as the said Committee of Management or any Three or more of them shall think fit; or in case of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use or Benefit of such Person or Persons so entitled respectively.

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.

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 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 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 Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made 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.

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 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 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 Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

On Payment
of Purchase
Money

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,

ments, or Hereditaments, by the said Company, to the Party or Parties or Person or Persons respectively entitled to such Monies, or their Agents, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in Manner herein-before directed, as the Case may be, and upon the Conveyance in Manner herein-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 and their Successors for ever, or in such first-mentioned Trustees on their Behalf as aforesaid, for effecting the Uses and Purposes of this Act.

Premises to vest in the said Company.

X. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments (not being Copyhold) to be made to the said Company and their Successors, shall be made in the Form or to the Effect following; (that is to say),

Form of Conveyance.

‘ I [*or we, as the Case may be*] of _____ in
 ‘ consideration of the Sum of _____
 ‘ to me [*or us*] paid by “ The Brighton Gas Light and Coke Company,”
 ‘ do hereby grant and release [*or assign, as the Case may be*] to the said
 ‘ Company and their Successors, all [*here describe the Premises to be con-*
 ‘ *veyed or assigned*] and all my [*or our*] Right, Title, and Interest in and
 ‘ to the same, and every Part thereof; to hold to the said Company and
 ‘ their Successors for ever [*or, as the Case may be, during all the Re-*
 ‘ *mainder of my [or our] 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, or the Common Seal of the Corporation, as*
 ‘ *the Case may be*] this _____ Day of _____ in the
 ‘ Year of our Lord One thousand eight hundred and _____

or, being Copyhold, in the Form or to the Effect following; (that is to say),

‘ I [*or we, as the Case may be*] _____ of _____
 ‘ in consideration of the Sum of _____ to me [*or us*] paid by
 ‘ or on Behalf of “ The Brighton Gas Light and Coke Company,” do
 ‘ hereby covenant and agree, at the next General or other Court which
 ‘ shall be hereafter holden in and for the Manor of _____
 ‘ well and duly to surrender or cause to be surrendered into the Hands
 ‘ of the Lord of the said Manor for the Time being, or otherwise effec-
 ‘ tually convey and assure according to the Custom thereof, to the Use
 ‘ and Behoof of *A. B. C. D. and E. F.* Trustees nominated
 ‘ and appointed on Behalf of the said Company, and their Successors,
 ‘ for the Purposes of Admission to or Surrender of the same: And do
 ‘ hereby, so far as I [*or we*] lawfully can or may grant, and transfer all
 ‘ [*here describe the Premises*] and all my [*or our*] Right, Title, and
 ‘ Interest in and to the same and every Part thereof, to the End and
 ‘ Intent that the said Company and their Successors may be fully admitted
 ‘ to the said Hereditaments and Premises, and be entitled to the Inherit-
 ‘ ance thereof in Fee Simple, in Manner herein-after mentioned: And I
 ‘ [*or, we*] do hereby further covenant and agree that the said Premises
 ‘ shall

shall be had and holden, and the said Surrender thereof, when made, be and endure, to the Use of the said A. B. C. D. and E. F. their Heirs and Assigns; but nevertheless in Trust for the sole Benefit and Advantage of the said Company and their Successors for ever, at the Will of the said Lord, according to the Custom of the said Manor, and subject only to the Rent and Services due and of right accustomed in respect thereof; and that until such Surrender shall be made and perfected as aforesaid, I [or we] and my [or our] Heirs shall and will stand seised and possessed of the same in Trust for the said Company and their Successors. 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 the said Company shall be admitted to any such Lands, Tenements, or Hereditaments as shall be Copyhold, by and in the Name of such Trustees on their Behalf as aforesaid, who shall hold the same in Trust as aforesaid at the Will of the Lord, according to the Custom of the Manor wherein or whereof the Lands or Hereditaments shall be situate or holden, subject only to the Rents, Customs, and Services due and of right accustomed in respect thereof; 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 Dowry, Widow and Free-bench 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 Land, &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, or be inconvenient 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 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 or be inconvenient for the Purposes of this Act, and all their Estate and Interest (whether of Fee or otherwise) of and in the same; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall and may be lawful for the Treasurer for the Time being to the said Company, to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge or Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; and such Person or Persons, having *bond 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.

XII. And be it further enacted, That it shall be lawful for the said Company 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 Purposes aforesaid, not exceeding in the whole the Sum of Thirty thousand Pounds Sterling; and that the said Sum of Thirty thousand Pounds shall be divided into Shares of Twenty Pounds Sterling each; and that the Shares in the said Undertaking, and in the Net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

Joint Stock not to exceed 30,000 l. in Shares of 20 l. each; and to be Personal Estate.

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 Twenty-four thousand Pounds shall have been subscribed.

A certain Sum to be subscribed before the Act shall take Effect.

XIV. And be it further enacted, That all and every Person or Persons by or for whom any Subscription or Subscriptions shall be or has or have been made or accepted, or by or for whom any Payment or Payments shall be made pursuant to the Orders of any Meeting or Meetings to be held by the said Company or the Committee of Management for that Purpose, for or towards the raising of the said Capital Sum of Thirty thousand Pounds as aforesaid; his, her, or their Executors, Administrators, and Assigns respectively (no such Subscription being less than the Sum of Twenty Pounds), 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 shall have and be entitled to a proportionable Share of the Profits and Advantage attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors of and in the same.

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

XV. And be it further enacted, That 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 severally and 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 no Person shall be any further or otherwise liable, either personally or in his or her 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 her being one of the Persons composing the said Company, or of any of the Acts of the said Company, to the Statutes respecting Bankrupts or any of them: Provided always, that whenever Two or more Persons shall have jointly subscribed for, or shall be jointly possessed of any One or more Share or Shares in the said Undertaking, such Persons shall severally and respectively be answerable for the whole Amount of such Share or Shares, but not further or otherwise, as aforesaid.

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

[Local.]

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XVI. And

To compel
Payment of
Subscrip-
tions.

XVI. 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, to such Person or Persons, and in such Manner, as shall be ordered and directed by the Committee of Management herein-after mentioned; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Times 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, together with lawful Interest for the same from such appointed Time of Payment, from such Person or Persons; or in Cases where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One or more Share or Shares in the said Undertaking, then from all, any, or either of such Persons.

Names of
Proprietors
to be entered
and Certifi-
cate of their
Shares deli-
vered to
them.

XVII. And be it further enacted, That the said Company, or the Committee of Management appointed or to be appointed by virtue of this Act, 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 be delivered to every Proprietor upon Demand, for and in respect of every Share he, she, or they may hold in the said Undertaking, specifying the Share or Shares to which he, she, or they is or are 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.

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

XVIII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, shall, for 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 such Share or Shares, shall and may be given to or served as by this Act directed upon such Person whose Name shall so stand first in the Books of the said Company; and such Notice to such Person shall be deemed and taken to be a Notice to all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Notice is intended to be given to the 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 of any Three or more Shares so jointly possessed by them, by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such 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 Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Shares.

XIX. And whereas in case any 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 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 learn who is or are the Owner or Proprietor or Owners or Proprietors of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions, Suit or other Proceedings against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, or his, her, or their Executors, Administrators, Successors or Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein specified, an Affidavit shall be made and sworn to by Two credible Persons before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or Two of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns; and 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 to the said Company, and that in all or any of the said Cases, after Three Calendar Months Notice in Writing shall have been given by the said Clerk to the Owner or Owners, or Person or Persons claiming by such Affidavit to be Owner or Owners thereof, or left at his, her, or their last or usual Place of Abode, to pay his, her, or their Proportion of Money so to be called for, and such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors, at any General Meeting after the Expiration of such Notice, to declare 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 shall and may 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.

For ascertaining the Proprietorship of Shares in certain Cases.

XX. And be it further enacted, That it shall be lawful for the several and respective Proprietors of the said Undertaking, their Executors, Administrators, Successors, and Assigns, to sell and transfer any Share or Shares

Shares may be transferred.

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of which they shall respectively be possessed, and every such Transfer shall be in the Form or to the Effect following; (that is to say),

Form of Transfer.

I [or, we] of [our] [name] do hereby bargain, sell, assign, and transfer to the said [name] the Sum of [number] Capital Stock of and in the Undertaking called "The Brighton Gas Light and Coke Company," being my [or, our] Share or Shares] numbered [number] in the said Undertaking; to hold to the said [name] Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions, that I [or we] held the same immediately before the Execution hereof; and I [or, we] the said [name] 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] Day of [month] in the Year of our Lord One thousand eight hundred and [year].

Transfers to be registered.

And every such Transfer shall be produced to the Clerk of the said Company, and shall be entered or registered in the Books of the said Company; and such Entry or Registry shall specify the Dates, Names of the Parties, and the Number of Shares transferred, with the proper Number every such Share so transferred by which the same shall be distinguished; and a Copy of such Registry, signed by the Clerk or other such Officer of the said Company, shall be sufficient Evidence of every such Sale and Transfer, and shall be received as such in all Disputes and in all Trials before any Court, and by all Judges, Justices, and others in the United Kingdom; and that until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor 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.

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

XXI. Provided always, and be it further enacted, That after a 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, 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 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.

XXII. And

XXII. And be it further enacted, That the said Company of Proprietors or any Fifteen or more of them shall meet together at some convenient Place in the said Town of *Brightelmston*, within Forty Days next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon, and One of the Clock in the Afternoon, or as soon 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 as the said Company or any Eight or more of them shall think proper; and if it shall happen that there shall not appear before the Hour of Twelve of the Clock at Noon, at any Meeting, a sufficient Number of Proprietors to act or to adjourn (Five 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, or Seven or more of them, by Notice in Writing to the said several Proprietors by Letter from the Clerk to the said Company, sent by the Post.

First General Meeting.

to meet about

of the said

XXIII. And be it further enacted, That from and after the first Meeting of the said Company, 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 Twenty-one Days next after such Days respectively, of which several Meetings Seven Days Notice at the least shall be given by Letters from the Clerk to the said Company, sent by the Post to the said several Proprietors, or by Advertisement in One of the public Newspapers published in or near the said Town of *Brightelmston*, and in One or more of the public Newspapers published in the Cities of *London* or *Westminster*, 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 aforesaid First Meeting of the Proprietors; and that all such General Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and that all Questions at such Meetings shall be determined 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.

Two General Meetings to be held in each Year.

XXIV. And be it further enacted, That if at any Time it shall appear to the Committee of Management for the Time being, at any of their Meetings, or if at any Time it shall appear to any Five or more of the said Company 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, 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 Five 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 Seven Days to comply with such Requisition, then and in such Case it shall be lawful for

Special Meetings of the Proprietors may be convened.

[Local.]

the

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 Letters from the Clerk to be sent by the Post to the said several Proprietors, or by Advertisement in one of the Newspapers published in or near the Town of *Brightelmston*, and in one or more of the Public Newspapers published in the Cities of *London* or *Westminster*, specifying the Place where and the Time when such Meeting is to be held, the Time not being less than Seven Days after such Notice; 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.

Proprietors
to vote ac-
cording to
the Number
of their
Shares.

XXV. 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 Three or more Shares in the said Undertaking, shall have a Vote or Votes in respect of such 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 Three Shares and less than Five Shares, One Vote; for Five Shares and less than Ten Shares, Two Votes; for Ten Shares and less than Fifteen Shares, Three Votes; for Fifteen Shares and less than Twenty Shares, Four Votes; for Twenty Shares and less than Thirty Shares, Five Votes; for Thirty Shares and less than Forty Shares, Six Votes; and for Forty Shares and upwards, Seven Votes; but no Person shall be entitled to give any Vote at such Meeting or Meetings, unless he or she shall have possessed his or her Shares, and unless his or her Name shall have been entered in the Books of the said Company as the Possessor or Proprietor of such Shares, for the Space of Three Calendar Months then next preceding, 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 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 Committee of Management for or in respect of such Shares: Provided also, 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.

XXVI. And be it further enacted, That any Proprietor of Three or more Shares in the said Company's Stock; entitled to vote in respect of such 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 Five Proprietors, and the Appointment of such Proxies may be made in the Form or to the Effect following; (*videlicet*),

‘ I *A. B.* of _____ One of the Proprietors of and in
 ‘ “The *Brighton 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 _____ One
 ‘ thousand eight hundred and _____

Form of
Proxy.

XXVII. And be it further enacted, That it shall be lawful for the said Company, at any General or Special General Meeting of the said Company, to nominate, elect, and appoint, under the Common Seal of the said Company, such Three or more Trustees as aforesaid, for the Purposes aforesaid, and also a Treasurer or Treasurers, as to them the said Company shall seem proper; and from Time to Time to remove any such Trustees and Treasurer or Treasurers, or any or either of them, and in that Case, or in case of Death, to nominate, elect, and appoint another Person or Persons in his or their Room or Stead, in Manner aforesaid; and the said Company or the Committee of Management shall take sufficient Security from the Treasurer or Treasurers to be appointed in pursuance of this Act; provided always, that upon the Appointment of every such new Trustee or Trustees as aforesaid, all such Acts and Deeds shall be done and executed at the Costs and Charges of the said Company, by such Person or Persons, as shall or may be requisite or necessary for vesting the said Lands, Tenements, and Hereditaments, so held in Trust as aforesaid, in such new Trustee or Trustees, or in such new Trustee or Trustees jointly with the continuing or surviving Trustee or Trustees (as the Case may be), upon the Trusts and for the Purposes aforesaid.

Treasurers to
the Company
to be appoint-
ed at General
Meetings.

XXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both 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, nor more than One Imparlance, shall be allowed.

Offices of
Clerk and
Treasurer not
to be held by
one Person.

XXIX. And

General
Meetings
may make
Bye Laws.

XXIX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General 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 their 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 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 others; and impose and inflict such reasonable Fines and Forfeitures upon all Proprietors, 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 Superintendance 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 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.

Proceedings
to be entered
in Books.

XXX. And be it further enacted, That all Orders and Proceedings of the said Company, 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 Governor, Deputy Governor, or 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.

Committee of
Management
appointed.

XXXI. And be it further enacted, That *John Wray, John Wray junior, James Colquhoun, James Henry Deacon, John Adams, Joseph Garland, William Ellwand, Richard Oakley, Richard William Silvester, Thomas Humphries, and George Mackintosh*, Esquires, shall be and they are hereby constituted and appointed the Committee of Management for managing the Affairs of the said Company, one of whom shall by a Majority of Votes at a General or Special Meeting of the Proprietors, such Votes to be taken by Ballot, be elected Governor of the said Company, and another of whom shall be so elected Deputy Governor of the said Company; and the Governor when present, and in his Absence the Deputy Governor when present, shall be Chairman of any Meeting to be held by virtue of this Act.

XXXII. And

XXXII. And be it further enacted, That all and every Person and Persons nominated and appointed Member or Members of the Committee of Management by this Act, who shall not resign or be removed, or become disqualified, shall continue in such Office for the Space of Three Years, or until others shall be duly elected into their Places; and that a new Committee of Management shall successively be chosen out of the Proprietors of Shares in the said Undertaking, between the Twenty-fifth Day of *March* and the Fifteenth Day of *June*, once in every Three Years, of whom one shall be elected Governor of the said Company, and one shall be elected Deputy Governor of the said Company, in Manner aforesaid.

Committee to continue in Office Three Years.

XXXIII. Provided always, and be it further enacted, That the Person or Persons who shall have served or acted upon the said Committee, or who shall have been Governor or Deputy Governor respectively, shall and may, notwithstanding such Service or acting, at 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 newly appointed Committee of Management, or to be Governor or Deputy Governor respectively as aforesaid.

Members may be re-elected.

XXXIV. Provided always, and be it further enacted, That no Person shall be qualified to be elected or to be or continue a Member of the said Committee of Management, unless such Person shall have subscribed for or shall be possessed of at least Ten Shares in the said Undertaking, nor unless the same shall be entered and continue in the Name of such Person 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, or shall be concerned or interested in any Contract or Contracts under this Act, or who shall offer to take and succeed in taking or shall participate in any Manner in any Work to be done for the said Company, whether by Contract or otherwise, or shall refuse or neglect to attend the Meetings of the said Committee for the Space of Six Calendar Months.

Persons holding less than Ten Shares or being certain Dealers disqualified.

XXXV. And be it further enacted, That when and so often as any Member or Members of the Committee of Management, to be elected by virtue of this Act, shall be such Dealer, or concerned or interested in any such Contract or Contracts as aforesaid, or shall die or become disqualified, or refuse or neglect to act, it shall be lawful for the said Company, at any General or Special Meeting or Meetings to be called and held pursuant to the Directions of this Act, to elect some other of the said Proprietor or Proprietors duly qualified to be a Member or Members of the said Committee of Management; and every such Proprietor so elected 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 or Persons in whose Place or Stead he or they was or were elected would have been entitled under the Provisions of this Act to have continued in Office, if such Death, Disqualification, Refusal, or Neglect had not happened.

Vacancies in the Committee how to be filled up.

XXXVI. And be it further enacted, That in the Absence of both the Governor and Deputy Governor of the said Company, at any Meeting

Meetings of the Committee, and Re-

[Local.]

or

gulations for
their Pro-
ceedings.

or Meetings of the said Committee, the Committee shall in that Case have Power to nominate a Chairman for the Time being; and 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 Solicitor, Secretary, Engineer, Clerks or Agent of the said Company shall be decided and determined, where the Number of the Committee present shall not be less than Five); 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 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.

XXXVII. 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 Town of *Brightelmston*, or any Part or Parts thereof, or any of the Steynes, Streets, Ways, Lanes, and other public Passages and Places, or Shops, private Houses, and public Buildings; and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced from or by the Carbonization of Coal as aforesaid, or otherwise relating thereto; and in appointing or placing and displacing or suspending any Officer or Servant of the Company (not being a Trustee or Treasurer of the said Company, who is to be elected and appointed at a General Meeting of the Company as aforesaid); 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, Controul, 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 Governor or Deputy Governor, or in their Absence by the Chairman of the said Committee of Management for the Time being, and Two other Members at the least of the said Committee present at some Meeting of the said Committee of Management.

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 Under-

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 Purpose, and that such Order or Orders shall be signed by the Governor or Deputy Governor, or 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 Meeting of the said Committee, of which Time and Place Fourteen Days Notice at least shall be given by Letter from the Clerk of the said Company, to be sent by the Post to the said several Proprietors or by Advertisement in One of the said Newspapers published in the said Town of *Brightelmston*, and in One or more of the public Newspapers published in the Cities of *London* or *Westminster*, 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 One Calendar Month 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 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 last or usual Place of Abode, nor 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.

But Notice to be given.

XXXIX. Provided always nevertheless, and be it further enacted, That nothing herein-before contained shall authorize and empower the said Committee of Management to call for or to compel Payment of more than Eighteen

One-tenth of the Capital to be reserved for satis-

paying any
Damages or
Costs.

Eighteen Pounds 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 Two Pounds 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 such Committee of Management shall have the same Powers, and are hereby required to call for such remaining Two Pounds, 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 by this Act authorized to be made, and they are also hereby authorized to apply such Two Pounds towards making good, defraying, or paying any such Damage and Costs which may be awarded against the said Company as aforesaid.

Executors,
&c. indemnified in
paying Calls.

XL. 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 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 or Proprietors, 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 or Proprietors.

Dividends to
be made
Half-yearly.

XLI. And be it further enacted, That on the Fifteenth Day of *June* and the Fifteenth Day of *December* in every Year, or within Twenty-one 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 Dividends 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 Meetings to appoint and determine; provided that no Dividend shall be declared, made, or paid for Twelve Calendar 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.

XLII. And whereas for the Purpose of using the said inflammable Air, carburetted Hydrogen or Coal Gas, for lighting the public Streets, Steynes, Roads, Highways, Lanes, Ways, Passages, or Places as aforesaid, it will be requisite the said Gas should be conveyed by Means of Pipes or Tubes to be properly laid for that Purpose; be it further enacted, That if at any Time after the passing of this Act the Commissioners under

under the said recited Act or any Thirteen or more of them shall think it fit and convenient to contract with the said Company to light the Public Streets, Steynes, Roads, Highways, Lanes, Ways, Passages, or Places, or any Part of them, or any or either of them, in the said Town of *Brightelmston*, 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 any Thirteen or more of them, or of their Surveyor or Surveyors, to break up the Soil and Pavements of any such Streets, Steynes, Roads, Highways, Ways, Lanes, Passages, and Places, and to dig and sink Trenches, and lay Pipes, and put Stopcocks, 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.

XLIII. Provided always, and be it enacted, That nothing herein-before contained shall extend to authorize or enable the said Company, nor shall it be lawful for them, or any of their Servants or Workmen, to enter upon or break up the Soil or Pavement of any of the Streets, Highways, Lanes, Places, Ways, or Passages belonging to, or paved or repaired by or under the Direction of the said Commissioners, without the Consent in Writing first had and obtained of the said Commissioners, to be signified under the Hand of the Clerk for the Time being of the said Commissioners, nor to authorize or enable the said Company to enter upon or break up any Pavement or Soil of any Public or Private Street, Way, or Place, being the Property of or belonging to any Body or Bodies Corporate or Politic, or any other Person or Persons whatever, without the Consent in Writing first had and obtained of such Body Corporate or Politic, or the respective Owner or Owners for the Time being thereof.

Proviso for Consents in Writing, to enter upon any Public Place or Private Property.

XLIV. Provided always, and be it further enacted, That nothing in this Act shall extend to authorize the said Company, after the Expiration of Six Months from the passing of this Act, to break up the Soil or Pavement of any of the said Streets, Highways, Lanes, Ways, or Passages, or any Part of them, or either of them, for the Purpose of laying down any Main Pipe, Stopcock, Plug, or any other Apparatus, between the First Day of *July* and the First Day of *January* in any Year, (except in the Cases herein provided for), unless with the Special Consent of the said Commissioners, or any Thirteen or more of them, or of the Committee of the said Commissioners, or a Majority of such Committee.

Pavement to be broken up only during certain Months.

XLV. Provided also, and be it further enacted, That in opening or breaking up the Soil or Pavement of any of the Streets, Steynes, or Public Places within the said Town of *Brightelmston*, it shall not at any Time be lawful for the said Company to open or break up a larger Quantity of such Soil or Pavement than they shall fill up in the Course

Company not to break up more Ground, &c. than they shall fill up on the same of Day.

[Local.]

of the same Day on which the same shall have been opened, on pain of forfeiting for each and every Offence any Sum not exceeding Twenty Pounds.

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

XLVI. And be it further enacted, That the said Company shall have full Power and Authority, under the Direction and Inspection of the said Commissioners or a Committee of Seven of their Body to be appointed by the said Commissioners for that Purpose, or their Surveyor or Surveyors acting under the Orders of such Committee at any Meeting of such Committee, or under the Direction or Inspection of such Committee or a Majority of such Committee, to break up the Soil and Pavement of any of the said Streets, Steynes, 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, Steynes, 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, or carrying into Execution the Powers hereby granted, and to erect and set up by themselves or their Agents, or 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 the Position of, repair, relay, or amend any Pipes or bad or imperfect Work which shall have been so placed, or which shall be injured or damaged in or leading to such Dwelling House or Houses, Manufactories, public or private Buildings as aforesaid, although no Contract may have been entered into with the said Commissioners 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.

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

XLVII. Provided always, and be it further enacted, That in case the said Commissioners or such Committee or a Majority thereof, or their Surveyor or Surveyors, 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 a Notice in Writing from the said Company or their Clerk, given to or left at the Place of Abode of the Clerk or Surveyor or Surveyors to the said Commissioners at least Three Days before any such Work shall be done, except in Cases of Emergency arising from the Defects in any Pipes, Plugs, Stopcocks, Branches, or Trenches, 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 Committee or a Majority thereof, or such Surveyor or Surveyors, or any other Power 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 Twenty Pounds.

XLVIII. Provided always, and be it further enacted, That the several Main Pipes or Conduits to be from Time to Time laid down by the said Company by virtue of this Act, shall at the present Time be made of Cast or Wrought Iron, and shall not hereafter be made of any other Material, unless the same shall be approved of by Twenty or more of the said Commissioners at a Meeting of such Commissioners specially called for that Purpose; and that all other Pipes or Conduits to be from Time to Time laid down or made use of for the Conveyance of Gas by the said Company, shall be made of Cast Iron, Wrought Iron, Brass, Copper, Lead or Pewter, and no other Material, unless it shall be approved of by Twenty or more of the said Commissioners at such Meeting as last aforesaid.

Company to use particular Pipes and Conduits.

XLIX. And be it further enacted, That whenever the said Gas shall be found to escape from any of the said Company's Pipes to be laid as aforesaid, the said Company, or their Successors, shall, immediately on Notice thereof in Writing to be left during Office Hours at the usual Office or Place for transacting their Business by the Clerk for the Time being of the said Commissioners, or by any Inhabitant of *Brightelmston* aforesaid, cause the most proper and speedy Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company, or their Successors, shall not within Six Hours next after each and every such Notice so left as aforesaid, of any Escape of Gas, proceed and use all proper Means effectually to stop or prevent the same from escaping, that then and in every such Case the said Company or their Successors shall, on each and every Complaint and Conviction before One or more of His Majesty's Justices of the Peace for the County of *Suffex*, of such Escape of Gas, forfeit and pay on Demand of the Clerk of the said Commissioners, a Sum not exceeding One Pound for each and every Hour that the said Gas shall be permitted to escape; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness against the said Company, or their Successors, before any such Justice, with Costs, to be ascertained by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company, or their Successors, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant.

Gas Company to prevent Gas escaping, &c.

L. And be it further enacted, That nothing in this Act contained shall extend, or be deemed, taken, or construed to extend to authorize or enable the said Company, nor shall it be lawful for them, to erect, build, or establish any Manufactory or Manufactories, Gasometer or Gasometers, or any other Building or Buildings, or Work or Works used or necessary for the Purpose of creating, making, or depositing Gas, at or in any other Place or Situation than to the East of a Line drawn due North from such Place or Spot of the Sea Shore on the East Side of the Town of *Brightelmston* as shall be distant One Mile at the least from a certain House at the South End of the *Old Steyne* called *Russell House*, and at least One hundred Yards from the North Side of the High Road on the Cliff, on pain of forfeiting for every Day such Manufactory or Manufactories, Gasometer or Gasometers, Building or Buildings, or Work or Works shall be so used, the Sum of One hundred Pounds, to be recovered by Action of Debt, Bill,

Erection of Manufactory, &c.

Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance, shall be allowed; and the said Sum when recovered shall be paid to the said Commissioners, or to the Treasurer to the said Commissioners for the Time being, for the Purposes of the said recited Act.

Power to make a Sewer, &c. for carrying off the Washings and Liquids.

LI. And be it further enacted, That it shall be lawful for the said Company, under such Direction and Inspection as aforesaid, to lay down One or more Pipe or Pipes, or to make such Sewers or Cuts, of such Dimensions in Breadth and Depth, and in such Manner as they shall think expedient, from their Works, for the Purpose of carrying off the Washings or other waste Liquids which may arise in the Prosecution of the Works aforesaid into the Sea, the said Company doing as little Damage as may be in laying down the said Pipes or in making the said Sewers or Cuts, and immediately repairing at their own Expence all such Damage.

Discharge of Washings.

LII. 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 and conveyed, or let off, any waste Water, Washings, or Liquids, or any other Washings of any Sort or Kind whatsoever, which shall arise, be collected, made, or produced in or by the manufacturing, procuring, or purifying the said Gas, or in or by the Prosecution of any of the Works hereby authorized to be erected and set up, but at Low Water, and between the Hours of Ten of the Clock at Night and Four of the Clock in the Morning, nor to discharge such waste Water, Washings, or Liquids, or any other Washings of any Sort or Kind whatsoever, nearer the Shore than Twenty Feet below Low Water Mark at the lowest Ebb Tide, or nearer to a certain House called *Russell House* at the South End of the *Old Steyne* in the said Town of *Brightelmston* than One Mile, or to lay down any Pipe or make any Drain for such Purpose nearer to the said House called *Russell House* than One Mile, on pain of forfeiting for every Time such waste Water, Washings, or Liquids, or any other Washings of any Sort or Kind whatsoever, shall be carried or conveyed, or caused to be carried and conveyed or let off, or any Pipe or Drain shall be made within the Distance of One Mile as aforesaid, the Sum of Fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance, shall be granted or allowed, and the said Sum, when recovered, shall be paid to the said Commissioners, or the Treasurer to the said Commissioners for the Time being, for the Purposes of the said recited Act.

Powers of the Company in lighting Houses.

LIII. And be it further enacted, That the said Company shall have full Power and Authority, in such Cases as to them shall seem meet and convenient, to carry 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, into 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, Manufactories, Public or Private Buildings, but not otherwise, although no Contract may have been entered

entered into with the said Commissioners for lighting any Public Street, Highway, Lane, Way, Passage, or Place in the said Town where such Houses, Manufactories, or Buildings shall 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 every 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.

LIV. 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 such Committee, or the Majority of them, or their Surveyor or Surveyors, and carry away the Rubbish occasioned thereby; and shall in the mean Time fence 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 shall from Time to Time direct: Provided always, that if there shall be any unreasonable Delay in the said Company, or in any of their Agents or Servants, or in 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 their Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Commissioners or of the said Committee, or a Majority of them, 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 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 of the said Committee, or a Majority of them, on 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 County of *Suffex*, 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, 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; 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

Workmen in laying Pipes, to make good the Pavement.

[Local.]

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in such Case the said Company or Workmen so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

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

LV. And be it further enacted, That if for the Purposes of the Act herein-before mentioned it shall at any Time or Times be deemed necessary or expedient by the said Commissioners to require the said Company 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, in order to make or alter any Common Sewer or Common Sewers in or through the said Town or any Part thereof, the said Company shall, at their own Expence, within One Calendar Month next after being required so to do by Notice in Writing to them given by the said Commissioners, signed by their Clerk, 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 shall think right and proper; and in default thereof it shall and may be lawful to and for the said Commissioners or such Committee or a Majority of them, or their Surveyor or Surveyors, or any other Person or Persons acting by their Order or under their Authority, to cause such Pipes, Stopcocks, 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 or their Treasurer: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Two Months next after Demand shall be made by the Clerk or such Surveyor or other Person acting by or under the Authority of the said Commissioners, (Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace of the said County of *Suffex*,) 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, 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 Commissioners or their Treasurer.

Damage to
be made
good to the
Company.

LVI. 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 Commissioners 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 Commissioners to the said Company or their Treasurer within One Calendar Month after Demand made by the Clerk or Agent of the said Company.

Enabling
Commission-
ers to con-
tract with the
Company.

LVII. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Thirteen or more of them, if they shall think proper, from Time to Time, to contract with the said Company, or any Person or Persons, Committee or Committees, acting on Behalf of such Company, for lighting with Gas any Lamp or Lamps in the said Town of *Brightelmston*, for any Period of Time, and to erect or cause to be erected Pillars and all other Apparatus to receive such Gas Lights, all

which Contracts and Acts of such Commissioners shall be binding and conclusive as well upon themselves as their Successors in Office.

LVIII. And be it further enacted, That every Contract or Agreement entered into by the said Commissioners for paving, lighting, and cleansing the Town of *Brightelmston*, or any Part or Parts thereof, with the said Company, shall contain a Clause providing that the Light to be afforded by the said Company shall be better than would be afforded by lighting with Oil in the usual Manner, and that the said Contract shall be null and void if at any Time the Price charged by the said Company for Inflammable Air used in lighting the said Town, or any Part or Parts thereof, shall be greater than what at the Time such Town or such Part or Parts thereof may be lighted for in the usual Manner with Oil.

Contract void if the Price of Gas be greater than that of Oil, &c.

LIX. 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 Twenty 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 County of *Suffex*, 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 any Gaol within the said County, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied.

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

LX. And be it further enacted, That in case any Person or Persons who shall contract with the said Company, or agree to take, or shall use or enjoy the Benefit of the said Gas in their private Dwellings, Shops, Inns, Taverns, or other Buildings, Manufactories, or Premises, shall make Default in Payment of the Sum or Sums of Money then due for the same to the said Company, or of any Part thereof, according to the Terms and Stipulations of the said Company, it shall be lawful for the said Company or their Clerk, or any Person or Persons acting by or under their Authority, to cause the Gas to be stopped from issuing into the House, Building, or other Premises or Place of every Person or Persons making such Default, and that the Sum or Sums of Money which shall be due and in arrear from such Person or Persons to the said Company and every Part thereof, shall and may be recovered by the said Company by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, in the same Manner as Rents reserved on common Demises may by Law be recovered, without Prejudice to the Landlord's legal Claim for Rent in Arrear.

Remedy for Recovery of Rents.

LXI. 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

Penalty for damaging Pipes, etc.

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 or Persons 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 County, shall forfeit and pay to the said Company any Sum not exceeding the Sum of Five Pounds, and Double the Amount of the Damage to be ascertained by and proved upon Oath before 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 or Offenders, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels, or such Offender or Offenders shall and may be committed to any Gaol within the said County, there to remain for any Time not exceeding Six Calendar Months, at the Discretion of the Justice or Justices before whom such Offender or Offenders shall be committed, or until the said Penalty or Damage be paid.

Appeal may
be made to
Quarter Ses-
sions.

LXII. Provided always, and be it further enacted, That any Body or Bodies Corporate or Collegiate, or any other Person or Persons whosoever, 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, 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 County where the Cause of Appeal shall arise, and not elsewhere; the Person or Persons appealing having first given at least Eight 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 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 County, 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.

Rights of
other Persons
to light
Streets with
Gas, etc. 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 said Commissioners 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

or in any Manner interfere with the Powers and Authorities of the said Commissioners or the Rights of any Person or Persons to make, enlarge, repair, or amend any Vault or Sewer under any Street, Way, or Place: 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.

and Com-
pany not to
be privileged
from being
indicted for a
Nuisance.

LXIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Lords of the Manors of *Brightelmston*, *Old Shoreham*, and *Atlingworth*, to the said Commissioners for the Time being, to the Surveyors of the Highways for the Time being of the Parish of *Brightelmston*, and to all other Bodies Politic or Corporate, and all other Person and Persons, all their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

General
Saving of all
Rights.

LXV. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, shall be paid and discharged by the said Company or by their 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.

LXVI. 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 Ten Pounds; provided a reasonable Sum shall have been paid or tendered to such Person for his or her Colls and Expences, and Attendance as a Witness.

For compel-
ling the At-
tendance of
Witnesses.

LXVII. 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.

[Local.]

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LXVIII. And

Directing
the Manner
of serving
Notices.

LXVIII. 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, where not otherwise directed or appointed, either on the Person or Persons to 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 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 or Services 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
Service of
Notices, etc.
on the Com-
pany.

LXIX. 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 Member or Members of the said Committee of Management, or left at his or their last or usual Place or Places of Abode, or upon the Secretary or 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
Six Calendar
Months.

LXX. 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 Six Calendar Months next after such Offence committed.

Recovery and
Application
of Penalties.

LXXI. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the County of *Suffex*, 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 County, 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

to administer; and One Half 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 Half thereof shall be paid to the said Commissioners, or the Treasurer to the said Commissioners for the Time being, for the Purposes of the said recited Act; 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 any Gaol within the said County, for any Time not exceeding Six Calendar Months.

LXXII. 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 Suffex, } BE it remembered, That on the
to wit. } Day of in the
Year of the Reign of 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 Suffex, 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.

LXXIII. And in order to obviate any Doubts which might arise in the Execution of this Act respecting the Limits of the Town of *Brighthelmston*, be it enacted, That all such Streets, Steynes, Ways, Places, Houses, Buildings, and Premises as are within the Parish of *Brighthelmston*, and none other, shall be deemed and taken to be within the Limits of this Act.

Describing
the Limits of
the Act.

LXXIV. 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.

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UNITED STATES DEPARTMENT OF JUSTICE

INVESTIGATION OF THE ACTS OF VIOLENCE
COMMITTED BY THE KNIGHTS OF THE KU KLUX KLAN
IN THE STATE OF MISSISSIPPI

REPORT OF THE COMMISSIONERS OF THE
GENERAL INVESTIGATIVE DIVISION
FOR THE YEAR ENDING DECEMBER 31, 1944

UNITED STATES DEPARTMENT OF JUSTICE
GENERAL INVESTIGATIVE DIVISION
WASHINGTON, D. C.

1945

UNITED STATES DEPARTMENT OF JUSTICE
GENERAL INVESTIGATIVE DIVISION
WASHINGTON, D. C.