



ANNO QUINTO

GEORGIIV. REGIS.

Cap. lxxv.

An Act for lighting with Gas the Towns or Villages of *Margate*, *Ramsgate*, and *Broadstairs*, and Places adjacent, in the County of *Kent*.

[28th May 1824.]

WHEREAS the Towns or Villages of *Margate*, *Ramsgate*, and *Broadstairs*, and Places adjacent, in the *Isle of Thanet* in the County of *Kent*, are populous, and the Lighting the Streets and public Roads, Ways, Passages, Lanes, and Places therein, and the Suburbs and Vicinity thereof, with Gas, would be of Advantage to the Inhabitants thereof and to the Public at large: And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to provide Gasometers and other Works for that Purpose, and to permit the Public to partake of the Benefit to be derived therefrom in manner herein-after mentioned; but inasmuch as the same cannot be effectually carried into Execution without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *William Heygate*, *William Thompson*, *John Delannoy*, *James Heygate* the younger, *John Wansey*, *Joseph Doane*, *Richard Fell*, *George Holland*, *Nathaniel Arthur Austin*, *Stephen Holmans*, *Thomas Francis Cobb*, *Richard Burton*, *Thomas Rammell*, *Richard Page*, *John Gaskell*, *Richard Tomson* the younger;

Company incorporated.

[Local.]

19 X

Joseph

Joseph Hedley, and all and every such other Person or Persons as now are or shall from Time to Time become Proprietor or Proprietors of any Share or Shares in the Undertaking hereby established, as herein-after is mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company, and declared to be One Body Politic and Corporate, by the Name of "The Isle of Thanet Gas Light and Coke Company;" and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanour, or other Offence indictable by the Laws of this Realm, and shall by that Name be authorized and empowered to purchase Lands and Hereditaments for the Purposes of the said Gas Works, not exceeding at each Station Three Statute Acres, without being subject to the Penalties of the Statutes of Mortmain, so as the Number of such Stations shall not exceed Six; and the said Company shall be established for the Purpose of making or producing Gas, Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, from Coal or other Materials, and of supplying the said Towns of *Margate*, *Ramsgate*, *Broadstairs*, and the Suburbs and Vicinity thereof, and Parts and Places adjacent, with Gas or Inflammable Air, and of selling and disposing of the Coke and other Products of the Manufactory of the said Company, in such Way and Manner as the said Company or the Directors may from Time to Time think proper.

Power to
Company to
contract for
the Lighting
the Streets
and Houses.

II. And be it further enacted, That the said Company shall have full Power to contract with any Commissioners, Trustees, Bodies Politic, Corporate, Collegiate, or Corporations Aggregate or Sole, or Person or Persons whomsoever, who shall or may be desirous or willing to contract or agree with the said Company for the Lighting of the said Towns or Villages, or any Part or Parts thereof, or any public or private Ways or Roads, Streets, Lanes, Buildings, Houses, Shops, Manufactories, Warehouses, or Premises within the said Towns or Villages, or the Suburbs or Vicinity thereof, and Parts adjacent.

Power to
contract for
the Purchase
of Lands and
Buildings.

III. And be it further enacted, That for the Purposes of this Act it shall be lawful to and for the said Company, or the Directors, to be chosen as herein-after is mentioned, and they are hereby empowered to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Towns or Villages, or the Suburbs or Vicinity thereof, or Parts adjacent, and the Freehold and Inheritance thereof, or any Estate or Interest therein, with any Body or Bodies 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 Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, Feoffees in Trust, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Persons under any Disability of acting for himself, herself, or themselves, and also with all Femmes Covert who are or shall be seised, possessed of, or interested in their own Right, or with any Persons whomsoever who shall be willing to sell the same, or his, her,

or

or their Right and Interest in the same, for the Uses and Purposes of this Act; provided that the Quantity of Land to be purchased as aforesaid shall not exceed Three Statute Acres at any one Station; and upon Payment of the Purchase Money for the same respectively to the Person or Persons entitled thereto, or into the Bank of *England*, in Manner directed by this Act (as the Case may be), the Lands, Tenements, and Hereditaments so to be purchased as aforesaid respectively, shall absolutely vest in the said "*Isle of Thanet Gas Light and Coke Company*," and may be taken and used by them for the Purposes of this Act; and it shall and may be lawful to and for the said Company to hold such Lands, Tenements, and Hereditaments, and any Term, Right, and Interest therein so purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever; and also to sell or dispose of the said Lands, Tenements, or Hereditaments, or any of them, as they shall think proper, and purchase and hold other Lands, Tenements, or Hereditaments, in like Manner.

IV. 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 respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for 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 the said Company are by this Act enabled to purchase for the Uses and Purposes thereof, to treat, contract, and agree with the said Company, or the Directors, 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, 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 Fine or Recovery, 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, Possibility, Claim, and Demand whatsoever of their said several Cestuique Trusts, and of all Persons whomsoever claiming or to claim by, from, or under him, her, or them; or claiming or to claim in Remainder or Reversion expectant on any such particular Estate, or by way of Executory Devise or Springing Use; and the same shall be deemed and considered to bar all Dower and Dowers of any such Person or Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of any Person or Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law; any Law, Statute, or Usage, or any other Matter or Thing

Bodies Politic
and other
Persons em-
powered to
sell.

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 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.

1740. G. 4. c. 35.

V. And be it further enacted, That if any Money shall be contracted to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or 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 as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account, *ex parte* the *Isle of Thanet* Gas Light and Coke Company, and pursuant to the Method prescribed by an Act of the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the 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 Exchequer, upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court,

to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement thereof were then actually made.

VI. Provided always, and be it further enacted, That if any Money so to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politic, 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 Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds; and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee of Committees, in Cases of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 nominated by the Person or Persons making such Option, and approved of by Three or more of the Directors of the said Company (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 to arise thereon, or the Interest thereof, may be applied in 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 Court of Exchequer.

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

VII. 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 belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased, taken, or used for the Purposes of this Act, in such Manner as the said Directors, or any Three or more of them, shall think fit; or in case of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Money not exceeding 20l.

VIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 so purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Monies, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or

In case of questionable Title, the Persons in Possession to be deemed entitled thereto.

under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchase Money to be allowed by Court.

IX. 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 *England*, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the Expences as the said Court shall deem reasonable, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Upon Payment of the Purchase Money, Premises to be vested in the Company.

X. And be it further enacted, That upon Payment of the Money to be so contracted or agreed to be paid for the Purchase of any such Lands, Tenements, or Hereditaments, or any Estate, Right, or Interest therein, to the Party or Parties, or Person or Persons respectively entitled to such Monies, or their Agents, or upon Payment thereof into the Bank of *England* in Manner herein directed (as the Case may be), all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand, in Law or in Equity, of the Party or Parties and Person or Persons respectively to whom or for whose Use or Benefit the same shall be paid, into or out of such Lands, Tenements, or Hereditaments, shall vest in the said Company and their Successors for ever, for effecting the Uses and Purposes of this Act.

Form of Conveyance.

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

‘ I [*or we, as the Case may be,*] of _____ in
 ‘ consideration of the Sum of _____ to
 ‘ me [*or us*], paid by the *Isle of Thanet Gas Light and Coke Company*,
 ‘ established under an Act passed in the Fifth Year of the Reign of King
 ‘ *George the Fourth*, intituled *An Act [here insert the Title of this Act]*
 ‘ do hereby grant and release [*or assign, as the Case may be*] to the
 ‘ said Company of Proprietors, and their Successors, all [*here describe*
 ‘ *the Premises to be conveyed*], and all my [*or our*] Right, Title, and
 ‘ Interest in and to the same, and every Part thereof, to hold to the
 ‘ said Company of Proprietors, and their Successors and Assigns for ever,
 ‘ [*or, as the Case may be, during all the Remainder of my [or our]*
 ‘ *Term, Estate, or Interest in the said Premises.*] In witness whereof I

‘ [*or*

[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

XII. Provided always, and be it further enacted, That all Copyhold or Customary Houses, Lands, Tenements, and Hereditaments to be purchased under or by virtue of this Act, shall continue to be held as Copyhold or Customary Houses, Lands, Tenements, and Hereditaments, by the Rents, Fines, and Services due and accustomed, unless the Lord or Lords, Lady or Ladies of the Manor within which such Premises shall be situate, shall consent to enfranchise the same; and that such Copyhold or Customary Houses, Lands, Tenements, and Hereditaments, shall from Time to Time be conveyed and pass by Surrender to the Use of the said Company, or of such other Party or Parties as shall purchase the same; his, her, or their Heirs and Assigns, unless the Lord or Lords, Lady or Ladies of the Manor within which the same Houses, Lands, Tenements, and Hereditaments shall lie, shall authorize the same to be granted or surrendered otherwise; any thing herein contained to the contrary in anywise notwithstanding.

Copyholds to
be held as
such.

XIII. And be it further enacted, That it shall and may be lawful for the said Company to sell and dispose of, and by Indenture or Indentures under their Common Seal to grant and convey, all or any Part or Parts of the Lands, Tenements, and Hereditaments which may have been so purchased or acquired, and which shall not be wanted for the Purposes of the said Company; and upon Payment of the Purchase Money for the same, it shall be lawful for the Treasurer for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge or Discharges to any Person or Persons for the Money which shall be therein and thereby expressed or acknowledged to be received; and such Person or Persons having 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.

Re-sale of
Land not
wanted.

XIV. And whereas the said Company of Proprietors are enabled to purchase not exceeding Three Statute Acres of Land at any one Station 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 Quantities 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, Femes Covert, Cestuique Trusts, 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

Restraining
the Company
from pur-
chasing more
than Three
Statute Acres
of Land from
incapacitated
Persons, &c.

of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, 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, 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 Trusts, 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 Three Statute Acres for any one Station; and in case the said Company shall afterwards sell the Whole or any Part of such Three 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 Trusts, 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 Three Statute Acres, or any Part thereof so sold or disposed of by the said Company.

Capital Stock
of Company.

XV. And be it further enacted, That it shall 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 Twenty thousand Pounds; and that the said Company shall not be authorized to exercise the Powers granted by this Act until the said Sum of Twenty thousand Pounds shall have been subscribed for that Purpose.

Stock to be
divided into
Shares of 25*l.*
each.

XVI. And be it further enacted, That the said Sum of Twenty thousand Pounds, to be subscribed under the Powers of this Act, shall be divided into Shares of Twenty-five Pounds 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.

Power to raise
a further Capital
of 4000*l.*

XVII. And be it further enacted, That in case the aforesaid Sum of Twenty thousand Pounds shall be found insufficient for the Purposes of this Act, and carrying on the aforesaid Undertaking, then and in such Case it shall be lawful for the said Company of Proprietors to raise and contribute amongst themselves, in such Shares and Proportions as they shall think proper, or by the Admission of new Subscribers, any further or other Sum of Money not exceeding the Sum of Four thousand Pounds; and every Subscriber towards raising such further Sum of Money shall

be a Proprietor in the said Undertaking, and shall have a like Vote by himself or herself, or by Proxy, in respect of his or her Shares in the said additional Sum so to be raised, and be liable to such Forfeitures, and stand interested in all the Profits and Advantages of the said Undertaking, in proportion to the Sum he, she, or they shall subscribe to the said Undertaking, as extensively to all Intents and Purposes as if such further or other Sum hereby allowed to be subscribed for or raised had been originally Part of the said Capital of Twenty thousand Pounds; any thing herein-before contained to the contrary in anywise notwithstanding.

XVIII. 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 subject and answerable for the just Debts, Liabilities, Engagements, and Demands of the Creditors of and Contractors with the said Company.

Lands, &c. of
Company
answerable
for their
Debts.

XIX. And be it further enacted, That the several Persons who shall subscribe for or towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for, pursuant to or by virtue of the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the Directors for the Time being herein-after mentioned; and in case any Person or Persons shall at any Time neglect or refuse to pay any such Sums of Money, at such Times and in such Manner as shall be ordered and directed by the Directors 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*, together with lawful Interest for the same from such appointed Time of Payment, and all Costs of Suit, from such Person or Persons; or in Cases where Two or more Persons shall have jointly subscribed for or be jointly possessed of any one or more Share or Shares in the said Undertaking, then from all or any or either of such Persons.

To compel
Payment of
Subscrip-
tions.

XX. And be it further enacted, That the Clerk of the said Company, as soon as a Clerk is chosen, shall cause the Names and Designations of the several Persons who shall have subscribed 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 after such Entry, the same shall be signed by the Chairman of the Directors, and the Directors 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

Names of
Proprietors
to be entered,
and Certifi-
cates of their
Shares de-
livered to
them.

Certificate shall not hinder or prevent the Owner from selling or disposing of such Share or Shares.

Proofs required where Rights accrue by Marriage or Death.

XXI. And be it further enacted, That when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company, or the Profits thereof, in Right of Marriage, an Affidavit containing a Copy of the Register of such Marriage, or the Purport of such Register, shall be made and sworn to by some credible Person, before a Master or a Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be delivered to and left with the Clerk for the Time being of the said Company, who shall preserve the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking, and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence and no more, before such Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof; and when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company, or the Profits thereof, under or by virtue of any Will or Bequest, or in a Course of Administration, the Probate Copy of the Will, or the Letters of Administration, in case the Proprietor shall have died intestate, shall be produced and shown to the said Clerk, who shall make an Entry of such Will, or of so much thereof as shall relate to the Disposition of the Share or Shares of the Testator, or of the Letters of Administration, in case the Proprietor shall have died intestate; and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence and no more, before any Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof: Provided nevertheless, that no Bequest or Clause in any such Will contained shall bind or affect the said Company with Notice of any Trust or Disposition of any Share or Shares in the Joint Stock of the said Company, or the Gains and Profits thereof; but the Registry of every such Share or Shares shall be in the Name or Names of the Executor or Executors, who shall prove the Will of such Testator, or the Administrator or Administrators of his Effects, whose Receipt or Receipts to the said Company for the Gains and Profits thereof, and to any Purchaser or Purchasers for the Amount of the Purchase Money paid upon the Sale and Conveyance of such Share or Shares, shall be good and effectual, and shall bind the Cestuique Trusts, and all other Persons claiming in Trust or otherwise under such Testator; any Rule of Law or Equity to the contrary notwithstanding.

First Meeting of Proprietors.

XXII. And be it further enacted, That within Three Calendar Months after the passing of this Act, or as soon after as conveniently may be, a General Assembly or Meeting of the Proprietors of Shares shall be holden in the *Isle of Thanet* aforesaid, between the Hours of Ten of the Clock in the Forenoon, and Three of the Clock in the Afternoon, of which General Assembly or Meeting Ten Days Notice shall be given by some one of the Proprietors of the said Undertaking, once in some one Newspaper printed or circulated in the County of *Kent*; and such General Assembly 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

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 Directors of Seven Proprietors, to be possessed of Ten Shares each at the least, to continue until the Meeting which shall be held in the Month of *September* One thousand eight hundred and twenty-five, or until others or another shall be appointed in their or any of their Stead, shall be elected and chosen; and such General Assembly or Meeting may be adjourned to such other Time and Place as the Proprietors of the Majority of Shares then present shall think fit.

XXIII. And be it further enacted, That the said Company shall, in the Months of *March* and *September* in each and every Year hold a General Assembly or Meeting of the said Proprietors, of which General Assembly or Meeting Ten Days Notice shall be given in some one Newspaper printed or circulated in the said County of *Kent*; and at every General Assembly or Meeting to be holden in the Month of *September*, or some Adjournment thereof, the Directors for the Year ensuing, and the Chairman and Deputy Chairman thereof, to be elected as aforesaid, shall from Time to Time be elected and chosen, provided that nothing herein contained shall render any one of the Directors, whose Office shall have expired, ineligible to be immediately re-elected as a Director, if otherwise duly qualified.

General Assemblies to be holden.

XXIV. Provided always, and be it further enacted, That no Person shall be qualified to be elected, or to serve or act as a Director, who shall hold or derive any Place of Profit under the said Company, or deal or be interested, directly or indirectly, 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 Ten Shares in the said Undertaking for Three Calendar Months at the least; and if any Person having been duly qualified at the Time of such Election shall afterwards cease to be possessed of such Number of Shares in the said Undertaking, such Person shall from thenceforth be disqualified from acting as such Director.

Qualifications and Disqualifications of Directors.

XXV. And be it further enacted, That 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 Directors, 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, and 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

Power to make Bye-laws, &c.

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 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 that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the express Directions or Provisions of this Act, or to the Provisions of any Act or Acts now in force for regulating the Harbours of *Margate* and *Ramsgate*, and the several Streets, Pavements, Highways, or Paths in the several Towns aforesaid, or any Place or Places through or upon which the Main Pipes and other necessary Apparatus of the said Company may be laid: Provided that the Bye-laws so made be confirmed by the Justices holding the Petty Sessions for *Dover* or *Sandwich* respectively: 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 at 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 an additional or casting Vote.

Proprietors to vote according to the Number of their Shares.

XXVI. 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 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 Ten Votes, or to vote in respect of any Share or Shares after the 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.

Where Shares stand in the Names of more than one Person, the first shall, for all the Purposes of this Act, be deemed the Owner.

XXVII. 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, as Proprietor of such Share or Shares, 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 any Share or Shares in the said Company, shall and may be given to or served upon such Person whose Name shall so stand first in 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 give any Vote or Votes to be given in respect of such Shares.

XXVIII. And

XXVIII. 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),

Empowering Females, Infants; or other Proprietors of Shares; to vote by Proxy.

I *A. B.* of *Thanet* Gas Light Company, do hereby nominate, constitute, and appoint *C. D.* of *Thanet* 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 *Month* 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 *Month* *Year*.

Form of Proxy.

XXIX. Provided always, and be it further enacted, That in case any Proprietor or Proprietors entitled to vote at any such Meeting as aforesaid, shall be a Lunatic or Lunatics, or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee, or any one of such Committee, and such Minor or Minors shall and may vote by his, her, or their Guardian, or any one of such Guardians: Provided also, that the Appointment of such Committee or Guardian shall be produced at every Meeting at which he may so offer to vote; provided always, that no Person or Persons, or Bodies Corporate or Politic, shall hold and vote as a Proxy or Proxies for more than Two Members upon any one Occasion (except as herein-before mentioned with respect to Female Proprietors); but such Person or Party may also vote in Right of his own Shares as well as Committee of any Lunatic or Lunatics, and as Guardian of any Minor or Minors, on the same Occasion.

Lunatics and Minors how to vote.

XXX. 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.

XXXI. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special Meetings, or Adjournments respectively, or to any of the said Proprietors, upon any particular Occasion, and not herein otherwise provided for, shall be given to the said several Proprietors respectively, by Advertisement to be inserted Once in some one Newspaper printed or circulated in the said County of *Kent*, or by Letters from the Clerk of the said Company.

Notices of Meetings to be given by the Clerk of the Company.

[Local.]

20 A

XXXII. And

Meetings of
Directors,
and Regula-
tions for
their Pro-
ceedings.

XXXII. And be it further enacted, That the Directors 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 within either of the Towns of *Margate, Ramsgate, or Broadstairs*, or the Suburbs or Vicinity thereof, and Places adjacent, as they shall from Time to Time think proper; and shall and may elect one of their Members to be their Chairman, and another Member thereof their Deputy Chairman at all their Meetings; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors 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 or Deputy Chairman for the Time being, such Chairman or Deputy Chairman shall have an additional or casting Vote; and if on the Day appointed for any Meeting of the said Directors, 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 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 Two or more Directors may, at any Time when they shall think fit, call a Meeting of the Directors, by causing Ten Days Notice in Writing, signed by such Directors, to be sent by the Post or otherwise, to the Residence or Address of every other Director, and also renew the Meetings of the Directors, 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
Directors.

XXXIII. And be it further enacted, That the Directors 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 supplying with Gas the said Towns or Villages, and the Suburbs and Vicinity thereof, or Parts adjacent, 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 making, enforcing, and rescinding, 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 Directors shall and may appoint a Clerk, Officers, Servants, Workmen, and Tradesmen of the said Company, and from Time to Time dismiss, remove, or suspend them, as they shall think fit, and 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 Person, for the faithful Execution fo

of their respective Duties, as they shall think proper and adequate to the Trust.

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

For supply-
ing Vacan-
cies in Di-
rectors.

XXXV. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person or Persons who 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, or of his or their Partner, the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or Clerks, or other Person or Persons in the Service or Employ 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, or the Clerk or Clerks, or other Person or Persons in the Service or Employ 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 this Act, other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, whereby no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

Clerk and
Treasurer
not to be the
same Person.

XXXVI. And be it further enacted, That the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, shall not issue any Sum or Sums of Money on account of the said Company, without an Order or Orders in Writing, signed by Three or more Directors; 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 with-
out an Order
signed by
Three of the
Directors.

XXXVII. And be it further enacted, That all Orders and Proceedings of the said Company of Proprietors, and of the Directors, shall be entered in

Proceedings
to be enter-
ed in Books.
in

in a Book or Books to be kept for that Purpose, and shall be signed by the Chairman for the Time being, 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.

Directors
may make
Calls on Sub-
scribers.

XXXVIII. And be it further enacted, That the Directors for the Time being shall have full Power, at any Time or Times, to make such Call or Calls upon 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 Directors 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 Directors for the Time being at least, present at some Meeting of the said Directors; 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 Directors, of which Time and Place Fourteen Days previous Notice shall be given in such Manner as the said Directors shall direct or appoint in that Behalf.

In Default of
Payment on
Calls, Shares
to be forfeit-
ed.

XXXIX. 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 Portion of the Money to be called for by the Directors as aforesaid, by the Time appointed for Payment thereof, together with Interest from the appointed Time of Payment, 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 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 or Joint Stock of the Company, but 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 Directors, to the Owner or Owners thereof, by Notice in Writing left at his, her, or their usual or last Place of Abode, if they shall reside in the Town of *Margate, Ramsgate, or Broadstairs*, or the Suburbs thereof, or Places adjacent, and if not, then by Letter sent by the Post; and 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, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Subscriber or Subscribers, Proprietor

Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns.

XL. 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 Call as aforesaid, and legal Interest thereon, and the Expences attending such 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 Directors, 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 as aforesaid, any Share or Shares vested in the said Company as aforesaid which shall remain in 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.

If the Purchase Money of 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.

XLI. 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 Isle of Thanet Gas Light and Coke Com-
 ‘ pany, 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,
 ‘ Restrictions, 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 by the Person requiring such Transfer to such Clerk, and no more; and the Registry thereof shall specify the Dates, Names of the Parties, and the Number of Shares transferred; and a Copy of such Register, signed by the said Clerk, shall be sufficient Evidence of such Transfer, and be received and admitted as such; and until such Transfer be registered in the Books of the said Company, no Purchaser or Purchasers of any Share,

Transfer to be registered.

or his, her, or their Executors, Administrators, or Assigns, 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.

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

XLII. 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 or in respect of his, her, or their Share or Shares intended to be sold shall be paid; and until such Money so called for shall be paid, every such Sale or Transfer of any Share or Shares shall be void; and all and every Person or Persons making Default herein, shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Undertaking, to and for the general Benefit of the said Company, unless he, she, or they shall, at the Time of such Sale or Transfer, pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred, such Forfeiture, nevertheless, to be first notified and declared in manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

Executors indemnified in paying Calls.

XLIII. 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 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, and the Trustee or Trustees, Guardian or Guardians of any Infant, or other Person or Persons entitled to the Estate and Effects of such Proprietor or Proprietors, shall be indemnified against such Infant, and all other Persons whomsoever, for paying any Money which shall be called for as aforesaid in respect of the Share or Shares of such deceased Proprietor or Proprietors.

For ascertaining the Proprietorship of Shares in certain Cases.

XLIV. 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 and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of the said Company, or any Officer acting for the said Company, to know who is or are the Owner or Proprietor, or Owners or Proprietors of such Share or Shares; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or 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 a Master or Master Extraordinary

Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace for the County of *Kent*, 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 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 Register Book or List of Subscribers and Proprietors in the said Undertaking, to be kept in the Office of the Clerk to the said Company.

XLV. And be it further enacted, That at the General Assemblies or Meetings in the Months of *March* and *September* in each Year, or some Adjournment thereof, the Accounts of the said Company shall be from Time to Time settled; and such General Assembly or Half-yearly Meeting, or any Assembly or Meeting especially called for the Purpose, shall have full Power, from Time to Time, to call for and examine the Accounts of the said Company; and at every Half-yearly General Assembly or Meeting, or some Adjournment thereof, a Dividend or Dividends shall be made, out of the Interests, Profits, or Advantages of the said Undertaking, unless such Meeting shall declare otherwise; and such Dividend shall be at and after the Rate of so much *per Centum* for every Share, upon all and every the Sum and Sums of Money paid to the said Company by the said Subscribers, their Successors, Executors, Administrators, or Assigns, as such Meeting or Meetings shall think fit to appoint and determine; provided that no Dividend shall be made whereby the Capital of the said Company shall in any Degree be reduced or impaired, nor within Twelve Calendar Months after the passing of this Act; nor shall any Dividend 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.

Accounts to be settled Half-yearly.

Meetings to declare Dividends.

XLVI. And be it further enacted, That a Special Meeting may be called at any Time by the Directors, 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, or given to any one of the Directors, or left at his last or usual Place of Abode, require the Directors to call a Special General Meeting, so as such Requisition shall 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 Directors to call such Meeting for the Space of Ten Days after such Notice given as aforesaid, the same may be called by the said Members, by giving Ten Days Notice thereof in some one or more Newspaper or Newspapers printed or circulated in the said County of *Kent*.

Directors, and also Proprietors possessed of Fifty Shares, may call a Special General Meeting;

XLVII. Provided always, and be it enacted, That it shall not be lawful for the said Company at any Time hereafter to sell or dispose of any of the Rights, Privileges, Powers, or Authorities vested in them by this Act of supplying with Gas the said several Places to any Person or Persons whomsoever, Body or Bodies Politic or Corporate whatsoever.

but not to sell or dispose of their Rights under this Act.

XLVIII. And

Power to
break up the
Pavements
and lay Pipes,
&c.

XLVIII. And be it further enacted, That it shall be lawful for the Company hereby established, and their Successors, and they are hereby fully authorized and empowered, subject to the Restrictions and Provisions herein-after mentioned, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Water-courses, Reservoirs, and other Works and Devices, on the Lands taken or to be purchased or acquired by them by virtue of the Powers herein-before contained; and the said Company are also hereby fully authorized and empowered to erect and fix Pipes against any Walls, or in Posts or Pillars in the Streets, and to break up the Soil, Pitchings, and Pavements of any of the Streets, Highways, Roads, Ways, Lanes, and Passages now made, or that may hereafter be made, within the said Towns and Villages and Places adjacent, and to dig and sink Trenches and Drains, and to lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along the Streets, Highways, Roads, Ways, Lanes, and Passages, and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, Syphons, and Plugs or Branches; and also with the Consent and Permission of the Owners and Occupiers to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Road, or Highway, Lane or Passage, by virtue of this Act, into or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting any public or private Lamp from any of such Mains or Pipes; and to erect, fix, and set up any Machine, or 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 and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been so placed, which shall be injured or damaged; and to do all such Acts, Matters, and Things as shall from Time to Time be or become necessary and convenient for completing, amending, repairing, improving, supplying, and using the same, provided a proper Compensation be made for any Damage which may be done thereby: Provided always, that nothing herein contained shall authorize or empower the said Company, or any of their Servants, Agents, Workmen, or others, to enter into, or to carry or lay any Pipe or Pipes in, over, or upon any private Lands, Grounds, or Premises, or to continue the same, without the Consent in Writing of the Owners and Occupiers thereof respectively.

Company of
Proprietors
to make
good Da-
mages occa-
sioned by
laying Pipes,
&c.

XLIX. And be it further enacted, That if for the Improvement or Alteration of any of the Streets, Highways, Roads, Ways, Lanes, and Passages within the said Towns or Villages, it shall at any Time or Times hereafter be deemed necessary or expedient by the Commissioners or any Trustees of Turnpike Roads, Surveyors of Highways, or other Persons having Controul over the several Streets, Roads, and Highways through which the said Company shall lay their Mains or other Pipes, 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 aforesaid, within the Jurisdiction of the said Commissioners, Trustees, Surveyors, or other Persons having Controul as aforesaid respectively, the said Company
of

of Proprietors shall, at their own Expence, within One Calendar Month next after being required so to do by Notice in Writing to them given by the said Commissioners, Trustees, Surveyors, or other Persons having Controul as aforesaid, signed by their Clerk or Clerks, 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, Trustees, or Surveyors respectively shall think right and proper; and in default thereof it shall be lawful for the said Commissioners, Trustees, or Surveyor, 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, and that the reasonable Costs and Charges for doing the same, shall immediately thereafter be paid by the said Company: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Fourteen Days next after Demand shall be made by such Person or Persons acting by or under the Authority of the said Commissioners, Trustees, or Surveyors, at the Office of the said Company, Proof of such Demand being made by the Oath of one credible Witness, before One or more Justice or Justices of the Peace within whose Jurisdiction the Place or Places where such Alteration shall be made shall lie, all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Commissioners, Trustees, or Surveyors, or their Treasurer.

L. Provided also, and be it further enacted, That if at any Time hereafter any such Owner or Occupier shall be desirous that any Pipe or Pipes which may have been laid with any such Consent as aforesaid into or through his, her, or their Dwelling House or Premises, should be removed and discontinued, and shall give or cause Notice thereof to be given to the Clerk of the said Company of Proprietors, and the said Company of Proprietors shall neglect to remove and discontinue such Pipe or Pipes within Seven Days after receiving such Notice, it shall be lawful for the Person or Persons into, or through or against whose Dwelling House or Premises such Pipe or Pipes shall be laid, and he, she, and they are hereby authorized to remove and discontinue the same.

Owners to remove Pipes if Company neglect so to do.

LI. Provided also, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to authorize or empower the said Company, or their Successors, to sink or make any such Cuts, Drains, Sewers, Watercourses, and Reservoirs, in any Situation or Direction where the same can, shall, or may interfere with any present or future public or private Drain, Sewer, or Well; nor to carry or lay any Pipes, Cocks, or Branches from any Main or Pipe into or against any Dwelling House or private Buildings as aforesaid, or to continue the same when so laid or carried, without the Consent in Writing of the Owner and Occupiers for the Time being of every such Dwelling Houses, Manufactories, public or private Buildings as aforesaid: Provided also, that all public Streets, Highways, Roads, Lanes, and Passages, shall only be broken

Company not to make any Drains, &c. without the Consent of the Occupiers, &c.

up with the Consent of the Commissioners, Trustees, or other Persons having the Controul of the said Streets, Highways, Roads, Ways, Lanes, and Passages.

Consent
necessary be-
fore breaking
up of Pavement,
&c.

LII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to authorize or empower the said Company, or any other Person or Persons whomsoever, to break up or disturb the Soil or Pavement in or of any Street, Road, Highway, Lane, or Passage within the Limits of this Act, without the Consent in Writing of the Commissioners, Trustees, or other Persons in whom the Superintendance, Property, or Controul of any such Street, Road, Highway, Lane, or Passage, is by Authority of Parliament vested, under the Hand or Hands of their Clerk or Clerks or other proper Officer or Officers.

Company
to remove
Pipes, &c.
when Tenants
quit, if re-
quired.

LIII. Provided always, and be it further enacted, That the said Company and their Successors shall, at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers giving Consent as aforesaid, or within Seven Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose from or on Behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, remove, take, and carry away, or cause to be removed, taken, and carried away, any Pipe or Pipes, Cock or Cocks, or Branches, from any Main or Pipe which shall have been introduced or laid by the said Company of Proprietors and their Successors, in any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, pursuant to the Powers for that Purpose herein-before contained, and repair and make good such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, where the same shall have been so introduced; any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof, it shall and may be lawful to and for such Owner or Owners, such new Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away, and the reasonable Costs and Charges for so doing shall be immediately paid by the said Company and their Successors, or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require; provided nevertheless, that if such reasonable Costs and Charges be not paid within Twenty-one Days next after Demand shall be made by such Owner or Owners, Occupier or Occupiers (Proof of such Demand being made by the Oath of one credible Witness before One or more Justice or Justices of the Peace for the County of *Kent*), all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and 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 such Owner or Owners, Occupier or Occupiers, as the Case may require.

LIV. And be it further enacted, That the said Company in laying or repairing any such Mains, Pipes, Cocks, Syphons, Branches, or other Apparatus, shall do as little Damage as may be, and shall forthwith fill in the Trenches, and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for the Purposes of this Act, without any Delay; and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, and cause a Light or Lights to be fixed and remain during the Night, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided always, that if there shall be any wilful or negligent Delay in filling any such Ground, or removing Rubbish, or making good any such Pavements or Roads, or in case the said Trenches, or any of them, or any Part or Parts thereof, shall not, during such Time, be properly guarded and fenced, or such Light or Lights be placed out and maintained as aforesaid, then and in every such Case it shall and may be lawful for the Surveyor or Surveyors of the Street or Place wherein such Negligence or Delay shall happen, or any other Person under his or their Authority, to fill in such Ground, and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Road, Lane, or Passage or Place so broken up, and properly to guard and fence every such Trench, and to place and maintain every such Light and Lights during the Night, as to him shall appear necessary for the Purposes aforesaid; and the reasonable Costs and Charges thereof shall be paid by the said Company or their Treasurer to the said Surveyor, and in default of Payment thereof for Seven Days next after Demand shall be made by such Surveyor or other Person acting under his Authority (Proof of such Demand being made by the Oath of one credible Witness before One or more Justice or Justices of the Peace for *Dover, Sandwich*, the Liberties of the Cinque Ports, in the County of *Kent*), all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, 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, which Warrant such Justice or Justices is or are hereby empowered to grant, and such Costs, Charges, and Penalty shall be paid to such Surveyor or Person acting under his Authority, and applied in the Repair of the public Highways within the Parish.

LV. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe or Tube, 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, nor use Burners of larger Dimensions than he, she, or they respectively shall contract or pay for, or supply any Inhabitant or other Person with any Part of such Gas, on pain of forfeiting and paying to the said Company any Sum not exceeding Five Pounds for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished, every such Penalty 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 *Dover, Sandwich*, the Liberties of the Cinque Ports, or the County of *Kent*, and which Warrant

Company,
&c. in laying
Pipes, to
make good
the Pavement.

No Pipes of
Communication to be
laid without
the Consent
of the Com-
pany.

Warrant such Justice or Justices is and are hereby empowered to grant; and the Surplus, after such Penalty or Forfeiture and the Costs and Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol (within the Jurisdiction of the Justice or Justices so committing) there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding One Calendar Month, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied; and it shall be lawful for the said Company of Proprietors, if they shall so think fit, also to take off the Gas from the House and Premises of the Person so offending, notwithstanding any Contract or Agreement which may have been previously entered into.

Penalty for
wilfully da-
maging
Pipes, &c.

LVI. And be it further enacted, That if any Person shall wilfully or maliciously remove, take away, destroy, damage, or injure any Pipe, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or any Part thereof respectively, or shall wilfully or maliciously extinguish or put out any One or more of the public Lamps or Lights, or wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Company, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath of one credible Witness, before One or more Justice or Justices of the Peace for *Dover*, *Sandwich*, the Liberties of the Cinque Ports, or the County of *Kent*, shall for each separate and distinct Act or Offence forfeit and pay to the aforesaid Company any Sum not exceeding the Sum of Five Pounds, and Three Times the Amount of the Damage to be ascertained by such Justice or Justices to be done; such Penalty and Damage, together with reasonable Costs, to be levied by Warrant of such Justice or Justices by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels; or if it shall appear to the said Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath not any Goods or Chattels sufficient to levy such Forfeiture or Damage aforesaid, such Offender shall and may be committed to the Common Gaol (within the Jurisdiction of the Justice or Justices so committing), there to remain for any Time not exceeding Three Calendar Months, or until such Forfeiture, Damages, and Costs shall be paid or tendered to the Keeper of the Common Gaol or House of Correction, for the Use of the said Company.

Satisfaction
for accidental
Damage of
Lamps, &c.

LVII. 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 any Pipe, Pedestal, Post, Plug, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or 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, 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 County, Town, or Place wherein
the

the Offence shall arise, and he or they is and are hereby required, upon Complaint to him or them made, to summon before him 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 so complained against, to proceed *ex parte*, and 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 be and require) for such Damages as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded within Fourteen 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 levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied.

LVIII. And be it further enacted, That if any Person shall hinder or interrupt any Workmen or Servants of the said Company 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 shall be thereof convicted before any Justice or Justices acting in and for the County, Town, or Place wherein the Offence shall arise, either on Evidence or by Confession, 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 like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered, or the said Company may, at their own Option, sue for Damages sustained by them for such Hindrance or Interruption.

Penalty for interrupting Company's Workmen.

LIX. Provided always, and be it further enacted, That in case the said Company shall at any Time hereafter contract with any Person or Persons, Body or Bodies Politic or Corporate, for lighting any of the public Lamps in any of the public Ways, Roads, Streets, or Lanes within the said Towns, or the Suburbs or Vicinity thereof, or Places adjacent, the said Company shall, and they are hereby directed and required to supply such public Lamps which they shall so contract to light with Gas, of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil Lamps; and whenever the said Company shall fail so to do, the Power and Authority hereby given to the said Company, further to break up the Soil or Pavement of any such public Street, Highway, Road, Way, Lane, Passage, or other public Place in the said Town, or the Suburbs or Vicinity thereof, where such public Lamps shall be situated, shall from thenceforth during such Failure cease and determine; and every Contract or Agreement which shall be entered into for lighting with Gas such public Lamps by the said Company shall contain a Clause or Covenant, providing that it shall be obligatory on the said Company that such public Lamps shall at all Times be better and cheaper lighted by the said Company than could be done by Oil Lamps.

Gas to be supplied cheaper than Oil Light.

LX. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be put down by the said Company for lighting

Service Pipes to be kept

[Local.]

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the

fully charged
with Gas.

the Streets, Lanes, Passages, and other public Places of the said Towns and Places adjacent, under any Contract or Agreement with any Trustees or Commissioners respectively, 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.

For prevent-
ing the Es-
cape of Gas.

LXI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes already laid down, or which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall, at their own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas from any Person or Persons whomsoever, cause the most effectual Means 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 by Parol or in Writing being given of any such Escape of Gas, effectually stop up and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas should be suffered to escape as aforesaid, which Penalty shall from Time to Time be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as other Penalties and Forfeitures by this Act imposed are directed to be recovered and levied.

Remedy for
Recovery of
Rents.

LXII. And be it further enacted, That in case of any Person or Persons, Body or Bodies Politic or Corporate, Commissioners or Trustees, 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 Dwelling Houses, Shops, Inns, Taverns, or other public or private Buildings or Manufactories, Grounds, or Premises, shall refuse or neglect, for the Space of Seven Days after Demand, to pay the Sum or Sums of Money then due for the same to the said Company, it shall be lawful for the said Company, or their Clerk or Superintendent, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any One of the Justices of the Peace for *Dover*, *Sandwich*, the Liberties of the Cinque Ports, or the County of *Kent* (which Warrant such Justice is hereby empowered to grant; upon Confession or upon Proof of such Demand by the Oath of One credible Witness), to levy the said Sum or Sums of Money, in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Person or Persons so refusing or neglecting, after the necessary Costs and Charges of making such Distress and Sale shall be first deducted: Provided always, that if at the Time of such Distress being made, any Rent shall be then due and in arrear to the Landlord of the Premises in which such Goods and Chattels shall be distrained, or any Part thereof, such Landlord shall have and be entitled to receive such or so much of the said Rent in arrear as the said Landlord would be legally entitled to receive in case of an Execution issued and levied under any Judgment entered up against the Tenant or Tenants, Occupier or Occupiers

of the said Premises, in any of His Majesty's Courts of Record at *Westminster*.

LXIII. And be it further enacted, That all and every the Pipes to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Way, public Passage or Place in any of the said Towns or Villages or Places adjacent, shall be so laid at the greatest practicable Distance from, and where the Width of the Carriageway 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 such Streets, Lanes, Ways, public Passages or Places, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Cases 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 in all such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Three 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 One Foot at least; and in laying down the said Gas Pipes, the said Company shall in no Case join more than Three or more Gas Pipes together before laying them in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all respects prevent the said Gas from escaping therefrom, and from every Part thereof, upon Pain of forfeiting, for every such Offence, the Sum of Five Pounds.

Gas Pipes to be laid at a Distance from Water Pipes, and in a particular Manner.

LXIV. And be it further enacted, That it shall be lawful for the said Company, with the Consent of the Surveyor of the Highways or of the Commissioners, Trustees, or other Persons having the Controul thereof for the Time being, to make Sewers or Cuts of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient, under the Streets, Ways, Lanes, Avenues, and Places within the said Towns or Places adjacent, for the Purpose of carrying off the Washings and other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing, at their Expence, all such Damage, and afterwards maintaining such Sewers or Cuts in good and sufficient Repair: Provided always, that no such Washings or other waste Liquids, or any other Matter or Thing produced in the manufacturing of such Gas, be conducted or conveyed into any River, Brook, Navigable Canal, or running Stream whatsoever, into the Town Drains or Harbours of *Margate* and *Ramsgate* respectively, nor into the Sea, within Half a Mile of any Town, Village, or Place in the said Island.

Power to convey Washings.

LXV. And be it further enacted, That if the said Company of Proprietors 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

Penalty for conveying Washings into any other River, &c.

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, Canal, Aqueduct, Feeder, Pond, Spring Head, 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, Canal, Aqueduct, Waterway, Feeder, Pond or Spring-Head, Well, Drain, Sewer, or Ditch, whereby the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, or into the Harbours of *Margate* and *Ramsgate* respectively, then and in every such Case the said Company of Proprietors so offending 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 *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Ensign, Protection, Privilege, Wager of Law, nor more than One Imparlanse 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 Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months from the Time that 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), 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, Canal, Aqueduct, Waterway, Feeder, Pond, Spring Head or Well, or into any Drain, Sewer, or Ditch communicating therewith, or into the Harbours of *Margate* and *Ramsgate* respectively, 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 of Proprietors, and the said Company of Proprietors 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 emptied, 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 of Proprietors shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, Substances, or Things shall be so 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

shall have sustained any Annoyance, Injury, or Damage, by any such Act so done or committed.

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

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

LXVII. 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 of the Penalties or Forfeitures inflicted by virtue of this Act, to be recovered before any Justice or Justices of the Peace, for any Offence or Offences against this Act, unless Information shall be given thereof within Three Calendar Months next after such Offence committed, save and except as herein-after excepted.

Proceedings to be commenced within Three Calendar Months.

LXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect or be construed to extend to repeal, annul, alter, or otherwise affect all or any of the Powers, Provisions, or Enactments contained in any Act or Acts of Parliament now in force for paving, lighting, and watching the said Towns of *Margate* and *Ramsgate* respectively, or to remove any of the Disabilities or Restrictions, or to take away any of the Penalties or Forfeitures contained in any or either of the said Acts, or imposed thereby; but that the said Acts, and every of them, and all and every the Matters, Powers, Authorities, Privileges, Disabilities, Restrictions, Provisions, Articles, Rules, Penalties, Forfeitures, and Clauses therein respectively contained, shall be and continue in full Force and Effect, to all Intents and Purposes whatsoever, in such and the like Manner as if this Act had not been passed.

Not to affect any of the Provisions for paving, lighting, &c.

LXIX. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, or by or under any Rule, Order, or Bye-law to be made in pursuance or by the Authority of this Act, in relation to which the Manner of convicting the Offenders, or of applying the Penalties, is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the County or Place where the Offence shall have been committed, in a

Recovery and Application of Penalties.

[Local.]

20 E

summary

summary Way, and who is hereby authorized and empowered to convict the Offender or Offenders upon Information, by the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath such Justice is hereby authorized to administer), and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice; and one Moiety of the Penalties and Forfeitures when recovered, after rendering the Overplus (if any,) on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, the reasonable Charge for such Distress and Sale being first deducted, shall, where not otherwise by this Act directed, be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the Parish wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish; and in case sufficient Distress cannot be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his or their Appearance before any Justice or Justices 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 or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant, it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied, were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon and in such Case it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol (within the Jurisdiction of the Justice or Justices so committing) for any Time not exceeding Two Calendar Months.

Form of
Conviction.

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

‘ to wit. } **BE** it remembered, That on the
 ‘ Day of _____ in the Year of our Lord
 ‘ is [or are] convicted before
 ‘ me [or us, as the Case may be] _____ of
 ‘ His Majesty's Justices of the Peace for the *Isle of Thanet* [or County of
 ‘ *Kent, as the Case may be*] by virtue of an Act passed in the Fifth Year
 ‘ of the Reign of His Majesty King *George the Fourth*, intituled [here
 ‘ *insert the Title of this Act*], of having [specify the Offence and the Time
 ‘ and

‘ and Place when and where the same was committed, as the Case may be],
 ‘ contrary to the said Act, and for which Offence I [or we, as the Case
 ‘ may be], do adjudge the said _____ to have
 ‘ forfeited the Sum of _____ and
 ‘ for Costs. Given under my Hand and Seal [or our Hands and Seals,
 ‘ as the Case may be], the Day and Year first above written.’

LXXI. And be it further enacted, That no Person shall be disqualified from being a competent Witness and from being admitted to give Evidence in any Informations, Prosecutions, Appeals, Causes, or Proceedings whatsoever relating to the Execution of this Act, or any Bye-law, Order, or Determination made in pursuance thereof, by reason of paying or being charged with or liable to pay any Rate or Assessment within the said Town, or holding any Office under the said Proprietors.

Persons paying Rates, &c. may be Witnesses.

LXXII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, 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 of Form in any Proceedings 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 in an Action upon the Case.

Distress not to be avoided for want of Form.

LXXIII. And be it further enacted, That no Justice of the Peace, being a Proprietor of the said Company, shall act as a Justice of the Peace in any Case whatsoever concerning the said Company.

In what Cases Justices may not act.

LXXIV. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding, touching or concerning any Offence against this Act, or against any Bye-law made by Authority thereof, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings not to be quashed for Want of Form nor removed by Certiorari.

LXXV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, nor shall the Plaintiff recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money

Plaintiffs not to recover without Notice, or after Tender of Amends.

as he, she, or they shall think fit; whereupon such Proceedings, Orders, and Judgment, shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of
Actions, &c.

LXXVI. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done or to be done in pursuance or under the Authority of this Act, after the Expiration of Twelve Calendar Months next after the Fact committed, or the Cause of Action shall have ceased and determined, except as may be herein otherwise directed, and the Defendant or Defendants in every such Action and Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial, such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as herein-before authorized, then and in any of the said Cases the Jury shall find a Verdict for the Defendant or Defendants, and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Double Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Case by Law: Provided nevertheless, that in case of paying Money into Court as aforesaid, the Defendant or Defendants shall be entitled to Double Costs from the Time of such Payment only.

Appeal to be
made to the
Quarter Ses-
sions.

LXXVII. Provided always, and be it further enacted, That any Body or Bodies Corporate or Collegiate, or any Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Rule, Order, or Bye-law to be made by virtue of this Act, or any Alteration thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may appeal to the Justices of the Peace at their next General or Quarter Sessions of the Peace to be holden for *Dover*, *Sandwich*, the Liberties of the Cinque Ports, or the County of *Kent*. (as the Case may be), the Person or Persons appealing having first given at least Fourteen Days Notice of such Appeal, and the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk of the said Company as respecting the said Company, and forthwith after such Notice, entering into a Recognizance before some Justice of the Peace for the said Towns or Places or County, or either of them (as the Case may be), 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 or Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the said Town or County (as the Case may be), and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be binding, final, and conclusive upon all Parties to all Intents and Purposes whatsoever.

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

Directing what shall be deemed a Service of Notice, &c. to the Company.

LXXIX. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Company, or against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a Nuisance, or from bringing any Action against the said Company, or any of their Officers, Servants, or Workmen for any Injury sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting, or the Carelessness or the Want of Skill of the Persons employed therein or otherwise howsoever, or from any other Cause, or in any other Manner whatsoever.

Nothing in this Act to prevent the Company from being indicted for a Nuisance.

LXXX. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing of this Act, shall be paid and discharged out of the Monies to be subscribed by virtue of this Act, in preference to all other Payments whatsoever.

Expences of this Act how to be paid.

LXXXI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Trustees of the several Turnpike Roads leading unto or from or through the several Towns or Villages of *Margate*, *Ramsgate*, *Broadstairs*, or Places adjacent, and also the Commissioners for executing the Acts now in force for paving, lighting, and watching the respective Towns of *Margate* and *Ramsgate* respectively, all their respective Rights, Privileges, and Franchises in such and the same Manner as if this Act had not been made or passed.

Saving Rights of His Majesty and the Commissioners for paving Margate, &c.

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Public Act.

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

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