



ANNO QUARTO

GEORGII IV. REGIS.

Cap. xxxvii.

An Act for lighting with Gas the Town of *Belfast*,
and the Suburbs thereof. [23d *May* 1823.]

WHEREAS in and by an Act passed in the Fortieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, cleansing, and lighting and improving the several Streets, Squares, Lanes, and Passages within the Town of Belfast, in the County of Antrim; and for removing and preventing all Encroachments, Obstructions, and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and the Precincts thereof; and for other Purposes:* And whereas in and by an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain and amend an Act of His present Majesty, for paving, cleansing, lighting, and otherwise improving the Town of Belfast, in the County of Antrim, and for better effecting those Purposes,* the Commissioners and Committee thereby appointed were authorized and empowered from Time to Time to contract and agree with any Person or Persons for doing and performing any of the Works aforesaid, subject to such Regulations as in the said Act are expressed and contained: And whereas *John Barlow* and *George Barlow* of *Sambrook House Basinghall Street*, in the City of *London*, Iron Merchants, have obtained the Consent of the Commissioners and Committee of Police and the Trustees of certain Roads adjacent to the said Town of *Belfast*, to open the Ground to enable them to lay the Mains necessary to light the said Town and the Roads leading thereto with Gas: And whereas the

[*Local.*] 9 E Inhabitants.

Inhabitants of the said Town of *Belfast* are desirous of having the lighting by Gas introduced therein for lighting the Streets, Squares, Lanes, and other Places thereof, and for the Use of such Persons as may wish to light their Shops, Warehouses, and Houses therewith; and it would materially add to their Comfort and Accommodation, and be of public Utility: And whereas *John Barlow* and *George Barlow* aforesaid, together with several other Persons, have expended very considerable Sums of Money in erecting Works and laying down Pipes in the said Town of *Belfast*: And whereas the said *John Barlow* and *George Barlow*, together with several other Persons, are desirous, at their own Costs and Charges, of completing and extending the said Works; but the same cannot be effectually and permanently carried into Effect 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 said *John Barlow* and *George Barlow* and such other Persons as shall from Time to Time, and in such Manner as hereinafter is mentioned, become Proprietors of Shares in the Undertaking hereby established, 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 *Belfast* Gas Light Company," and by that Name shall have perpetual Succession, and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and that the said Company of Proprietors shall be established for the Purpose of producing Gas or Inflammable Air, and of disposing of the Gas, Coke, and other Products of the Manufactory of the said Company, whether the said Inflammable Air be made from Coal or from other Materials, and for lighting the said Town and Suburbs thereof with Gas, and shall have full Power from Time to Time to make Contracts or agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, who may be willing and desirous of contracting or agreeing with the said Company of Proprietors for the lighting with Gas such Town, or any of the Streets, Squares, Lanes, Roads, Passages, or other Public Places therein, or any Churches or Chapels, or any Theatres or Places of public Amusement, Manufactories, Shops, Inns, Taverns, Dwelling Houses, Buildings, or other private Places within the said Town, and to sell and dispose of such Coke, Oil, and all other Products as aforesaid, under such Conditions, Limitations, and Restrictions as shall be hereinafter expressed.

Company
established.

Power to con-
tract for the
Purchase of
Lands, &c.

II. And be it further enacted, That in order to enable the said Company to construct or make Gasometers and other necessary Works, and to erect any Manufactory or Manufactories or other Buildings for the Purposes of this Act, it shall and may be lawful to and for the said Company, or their Committee of Management for the Time being, to be appointed in pursuance of this Act, and they are hereby respectively empowered, to contract and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town or Parts adjacent (not exceeding the Quantity of Five Statute Acres in the whole), with any Body

Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands; Guardians, Committees for Lunatics and Idiots, or other Trustees whatsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised, possessed of, or interested in their own Right, or with any Person or Persons whomsoever who shall be willing to sell the same, or his, her, or their Right and Interest therein for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company of Proprietors to hold such Lands, Tenements; and Hereditaments, for any Term, Right, and Interest therein so purchased, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and also in case of a Resale of the said Lands, Tenements, or Hereditaments, or any of them, under the Provision in that Behalf herein-after contained, to purchase and hold other Lands, Tenements or Hereditaments in like Manner, provided the Land to be held for the Purposes of this Act shall not at any Time exceed in Quantity Five Acres, subject nevertheless to the Restrictions and Conditions herein-after mentioned.

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

Bodies Politic, &c. empowered to sell.

and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

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

IV. And be it further enacted, That if any Money shall be contracted and agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money, in case the same shall amount to or exceed the Sum of Two hundred Pounds, shall with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* The *Belfast* Gas Light Company, together with the Name or Names of such Person or Persons as any Three or more of the Committee of Management of the said Company shall, by Writing signed by them, direct and appoint, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, 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, and Hereditaments standing and being settled therewith to the same and the like Intents and Purposes; or where such Monies 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 of Chancery, upon Application thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Government Securities; and in the meantime, and until the said Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Government Securities 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. Pro-

V. Provided always, and be it further enacted, That if any Money so contracted and agreed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or incapacitated as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *Ireland* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner 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, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

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

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

Directing Application of Purchase Money not exceeding 20*l.*

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 *Ireland* in the Name and with the Privity of the said Accountant General of the High Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Government Securities to be purchased with any such Money, or the Dividends or Interest of any such Government Securities, 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, and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends and Interest of the Government Securities

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

to be purchased with such Money, and also the Capital of such Government Securities, 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 Bank of *Ireland*, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said High Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purchases as the said Court shall direct.

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

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

Conveyances.

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

Form.

‘ I, [or we, as the Case may be], of _____ in consideration of the Sum of _____, to me [or us] paid by the *Belfast Gas Light Company*, do hereby grant and release, [or assign, as the Case may be], to the said Company of Proprietors, and their Successors, all [here describe the Premises to be conveyed], and all my [or our] Right, Title, or Interest in and to the same and every Part thereof, to hold to the said Company of Proprietors, and their Successors for ever, [as the Case may be], during all the Remainder of my Term, Estate, and Interest in the said Premises. In witness, I [or we] have hereunto set my Hand and Seal [or our Hands and Seals], or our Common Seal [as the Case may be], this _____ Day of _____ in the _____ Year of our Lord _____

Conveyances to be made, &c. to be valid.

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 _____

against the Person and 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 all the Dower of the Wife or Wives of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

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

Power for
Resale of
Lands not
wanted.

XII. And whereas the said Company of Proprietors are enabled to purchase Five Statute Acres of Land by virtue of this Act, for the Purposes thereof; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femmes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femmes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom

Restraining
the Company
from pur-
chasing more
than Five
Acres of
Land from
incapacitated
Persons.

whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company of Proprietors to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Five Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Five Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or instead of those Five Statute Acres or any Part thereof so sold or disposed of by the said Company.

Capital Stock
35.000*l.*

XIII. And be it further enacted, That it shall and may be lawful for the said Company to raise and contribute amongst themselves a Sum of Money by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the said Undertaking and the Purposes aforesaid, not exceeding in the Whole the Sum of Thirty-five thousand Pounds Sterling, and that the said Company shall not be authorized to exercise the Powers granted by this Act until the said Sum of Thirty-five thousand Pounds Sterling shall have been subscribed for that Purpose.

Stock to be
divided into
Shares.

XIV. And be it further enacted, That the said Sum of Thirty-five thousand Pounds to be subscribed under the Powers of this Act, shall be divided into Shares of Fifty Pounds Sterling each, and that every Proprietor of a Share or Shares shall be entitled to and interested in the Capital Stock and Effects of the said Company, and the Profits and Advantages attending the same, according to the Number of Shares he or she shall hold; and that all Shares in the said Undertaking, and in the Net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and shall be transmissible accordingly.

Property of
Company an-
swerable for
Debts.

XV. And be it further enacted, That the Lands and Hereditaments, Manufactories, Gasometers, Machinery, Apparatus, and Works, Goods, Chattels, and Effects of the said Company and their Successors, shall be liable and answerable for the just Debts and Demands of the Creditors of the said Company.

Power to raise
a further Sum
of 8,750*l.*

XVI. And be it further enacted, That in case the aforesaid Sum of Thirty-five thousand Pounds shall be found insufficient for establishing, completing and maintaining the said Undertaking hereby authorized, and
for

for defraying all necessary Charges relating thereto, then and in such Cases it shall be lawful for the said Company of Proprietors, or for their Committee of Management, by and with the Advice and Consent of any General Assembly of the Company of Proprietors, from Time to Time to raise any further Sum or Sums of Money for completing their Undertaking, not exceeding in the whole the Sum of Eight thousand seven hundred and fifty Pounds Sterling, among themselves, in such equal Shares and Proportions as to them shall seem meet, or by way of Loan on Security of the Property and Effects belonging to the said Company, or by raising and creating new and additional Shares in the said Concern, or by any of the said Ways and Methods; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Eight thousand seven hundred and fifty Pounds by way of Loan, then it shall be lawful for the said Company, or their said Committee of Management for the Time being, by and with the Advice and Direction of any General Assembly of the said Company, to borrow and take up the same at Interest for the said Company, and thereupon to grant, execute, and deliver to or in favour of the Lenders thereof, such Mortgages, Bonds, Obligations, or other Securities in Writing as may be required, thereby binding the said Company, and the Estate and Stock in Trade thereof, for the Re-payment of the Sum or Sums so borrowed, with Interest for the same, and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Eight thousand seven hundred and fifty Pounds, by the Creation of new and additional Shares in the said Undertaking, then it shall be lawful for the said Company to raise the same amongst themselves, in such proportion as to them shall seem meet, and for that Purpose to create such Number of new and additional Shares of Fifty Pounds Sterling each, as may be deemed expedient; and every Subscriber towards raising such further Sum by Shares shall be a Proprietor in the said Undertaking, and stand interested in all the Profits, Privileges, and Advantages of the said Undertaking, and shall be liable to the like Burthens, in proportion to the Amount of his, her, or their Subscriptions, as generally and extensively, to all Intents and Purposes, as if the same had been originally Part of the said Capital Stock of Thirty-five thousand Pounds; any thing herein contained to the contrary thereof in anywise notwithstanding.

XVII. And be it further enacted, That the several Persons who have already subscribed for and towards the said Undertaking, and who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the said Company or their Committee of Management for the Time being, in manner herein-after mentioned; and in case any Person or Persons shall at any Time neglect or refuse to pay any such Money at such Times and in such Manner as they shall be required as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise, in any of His Majesty's Courts of Record at *Westminster* or *Dublin*, together with lawful Interest for the same from the appointed Time or Times of Payment.

For enforcing
Payment of
the Sums
subscribed.

[*Local.*]

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XVIII. And

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

XVIII. And be it further enacted, That immediately after the passing of this Act the Clerk of the said Company shall cause the Names and Designations of the several Persons who shall subscribe for or may at any Time hereafter become 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 for that Purpose; and the Committee of Management shall cause a Certificate under the Common Seal of the said Company, to be prepared and delivered to every Proprietor upon Demand, specifying the Share or Shares to which he or she is entitled in the said Undertaking, and such Certificate shall be admitted in all Courts whatsoever, as Evidence of the Title of such Proprietor, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate shall not hinder or prevent the Owner from selling or disposing of such Share or Shares.

First Meeting of Proprietors.

XIX. And be it further enacted, That within Thirty Days after the passing of this Act, or as soon as conveniently may be, a General Assembly or Meeting of the Proprietors of Shares shall be holden in *Belfast* aforesaid, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, of which General Assembly or Meeting Ten Days Notice shall be given, either by Letters delivered or sent by the Post to the said several Proprietors, or by Advertisement in some one Newspaper printed or circulated in the said Town, and shall then and there proceed in the Execution of this Act, and shall or may adjourn to or shall assemble at the same or such other Times and Places as shall be appointed in manner herein-after mentioned; at which General Assembly or Meeting, or at any Adjournment thereof, a Treasurer or Treasurers, and a Committee of Management consisting of Nine Proprietors to be possessed of Five Shares each at the least, to continue until the Half-yearly Meeting which shall be held in *January* One thousand eight hundred and twenty-four, or until others or another shall be appointed in their or any of their stead shall be elected and chosen; and that after the said Committee shall have been elected one of the Members shall be chosen the Chairman, and another Member thereof the Deputy Chairman, and an Engineer shall be named and appointed, if deemed necessary by them; and that until the said Company is so formed and the Committee of Management appointed as aforesaid, the above mentioned *John Barlow* and *Mathew Babington*, *James Cort*, *Benjamin Cort*, *Joseph Trueman*, *Thomas Barratt*, *John Priestman*, *Thomas Lockwood*, and *Richard Hole*, being qualified in the Manner by this Act directed and not otherwise disqualified shall be the Committee of Management for conducting the Affairs of the Company.

General Assemblies to be holden.

XX. And be it further enacted, That the said Company shall, in the Months of *January* and *July* in each Year, hold a General Assembly or Meeting of the said Proprietors, of which General Assembly or Meeting Ten Days Notice shall be given, either by Letters from the Clerk of the said Company, delivered or sent by the Post to the said several Proprietors, or by Advertisement in some one Newspaper printed or circulated in the said Town, and at every General Assembly or Meeting to be holden in the Month of *January* or some Adjournment thereof, the Committee of Management for the Year ensuing, and the Chairman and Deputy

Chairman

Chairman thereof to be elected as aforesaid shall from Time to Time be appointed : Provided that nothing herein contained shall render any one of the Committee, whose Office shall have expired, ineligible to be immediately re-elected upon such Committee of Management, if otherwise duly qualified : Provided also, that no Person shall be qualified to be elected or to serve or act as a Member of the said Committee who shall hold or derive any Place of Profit under the said Company, or during the Time he remains Member of the Committee, either directly or indirectly deal with or sell to the said Company, or be interested in any Article, Matter, or Thing used or manufactured by the said Company, or concerned or interested in any Contract or Contracts for supplying the same or any of them, or shall not have possessed Five Shares in the said Undertaking for Three Calendar Months at the least ; and at any of such General Assemblies or Meetings, the said Company shall, and they are hereby authorized and empowered to make such Rules, Orders, Bye-laws, and Regulations from Time to Time as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of the said Committee of Management, and the Duties and Conduct 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, or Bye-laws, or any of them, and to make new or other Orders, and impose such reasonable Fines and Forfeitures upon all Officers, Workmen, and Servants of the said Company, and other Persons to be employed in and about the Affairs and Business of the said Company, or in the Superintendance and Management of the said Undertaking, not exceeding the Sum of Forty Shillings for any one Offence, as to the said Company, at a General Assembly or 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 binding upon all such Persons, and shall be a sufficient Authority in any Court of Law or Equity to justify all Persons who shall act under the same : Provided nevertheless, that such Rules, Orders, and Bye-laws be not repugnant to the Laws or Statutes of the United Kingdom of *Great Britain and Ireland*, or to any of the express Directions and Provisions of this Act : Provided also, that Copies of all such Bye-laws shall be affixed and continued in the Office of the said Company : Provided always, that in case of any Assembly of the said Proprietors, the Number of Votes, including the Vote of the Chairman, shall be equal, then and in every such Case the Chairman for the Time being shall have the casting Vote : Provided always, that at all such Meetings of the said Proprietors to be held as aforesaid, not fewer in Number than Five Proprietors shall proceed to Business and act in execution of the several Powers hereby given to the said Company of Proprietors ; and if it shall happen that there shall not appear at any of the aforesaid Meetings of the said Proprietors a sufficient Number of the said Proprietors to act or to adjourn, (Five Proprietors being hereby declared sufficient in all Cases to proceed to Business, and Two Proprietors being hereby declared sufficient for the Purpose of Adjournment only) then and so often as the Case may happen, such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Place and Hour at which the same Meeting ought to have been held as aforesaid.

XXI. And

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

XXI. And be it further enacted, That no Member of the said Company shall be entitled to be present, or to vote at any General or Special Meeting or Adjournment thereof, unless he shall have subscribed for at least One Share in the Joint Stock of the said Company; and that the Members of the Company shall have One Vote at such General or Special Meetings for every Share he or she shall possess in the said Undertaking, but no Member shall be entitled to more than Fifty Votes, or to vote in respect of any Share or Shares after a Day appointed for Payment of any Instalment or Call, to be made or called for as herein-after is mentioned, until such Instalment or Call shall have been paid; and that no Person or Persons shall vote at any General or Special Meeting upon any Question or Questions relating to the Concerns of the said Undertaking in which such Person or Persons shall be in anywise interested, other than as a Subscriber or Subscribers, Proprietor or Proprietors in the said Undertaking.

Shares stand-
ing in the
Names of
more than
One Person,
the Person
whose Name
stands first
shall for all
the Purposes
of this Act
be deemed
the Owner.

XXII. And be it further enacted, That when any Share or Shares in the said Joint Stock shall be jointly possessed by or be the Property of more than One Person, the Owner or Proprietor whose Name shall stand first in Order on the Books of the said Company shall for all the Purposes of the said Company be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices required to be given to the Owner or Proprietor of such Share or Shares in the said Company, shall and may be given or served upon such Person whose Name shall so stand first in Order in the Books of the said Company; and such Service upon such Person shall be deemed and taken to be a Service upon all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Service is intended to be made upon the Owner or Proprietor of any Share or Shares, and such Person shall be entitled to any Vote or Votes to be given in respect of such Shares.

Empowering
Proprietors of
Shares to vote
by Proxy.

XXIII. And be it further enacted, That any Female, Infant, or other Proprietor of any Share or Shares in the said Company's Stock, entitled to vote in respect of such Shares at any General or Special Assembly or 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, and the Appointment of such Proxies may be made in the Form or to the Effect following; (that is to say),

‘ I *A. B.* of One of the Proprietors of and
‘ I in the *Belfast Gas Light Company*, do hereby nominate, constitute,
‘ and appoint *C. D.* of to be my Proxy, in my Name
‘ and in my Stead to vote or give my Assent to or Dissent from any
‘ Business, Matter, or Thing relating to the said Undertaking that shall
‘ be mentioned or proposed at the General or Special Assembly of the
‘ said Company, to be holden on the Day of, or
‘ any Adjournment thereof, if I shall not be present, in such Manner as
‘ 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

XXIV. And

XXIV. And be it further enacted, That it shall be lawful for the said Company, at any General Meeting of the said Company, to nominate and appoint, under the Common Seal of the said Company, any Person or Persons to be Treasurer or Treasurers, and from Time to Time to remove any such Treasurer or Treasurers of the said Company, and to nominate, elect, and appoint another Person or other Persons in his or their Room or Stead.

Power to General Meeting to appoint a Treasurer or Treasurers.

XXV. And be it further enacted, That any General Meeting or General Meetings, specially called for that Purpose, shall have full Power to call for and examine and settle the Accounts of the said Company; and that at every Half-yearly General Meeting, or some Adjournment thereof, an Half-yearly Dividend or Dividends shall be made out of the Interest, Profits, or Advantages of the said Undertaking, unless such Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much for every Fifty Pounds Sterling, upon all and every the Sum and Sums of Money paid to the said Company by the Members thereof, their Executors, Administrators, Successors, or Assigns, as such Meeting or Meetings shall think fit to appoint and determine, and that no Dividend shall be paid in respect of any Share or Shares after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid; provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any Degree reduced or impaired, and that the Chairman, Deputy Chairman, and Committee of Management who shall make such Dividends, shall be personally responsible to the Proprietors, and also to the Creditors of the said Company, for any Injury which may arise therefrom.

General Meeting to settle Accounts, and Half-yearly Meetings to declare Dividends.

XXVI. And be it further enacted, That a Special General Meeting may be called at any Time by the Committee of Management, and also that Five or more Members of the said Company, holding in the Aggregate Fifty Shares or upwards in the said Undertaking, may at any Time, by Writing under their Hands, left at the Office of the said Company, require the Committee of Management to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Committee to call such Meeting, the same may be called by the said Members, by giving Twenty Days Notice thereof in all the Newspapers printed or circulated in the said Town of *Belfast*.

Committee of Five Proprietors may call Special General Meetings.

XXVII. And be it further enacted, That the Committee of Management to be from Time to Time appointed as aforesaid, or any Three or more of them, shall hold their Meetings at such Time and at such Place as they shall from Time to Time think proper; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management, at any of their Meetings, shall be decided and determined by the Majority in Number of Members present; and in case of an equal Number of Votes, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee Three Members qualified to vote shall not attend, then and in such Case the Meeting shall be adjourned till the next Day, if not a *Sunday*, and if the next Day should be a *Sunday*, then to the *Monday* following, by the

Meetings of Committee, and Regulations for their Proceedings.

[Local.]

9 H

Member

Member or Members then present, or if none be present, then by the Clerk of the said Company, or such other Person as shall attend in his Place; and that any Three or more Members of the Committee may, at any Time when they shall think fit, call a Meeting of the Committee by causing Three Days Notice in Writing, signed by such Members, to be sent by the Post, or otherwise, to the Residence or Address of every other Member of such Committee, and also renew the Meetings of the Committee, although they may have been discontinued for want of Adjournment, or to institute a new Meeting independent of any Meeting appointed by Adjournment.

Power of
Committee.

XXVIII. 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 appoint the Time and Place for holding General Assemblies or Meetings, and 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 said Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and entering into Agreements or Contracts for lighting the said Town, or any Part thereof as aforesaid, or the Houses, Shops, or Buildings therein, and in selling and disposing of all Articles produced as aforesaid, and in making, rescinding, enforcing, compounding, and compromising 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 the said Committee of Management shall be at Liberty at any Time to call any Special General Meetings of the said Company, for any Purpose they may think proper, and shall and they are hereby required to take such Security to the said Company of Proprietors from the Treasurer or Treasurers, Clerk or other Officer or Officers, or other Persons, for the faithful Execution of their respective Duties, as they shall think proper and adequate to the Trust.

For sup-
plying Va-
cancies in
Committee.

XXIX. And be it further enacted, That when and so often as any Members of the Committee of Management to be elected by virtue of this Act shall die or become disqualified, or shall for the Space of Two Calendar Months refuse or neglect to attend the Meetings of the said Committee, it shall be lawful for the said Company, at any General or Special Meeting to be held pursuant to the Directions of this Act, to elect some other Proprietor to be a Member of the said Committee in his Stead; and every such Proprietor so elected shall continue in Office as a Member of the said Committee so long as the Person in whose Stead or Place he was elected would have been entitled to have continued, if such Death, Disqualification, Refusal, or Neglect had not happened.

Power to the
Committee to
appoint
Clerks, &c.

XXX. And be it further enacted, That the Committee of Management shall and may appoint a Clerk, Officers, Servants, Workmen, and Tradesmen of the said Company, and from Time to Time dismiss, remove, and suspend them, as they shall think fit.

XXXI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record in *Dublin*, 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 Impar lance shall be allowed.

Treasurer and Clerk not to be the same Person.

XXXII. And be it further enacted, That the Treasurer or Treasurers or other Officer or Officers to be appointed by the said Company, shall not issue any Sum or Sums of Money on account of the said Company without an Order of some General or Special Meeting of the said Company of Proprietors, or an Order or Orders in Writing, signed by Three or more Members of the said Committee of Management; and that the Receipts of such Treasurer or Treasurers for all Monies payable to him or them on account of the said Company, shall be effectual Discharges for the same.

Treasurer not to issue Money without an Order of General or Special Meeting, or signed by Three of the Committee.

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

Proceedings to be entered in Books.

XXXIV. And be it further enacted, That the Committee of Management for the Time being shall have full Power at any Time or Times to make such Call or Calls on the several Subscribers and Proprietors of the said Undertaking, or their respective Executors, Administrators, Successors, or Assigns, for the Amount of the Subscription for their respective Shares, either in One Payment or by Instalments, as such Committee shall deem requisite or necessary for the Purposes of the said Undertaking; and every Order for a Call shall be signed by Three of the said Committee of Management for the Time being at least, present at some Meeting of the said Committee, so that no one such Call do exceed the Sum of Ten Pounds for or in respect of any one Share of Fifty Pounds, and so that no Call or Calls be made but at the Distance of Two Months from

Committee may make Calls on Subscribers.

from another; and the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers to the said Company for the Time being, at such Time and Place as shall be appointed by such Committee, of which Time and Place Twenty-one Days previous Notice shall be given in such Manner as the said Committee shall direct or appoint in that Behalf.

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

XXXV. And be it further enacted, That if any Subscriber, Person or Persons, or Proprietor or Proprietors of any Share or Shares in the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Part or Proportion of the Money to be called for by the Committee of Management as aforesaid, by the Time appointed for Payment thereof, then and in such Case such Person or Persons so neglecting or refusing shall (whether or not the same shall then have been sued for in any Court of Law or Equity) 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 said Company, unless otherwise determined by a Special General Meeting; and that all Shares which shall and 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 and Joint Stock of the 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 have been given by the Chairman or Deputy Chairman of the said Company, or Three of the Committee of Management, to the Owner or Owners thereof, by Notice in Writing left at his, her, or their usual or last Place of Abode, nor unless the same shall be declared to be forfeited at some General or Special Meeting of the said Proprietors, which shall be held not earlier than Three 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 Subscriber or Subscribers, Proprietor or Proprietors, or their Executors, Administrators, Successors, or Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Subscriber or Subscribers, Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, or Assigns.

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

XXXVI. Provided always, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon, and the Expences attending the Sale or Sales, the Surplus of such Money shall be paid on Demand to the Person or Persons to whom such Share or Shares shall have belonged: Provided also, that the said Company or their Committee shall not by virtue of this Act sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters, than shall be sufficient as near as may be at the Time of such Call to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after Payment of all and every of such Call or Calls, and the Interest and Expences aforesaid, which shall remain in their

their Hands unsold, shall revert to and again become the Property of the Person or Persons to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

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

Shares may be transferred.

‘ I [or we], of _____ in Consideration of _____
 ‘ paid to me [or us] by _____ of _____ do hereby
 ‘ bargain, sell, and transfer to the said _____ Share or Shares
 ‘ [as the Case may be], in the *Belfast Gas Light Company*, Number [or
 ‘ Numbers] _____ in the said Undertaking ; to hold to the said
 ‘ _____ Executors, Administrators, and Assigns, subject to the
 ‘ same Rules, Orders, and Restrictions, and on the same Conditions, as I
 ‘ [or we] held the same Share [or Shares] immediately before the Execution
 ‘ thereof ; and I [or we] the said _____ do hereby agree to take and
 ‘ accept the said Share [or Shares], subject to the said Rules, Orders, Re-
 ‘ strictions, and Conditions. As witness our Hands and Seals this
 ‘ Day of _____ in the Year of our Lord _____ .’

Form of Transfer.

And every such Transfer shall be produced to the Clerk of the said Company, and shall be registered by him in the Books of the said Company, for which the Sum of Two Shillings and Sixpence shall be paid to such Clerk and no more ; and the registering thereof shall specify the Dates, Names of the Parties, and the Numbers of Shares transferred ; and a Copy of such Registry, signed by the said Clerk, shall be sufficient Evidence of such Transfer, and be received and admitted as such ; and until such Transfer shall be registered in the Book of the said Company, no Purchaser or Purchasers of any Share, or his, her, or their Executors, Administrators, or Assigns, shall be deemed a Proprietor, or have any Part of the Profit of the said Undertaking, or in the Profits or Advantages thereof, nor shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to any Vote at any Meeting or Meetings as a Member or Members of the said Undertaking in respect of such Share or Shares until the Expiration of Three Calendar Months after such Transfer shall have been registered.

Transfer to be registered.

XXXVIII. Provided always, and be it further enacted, That after any Call for Money shall have been made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking after the Day appointed for Payment of the said Call, until the Money so called for, in respect of his, her, or their Shares intended to be sold, shall be paid ; and 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, 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 to be sold or transferred, such Forfeiture nevertheless to be first notified and declared in manner directed

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

by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

Executors indemnified in paying Calls.

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

Company not to sue the original Proprietors for any Calls upon forfeited Shares.

XL. Provided also, and be it enacted, That nothing herein contained shall empower the said Company to sue the original Proprietor or Proprietors of any Share or Shares which shall be declared to be forfeited in Manner and according to the Tenor, true Intent and Meaning of this Act, except as to any such Share or Shares as shall revert as herein-before directed, for any Call or Calls for Money subsequent to the Declaration of such Forfeiture; but when any such forfeited Share or Shares shall be sold, the Purchaser or Purchasers thereof shall be liable to the future Calls in the same Manner as if he, she, or they had been the original Proprietor or Proprietors of such Share or Shares.

For ascertaining the Proprietorship of Shares in certain Cases.

XLI. And whereas in case any original Holder or Proprietor of one or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, go out of the Kingdom, or shall transfer his or her Right or Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, to know who is or are the Owner or Proprietor, or Owners or Proprietors of such Share or Shares; be it therefore enacted, That in all Cases where the Right and Property in one or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-before specified, an Affidavit shall be made and sworn to by a credible Person before One of His Majesty's Justices of the Peace of the County of *Antrim*, or before a Master or Master Extraordinary of His Majesty's High Court of Chancery, stating the Manner in which such Share or Shares hath or have passed to such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, and that such Affidavit shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Registry Book or List of Subscribers and Proprietors in the said Undertaking, to be kept in the Office of the Clerk of the said Company.

Power to break up the Soil and Pavement of

XLII. And be it further enacted, That it shall be lawful for the said Company of Proprietors and their Successors, and they are hereby authorized and empowered, by their Servants, Agents, Workmen and others,

from Time to Time to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and Works and Devices, and to sink and lay Pipes, and to fix them against any Walls, or in Posts or Pillars in the Streets and Roads, of such Construction, and in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into Execution; and also to break up the Soil and Pavements of any Streets, Highways, Roads, Ways, Lanes, Passages, and other Places, or any Part of them, or either of them, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, and from Time to Time to alter the Position of, and repair, relay, and maintain such Pipes, Stopcocks, Syphons, Plugs, and Branches, and also to carry, fit up, fix, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Road, Highway, Lane, Passage, or other Place by the said Company by virtue of this Act, in, through, or against 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 Mains or Pipes, and to erect and set up any other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring or ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Work which shall have been placed, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things, as the said Company and their Successors shall from Time to Time think necessary for completing, amending, repairing, improving, supplying, and using the same; provided proper Compensation be made for any Damage which may be done thereby; but nothing herein contained shall authorize or empower the said Company to carry, lay, or fix any Pipe or Pipes through or against any Dwelling House or Houses, Manufactories, public or private Buildings, Hereditaments, and Premises, for the Purpose of lighting the same, or to continue the same without the Consent of the Owner and Occupier of any such Dwelling House or Houses, Manufactory, public or private Buildings, Hereditaments, and Premises, through or against which any Pipe or Pipes may be carried or laid for the Purposes aforesaid.

Streets, &c.
for laying
Pipes and
lighting
Houses, &c.

XLIII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend so as to enable the said Company of Proprietors to carry or lay any Pipe or Pipes in, to, through, or upon any private Lands or Grounds, or to enter thereon, or to break up the Soil thereof, without the Consent in Writing of the said Owner and Owners and Occupier and Occupiers thereof for that Purpose.

Not to lay
Pipes with-
out Consent
of the Owners
and Occu-
piers.

XLIV. Provided always, That nothing herein contained shall authorize or empower, or be construed or deemed to authorize or empower, the said Company or their Successors, to break up the Soil or Pavement of any Streets, Highways, Roads, Ways, Lanes, Passages, or other Places, or any Part of them, or either of them, within or under the Jurisdiction of the said

Pavement
only to be
broken up
with Consent
of Commis-
sioners of
Paving.

said Commissioners and Committee of Police, without the Consent of the said Commissioners and Committee, or of the Majority of these Bodies respectively, first had and obtained in Writing, unless the same shall be necessary for the Purpose of stopping up or preventing any Leak or Leaks in any of the Pipes, Branches, or other Parts, of the Apparatus of the said Company, or of preventing any other Defect in or Nuisance created by the said Pipes, Branches, or other Parts of the said Apparatus, and for or on account of the Existence whereof the said Company or their Successors might or would be liable to any Penalty under the Provisions of this Act or any other Act or Acts of Parliament.

Requiring
Company to
re-instate
Pavement,
&c. after the
Pipes have
been laid
down.

XLV. And be it further enacted, That whenever and so often as the said Company shall have lawfully broken up or removed the Stones, Ground, Soil, or Pavement in or of any Street, Road, Highway, Lane, or public Place, or any Part thereof, the said Company shall, and they are hereby required immediately thereafter to reinstate and make good such Ground, Soil, or Pavement in as good and sound a State or Condition as the same was or were in at the Time of being so broken up, and to the Satisfaction of the Surveyor of the Commissioners or Trustees of such Pavement, Soil, or Ground respectively, and the said Company shall carry away all surplus Earth, Filth, and Rubbish occasioned thereby at their own Costs and Charges; and that during the Works of the said Company, and re-instating such Ground, Soil, or Pavement as aforesaid, the said Company shall provide proper Watchmen with necessary Lights at Night, and otherwise secure and guard the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company shall neglect and make default in making good and re-instating such Ground, Soil, or Pavement as aforesaid, within Twenty-four Hours next after Notice given to or left for the said Company at their Manufactory or Office, it shall be lawful for the said Commissioners or Trustees to re-instate and make good such Ground, Soil, or Pavement, and the Charges and Expences thereof shall be reimbursed and repaid by the said Company or their Treasurer to the said Commissioners or Trustees, or their respective Treasurer; and in default of Payment thereof, within Five Days next after Demand thereof in Writing shall have been made by the Clerk of the said Commissioners or Trustees, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace, all such Sum or Sums of Money so paid by them 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 Sum or Sums of Money shall be paid to the said Commissioners or Trustees or their Treasurer; and in case the said Company shall neglect to provide proper Watchmen with necessary Lights at Night, and otherwise secure and guard the said Works as aforesaid, the said Company shall for every such Neglect forfeit and pay any Sum not exceeding Ten Pounds, to be recovered, levied, and applied in the same Manner as other Penalties and Forfeitures by this Act imposed.

XLVI. And

XLVI. And be it further enacted, That if, in carrying into Execution any of the Powers or Authorities by this Act given or granted, any Injury or Damage shall be done or committed to any of the Pipes, Branches, Apparatus, Materials, or Things by Means whereof the said Town of *Belfast* or any Part thereof is or shall be supplied with Water, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression or subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever, the said Company shall at their own Expence, Costs, and Charges, within Twenty-four Hours next after Notice in Writing to them given by the Person or Persons who may have the due Care and Management of the said Water Pipes, shall have such Pipes, Branches, Apparatus, Materials, and Things well and effectually repaired and amended; and in Default or Neglect thereof it shall and may be lawful to and for the Commissioners of the Spring or Pipe Water of the said Town, and they are hereby authorized and empowered, to cause such Pipes, Branches, Apparatus, Materials, and Things so injured and damaged as aforesaid, to be effectually repaired, amended, and made good, and the reasonable Costs, Charges, Damages, and Expences attending the same shall be paid and defrayed by the said Company, or their Treasurer, and if they cannot agree touching the Amount or Value thereof, the same shall be ascertained and settled by any Justice of the Peace having Jurisdiction in the said Town, who is hereby authorized to hear and determine the same; and such Damages and Expences, together with such Costs and Charges as shall be by him allowed, shall be levied and recovered by Warrant of Distress under his Hand and Seal, unless an Appeal be entered as hereinafter expressed against the said Decision.

Protection
for the Water
Pipes.

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

For the Pro-
tection of
Water Pipes.

[Local.]

9 K

Damage

Damage that may be done to such Pipe or Pipes by the Means aforesaid, such Costs and Expences to be ascertained by any Justice of the Peace for the said County, and to be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County; and which Warrant such Justice and Justices is and are hereby empowered to grant.

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

XLVIII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street or other Place in the said Town, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriage Way in such Street or Place will allow thereof, at the Distance of Three Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets or other Places in the said Town (unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Case the said Gas Pipes shall be laid over and above the said Water Pipes, at the greatest practicable Distance therefrom, and shall form therewith a Right Angle), and that in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Three Feet at least, and also that the said Company shall properly form the jointing of the Gas Pipes with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively Air-tight, and in all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, upon Pain of forfeiting for every such Offence the Sum of Ten Pounds.

Situation of Pipes, &c. may be altered if Commissioners desire it.

XLIX. And be it further enacted, That if for the Purposes of the said recited Acts, or either of them, it shall at any Time or Times hereafter be deemed necessary or expedient by the Commissioners acting under and by virtue of the said recited Acts, to raise, sink, or otherwise alter the Situation of any of the Mains, Pipes, Stopcocks, Plugs, or Branches which shall be laid down for the Purposes of this Act within the present or future Jurisdiction of the said Commissioners, the said Company of Proprietors shall, at the Expence, Costs, and Charges of the said Commissioners, within Two Calendar Months next after being required so to do by Notice in Writing to them given by the said Commissioners, raise, sink, or alter such Mains, 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 or proper; and in default thereof it shall be lawful to and for the said Commissioners, or their Surveyor (at the like Costs and Charges of the said Commissioners), or any other Person or Persons acting by their Order or under their Authority, to cause such Mains, Pipes, Stopcocks, Plugs, or Branches to be raised, sunk, or altered as aforesaid, so that in either of the said Cases no Damage be done thereby to the said Company of Proprietors, or their Successors.

L. Pro-

L. Provided also, and be it further enacted, That in case the said Company of Proprietors or their Successors should at any Time hereafter break up the Soil, Pitching, or Pavement of any Private Road, for the Purpose of laying any Main or Pipe along, under, or across the same, then and in every such Case they the said Company of Proprietors or their Successors shall, upon Application made to them for that Purpose, by the Owner or Owners of the Soil for the Time being, lay such Main or Pipe in such Part of such Road or Roads as such Owner or Owners shall direct, and after the same shall have been so laid and placed, it shall be lawful for such Owner or Owners at any Time or Times thereafter, if he, she, or they should deem it necessary or expedient, and at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to relay the same, so that no Damage be done thereby to the said Company of Proprietors or their Successors, and so that they be not thereby prevented from or obstructed in lighting any Public or Private Lamp within the said Town, or the present or future Limits and Precincts thereof, unless such Damage or Obstruction be unavoidable.

Situation of the Pipes on private Roads may be altered on Request of Proprietors.

LI. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Cocks, Plugs, or Branches which shall be laid down for the Purposes of this Act, either by the said Commissioners or any such Owner as last mentioned, any Damage shall be done, accrue, or be sustained to or by the said Company of Proprietors and their Successors, then and in every such Case such Damage to be fixed and ascertained by any One or more Justice or Justices of the Peace for the said County of *Antrim*, shall be made good to the said Company of Proprietors and their Successors by the said Commissioners, or by the said Owner or Owners, as the Case may be, as soon as Circumstances permit; and in Default of Payment thereof by any such Owner or Owners for One Calendar Month after Demand shall be made by the said Company of Proprietors and their Successors, or by their Clerk or Superintendant, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said County, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Owner and Owners, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the said County, 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 Company of Proprietors and their Successors, as the Case may require.

Company to be remunerated for Loss sustained by altering Pipes, &c. in certain Cases.

LII. Provided always, and be it further enacted, That if the said Company shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the said Gas Works or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct,

Penalty for conveying Washings into Rivers, Streams, &c.

Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, then and in every such case the said Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, and such Penalty or Forfeiture shall and may be sued for and recovered together with full Costs of Suit in any of His Majesty's Courts of Record at *Dublin* by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information wherein no Essoign, Protection, Privilege, Wager of Law nor more than One Imparance shall be allowed, and the Whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time of such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), and in case any of the said Washings or other Waste Liquids or noisome or offensive Liquids, Substances, or Things shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Company, and the said Company shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so emptied, drained, conducted, or conveyed or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Power for the
Company to
contract for
Lighting.

LIII. And be it further enacted, That in case any Person or Persons, Body or Bodies Politic or Corporate, shall have the Controul or Superintendance of the paving and lighting of the several Squares, Streets, Lanes, Ways, Passages, and Places within the said Town or Roads adjacent, and shall be desirous of having such of the said Squares, Streets, Lanes, Ways, Passages, and Places lighted with Gas, the said Company of Proprietors may, and they are hereby empowered to contract and agree with the said Person or Persons, Body or Bodies Politic or Corporate, to light the same with Gas, upon the Terms and Conditions hereinafter specified;

specified; that is to say, that the said Company shall supply such Quantity of Gas Lights, and such Number of Lamps, with such Sorts of Burners, of such Dimensions, Constructions, and Qualities, to be set up in such Situations, and to continue burning at such Times and for such Number of Hours, and under such Regulations as the said Person or Persons, Body or Bodies Politic or Corporate, shall from Time to Time direct; and upon the said Company's receiving annually for every such Public Lamp so required some yearly Price or Sum to be mutually arranged and contracted for between the said Person or Persons, Body or Bodies Politic or Corporate, and the said Company.

LIV. Provided always, and be it enacted, That the said Company shall and they are hereby directed and required to supply the Streets and other public Places in the said Town with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil, and every Contract or Agreement which shall be entered into for lighting with Gas any Street or Place by the said Company shall contain a Clause providing that it shall be obligatory on the said Company that such Street or Place shall at all Times be better and cheaper lighted by the said Company than could be done by Oil, according to the average Expence of lighting with Oil, for the Space of Three Years immediately preceding.

Company to supply a better and cheaper Light than Oil.

LV. And be it further enacted, That the Branch or Service Pipes, which shall be put up by the said Company for lighting the Streets or other Places in the said Town under any Contract or Agreement, shall be kept fully charged with Gas, and the Stopcocks shall be so formed and turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Service Pipes to be kept fully charged with Gas.

LVI. Provided always, 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, with an Intention to defraud the said Company, or supply any Inhabitant or other Person with any Part of such Gas, on pain of forfeiting and paying to the said Company for each and every such Offence, the Sum of Forty Shillings a Day for every Day such Pipe shall so remain, or such Burner or Burners, which shall not have been provided by the said Company shall be used, or such Excess be so committed, or such Supply furnished; to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Antrim*, or other Justice or Justices of the Peace having Jurisdiction where the said Offence shall have been committed; 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 and Penalty shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said County of *Antrim*; or to the Bridewell of the said County, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Three

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

Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied; and it shall be lawful for the said Company, if they shall so think fit, also to take off the Supply of Gas from the House and Premises of the Person so offending, notwithstanding any Contracts or Agreements which may have been previously entered into.

Recovery of Rents.

LVII. 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 public or private Buildings or Manufactories, shall refuse or neglect for the Space of One Calendar Month after Demand in Writing, to pay the Sum or Sums of Money then due for the same to the said Company, according to the Terms and Stipulations with the said Company, it shall be lawful for the said Company or their Clerk or Superintendant, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Antrim*, or other Justices of the Peace having Jurisdiction, to levy the said Sum or Sums in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) on Demand to such Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress shall be first deducted; and also that after such Refusal or Neglect as aforesaid, it shall and may be lawful to and for the said Company, or their Clerk or Engineer, or any other Person or Persons acting by or under their Authority, to cause the Gas so supplied to any such private Dwellings, Shops, Inns, Taverns, or other public or private Buildings, Manufactories, or Places as aforesaid, to be withheld in such Manner as the said Company or their Clerk or Engineer shall for that Purpose think proper.

Penalty for interrupting Company's Workmen.

LVIII. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure such Interruption or Hindrance to take place, and should be thereof convicted before any Justice or Justices of the said Town, or other Justice having Jurisdiction therein, either on Evidence of any credible Witness, or by Confession of the Party accused, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum to be adjudged by such Justice or Justices, not exceeding Five Pounds; and such Sum so adjudged shall be recovered in the like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered.

Penalty for wilfully damaging Pipes, &c.

LIX. And be it further enacted, That if any Person shall wilfully, wantonly, or maliciously remove, take away, break, destroy, damage, or injure any, or any Part of any Pipe, Pedestal, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or shall wilfully, wantonly, or maliciously extinguish or put out any or either of the public Lamps and Lights, and wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Company, every Person so offending in any one or either of the Cases aforesaid, and being thereof lawfully

lawfully convicted on the Oath of One credible Witness before one or more Justice or Justices of the Peace for the said County of *Antrim*, or Justice or Justices having Jurisdiction where such Offence shall have been committed, shall, for each such separate and distinct Offence, forfeit and pay to the aforesaid Company any Sum not exceeding Five Pounds, and the full Amount of the Damage to be done, as the same shall be ascertained by such Justice or Justices; such Penalty and Damage, together with reasonable Costs, to be levied under the Warrant of such Justice or Justices, by Distress and Sale of the Goods and Chattels of every such Offender, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels; or if it shall appear to the said Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath or have not any Goods or Chattels sufficient to levy such Forfeiture or Damage as aforesaid, such Offender or Offenders shall or may be forthwith committed to the House of Correction, or to the Common Gaol of the said County of *Antrim*, or to the Bridewell for the said County, there to remain for any Time to be fixed, not exceeding Three Calendar Months, or until such Forfeiture, Damage, and Costs, shall be fully paid and satisfied.

LX. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, destroy, throw down, damage, or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or by any Person or Persons at his, her, or their private Expence, or any Pipe, Pedestal, Post, Plug, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or carelessly or accidentally waste any of the Inflammable Air or Gas supplied by the said Company, or keep the Lights burning for a longer Time than he, she, or they respectively shall contract to pay for, and shall not upon Demand by the said Company, or their Clerk or Superintendant, or other Person or Persons authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace for the said County of *Antrim*, or other Justice or Justices having legal Jurisdiction where such Damage shall have been done, and he and they is and are hereby required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred; and upon hearing the Allegations and Proofs on both Sides, or on Non-appearance of the Party or Parties complained against, to award such Sum or Sums of Money by way of Satisfaction to the said Company, or to such other Person or Persons (as the Case may require), for such Damages or Excess, as such Justice or Justices shall think reasonable, not exceeding the Amount of the Damage done; and in case of Neglect or Refusal to pay any Sum or Sums so awarded within Ten Days after Demand, it shall and may be lawful to and for such Justice or Justices, or any One of them, and he and they is and are hereby required to cause the same to be raised and be levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied.

Satisfaction
for accidental
Damage done
to Lamps,
&c.

LXI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Com-

Penalty for
allowing the
Escape of
Gas.

pany

pany shall, at their own Expence, immediately after receiving Notice in Writing of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours next after such Notice in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and remove the Cause of Complaint, that then and in every such Case the said Company shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Expiration of any such Notice, during which Time the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, before some One or more Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions, and to be recovered and applied in manner herein directed touching other Penalties to be recovered from the said Company.

Company to remove Nuisances, and Penalty on them for neglecting to do so.

LXII. And be it further enacted, That when any Body or Bodies Politic or Corporate, Inhabitant Householder of the said Town or the Suburbs thereof, or any other Person or Persons whomsoever, shall be aggrieved by any public or private Nuisance committed by the said Company, or any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Means which shall be employed by them in manufacturing the said Gas and using the same, or furnishing such Light as aforesaid, or from any other Cause whatever, and shall give Notice in Writing to the said Company of the Existence of any such public or private Nuisance, the said Company shall at their own Expence, cause the most speedy and effectual Measures to be taken to remove and abate such public or private Nuisance from continuing; and in case the said Company shall not within One Day next after such Notice in Writing being given as aforesaid, of any such public or private Nuisance, remove and abate the same, to the Satisfaction of One or more Justices of the Peace for the said County, or other Justices of the Peace having Jurisdiction, that then and in every such Case the said Company shall for every Day such public or private Nuisance shall be permitted to exist after the Expiration of such Notice, forfeit and pay any Sum not exceeding Thirty Shillings for each and every Day after the Expiration of One Day from the Time of receiving any such Notice, during which the said public or private Nuisance shall be permitted or suffered to exist, which Penalty shall from Time to Time be recoverable on Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the said County, or other Justice or Justices having legal Jurisdiction, and shall and may be recovered with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by Warrant of any such Justice or Justices as aforesaid, to be granted in like Manner, and subject to the like Provisions, and to be recovered and go to and be paid as herein-before directed, touching other Penalties to be recovered from the said Company.

Company to be liable to

LXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person

Person or Persons from proceeding, by Indictment or otherwise, against any of the Officers, Servants, or Workmen of the said Company, in respect of any Works, or the Means which shall be employed by them in making the said Gas and using the same, or furnishing such Lights as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Company or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of the Person employed therein, or from any other Causes whatever.

be indicted
for Nuisance
and Damages.

LXIV. 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 Behalf of the Prosecution or on Behalf of the Person or Persons accused, and shall refuse or neglect to appear from Time to Time after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs and Expences 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, which Oath such Justice or Justices is and are hereby authorized and required to administer, and give Evidence before such Justice or Justices of the Peace, then and in such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds according to the Discretion of such Justice or Justices, provided a reasonable Sum shall have been paid or tendered to such Person for Attendance as a Witness.

For compelling the
Attendance
of Witnesses,
and respecting the
Service of
Notices.

LXV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, or by any Rule, Order, or Bye-law made in pursuance thereof, the Manner of levying or recovering and the Application whereof is not hereby otherwise particularly directed, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of some Justice of the Peace for the said County of *Antrim*, or other Justice of the Peace having legal Jurisdiction, which Warrant such Justice is hereby required and empowered to grant, upon Confession of the Party or Parties, or upon the Information of one or more credible Witness or Witnesses, upon Oath, which Oath such Justice is hereby required and empowered to administer; and One Moiety of the Penalties and Forfeitures, when recovered, after rendering the Overplus, (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, (the reasonable Charges of such Distress and Sale being first deducted,) shall be paid to the Informer, the other Moiety thereof shall be paid to the Treasurer of the *Belfast* incorporated Charitable Society, to be by them applied towards the Purposes of the said Charity; and in case such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody, until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their

Recovery and
Application
of Penalties.

[Local.]

9 M

Appearance

Appearance before such Justice, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Twenty-one Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon Return of such Warrant, it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Justice or any other Justice of the Peace for the said County of *Antrim*, or other Justice having legal Jurisdiction, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol of the said County, or to the Bridewell for the said County, there to remain for any Time not exceeding Three Calendar Months.

Persons giving false Evidence to be punished.

LXVI. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before any Justice of the Peace, or otherwise under this Act, upon Oath, 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 same Punishment as if he, she, or they had been convicted of wilful and corrupt Perjury.

For the more easy Conviction of Offenders.

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

Form of Conviction.

‘ **B**E it remembered, That on the Day of , in the Year
 ‘ of our Lord One thousand eight hundred and ,
 ‘ is convicted before me One of His Majesty’s Justices of the Peace for the
 ‘ Town of *Belfast* in the County of *Antrim*, or [as the Case
 ‘ may be], by virtue of an Act passed in the Fourth Year of the Reign
 ‘ of His Majesty King *George* the Fourth, intituled *An Act*, [here insert
 ‘ the Title of this Act] of having [here specify the Offence, and the Time
 ‘ and Place when and where the same was committed], contrary to the said
 ‘ Act, and for which I do adjudge the said to have for-
 ‘ feited the Sum of . Given under my Hand and
 ‘ Seal the Day and Year first above written.’

Information to be lodged within Six Months.

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

Distress not unlawful for Want of Form.

LXIX. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied under the Authority of this Act, or any Order or Bye-law made in pursuance thereof, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any
 Defect

Defect or Want of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for Special Damages by Action on the Case.

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

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

LXXI. And be it further enacted, That no Justice of the Peace holding any Share or Shares in the said Undertaking shall be qualified to act as such in the Execution of this Act.

Justices holding Shares not to act as such.

LXXII. 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 thereof upon the Clerk of the said Company, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company, or upon any Member of the said Committee, or left at his last and usual Place of Abode, or 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.

Directing what may be deemed a Service of Notice, &c. on the Company.

LXXIII. And be it further enacted, That no Plaintiff shall recover in any Action for any such Irregularity or Trespass or other Proceedings, if Tender of sufficient Amends shall be made by or on Behalf of the Party or Parties who committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Actions shall be brought; and in case no such Tender shall be made before the Commencement of such Action, it shall be lawful for the Defendant or Defendants in such Action, by Leave of the Court, before Issue shall be joined, to pay into Court such Sums of Money as he or they shall think fit, whereupon such Proceedings or Order and Judgment shall be had, made, and given in and by such Court as in other Actions wherein a Defendant is allowed to pay Money into Court.

Plaintiff not to recover if Tender of Amends be made.

LXXIV. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate or Collegiate, or any other Person or Persons whomsoever, who shall think himself, herself, or themselves aggrieved by any Rule, Order, or Bye-law of the said Company of Proprietors, or any thing done in pursuance thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may within Six Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at a General Quarter Sessions of the Peace to be holden for the County or Place where the Cause of Appeal shall have arisen, the Person or Persons appealing having first given at least

Appeal may be made to Quarter Sessions.

Ten

Ten Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the said Company, and forthwith after such Notice entering into Recognizance before the said Justice of the Peace for the County or Place, 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 or Place, and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of any such Rule, Bye-law, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or 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.

Saving of
Rights.

LXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to defeat, abridge, obstruct, or in any Manner prejudicially affect or interfere with any of the Rights, Powers, Privileges, Jurisdictions, Immunities, or Authorities of the Marquis of *Donegal* or the Sovereign, or of the Commissioners or Committee for the Time being acting under or by virtue of the said recited Acts of the Fortieth and Fifty-sixth Years of the Reign of His late Majesty, or of any Act or Acts which shall or may hereafter be in force for the Regulation and Improvement of the said Town of *Belfast*, or of any Trustees, Surveyors, or other Persons having the Controul, Superintendance, Direction or Management of lighting or paving the said Town, or the Rights of any Person or Persons whomsoever to pave, amend or repair any of the said Streets or public Places, or to make, enlarge, repair, or amend any Sewer, Drain, or Vault under any Street, Way or public Place within the said Town, or the Rights, Powers, and Authorities of the Trustees acting under the Authority of any Act or Acts of Parliament for repairing and amending the several Roads passing through the said Town, or approaching to the said Town, or of any other Seigniories, Rights, Royalties, Franchises, Powers, or Authorities now held and enjoyed by the said Bailiffs and Burgesses within the said Town, and which are from henceforth to be held and enjoyed by them in the same full and ample Manner to all Intents and Purposes as if this Act had not been passed.

Public Act.

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

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