



ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. viii.

An Act for lighting with Gas the several Townships of *Macclesfield*, *Sutton*, and *Hurdsfield*, all in the Parish of *Prestbury*, in the County Palatine of *Chester*. [22d March 1826.]

WHEREAS the Townships of *Macclesfield*, *Sutton*, and *Hurdsfield*, in the Parish of *Prestbury*, in the County Palatine of *Chester*, are large and populous, and many of the Public Places, Roads, Streets, Ways, Lanes, and Passages within the same are either wholly without or have insufficient Public Lamps and Lights, and it would be a great Advantage to all the Inhabitants thereof, and to all Persons travelling along the said Roads, Streets, and Places, if such Townships were lighted with Gas: And whereas Works have been erected in the said Township of *Macclesfield* in order to light the same, and the said Township of *Macclesfield* is now partially lighted with Gas, and the said Townships of *Sutton* and *Hurdsfield* remain wholly unlighted with Gas: And whereas certain Persons have already subscribed or contributed for and expended considerable Sums of Money in the Purchase and Leasing of Lands and Buildings, and in the Erection of Works, and laying down Mains and Pipes in the said Township of *Macclesfield*, for the Manufacture and Conveyance of Gas, amounting in the whole to the Sum of Ten thousand Pounds; and further Sums will be required to complete and carry on the same; and it

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would

would be of great Advantage and Convenience if Powers were given to the several Persons hereinafter named effectually to light the said Townships, and to erect all necessary Works for that Purpose; but the same cannot be effected 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 *Joseph Hudson Beswick, Thomas Boden, the Reverend William Cruttenden, John Cruso, Michael Daintry Cruso, Catherine Cruso, Joseph Corbishley, Henry Crutchley, the Reverend John Darcey, the Executors of Mary Ann Daintry, Ralph Deane, George Thomas Goodbehere, Matthew Gosling, Philip Holland, Sarah Hall, Charles Hadfield, John Higginbotham, Thomas Johnson, William Johnson, James Knight, John Lomas, Francis Newbold, David Nevill, Ann Nevill, Elizabeth Needham, and Sarah the Wife of the Reverend Bakewell, Mary Roe, William Roe, Christopher Shaw Roe, John Shatwell, Elizabeth Shaw, Thomas Stringer, John Powell Swanwick, Thomas Swanwick, Elizabeth Swanwick, Peter Swindells, Joshua Thorley, Mary Wardle, Thomas Itchenor Watts, Ann Watson, Helen Wheelton, the Executors of Mary Wroe, Charles Wood and Brothers, Charlotte Sarah Wood, Elizabeth Wootten,* and all and every such other Person or Persons, Body or Bodies Politic or Corporate, as shall or may from Time to Time, in such Manner as is hereinafter mentioned, become a Proprietor or Proprietors of Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company of Proprietors, and declared to be One Body Politic and Corporate, by the Name of *The Macclesfield Gas Light Company*, and by that Name shall have perpetual Succession and a Common Seal, with full Power and Authority to use the same, and by that Name shall and may sue and be sued, plead and be impleaded, at Law and in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment for any Felony, Misdemeanor, or other Offence punishable by the Laws of this Realm.

Proprietors,

incorporated.

Name of Incorporation.

Purposes of the Company.

II. And be it further enacted, That the said Company shall be established for the Purpose of producing Inflammable Air or Gas from Coal, Oil, Tar, Pitch, or other Materials, and for lighting and supplying with Gas all Persons, and all Public Places, Roads, Streets, Ways, Lanes, Passages, and Buildings, and also all Private Houses, Shops, Manufactories, Properties, and Buildings, within the said Townships of *Macclesfield, Sutton, and Hurdsfield*; and also for selling and disposing of all and every Product and Products, Refuse or Residium, arising or to be obtained from the Materials used in or necessary for the Manufacture of Gas, in such Manner as the said Company may think proper.

Capital Stock.

III. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, including the Money already subscribed and contributed as aforesaid, 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,

aforesaid, not exceeding in the whole the said Sum of Ten thousand Pounds.

IV. And be it further enacted, That the said Sum of Ten thousand Pounds shall be divided into Shares of not less than Fifty Pounds each, and 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, she, or they shall hold.

Stock to be divided into Shares of 50 $\%$ each.

V. And be it further enacted, That all Shares in the said Undertaking, and in the Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and shall be transmissible accordingly.

Shares to be deemed Personal Estate.

VI. And be it further enacted, That in case the aforesaid Sum of Ten thousand Pounds shall be found insufficient for the Purposes of this Act, it shall be lawful for the said Company, or Directors for the Time being, by and with the Advice and Direction of any General Meeting of the said Company, to borrow and take up at Interest for the Use of the said Company any further Sum not exceeding Ten thousand Pounds; and thereupon, by Writing under their Common Seal, to mortgage or assign all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, Assignee or Assignees, as a Security for the Principal Money to be advanced, together with lawful Interest for the same; and the Charges and Expences of such Mortgage or Assignment shall be from Time to Time defrayed by the said Company out of the Monies so borrowed; and every such Mortgage or Assignment shall be in the Words or to the Effect following; (that is to say,)

Power to raise 10,000 $\%$ more by Loan.

WE *The Macclesfield Gas Light Company*, acting in pursuance of an Act passed in the Seventh Year of the Reign of King *George the Fourth*, intituled [*here set forth the Title of this Act*] in consideration of the Sum of _____ advanced and lent to the said Company by _____ of _____ do hereby grant and assign unto the said _____ [or his Trustee or Trustees, Assignee or Assignees, as the Case may be], his [or her or their] Executors, Administrators, or Assigns, such Proportion of the Property and Effects belonging to the said Company as the said Sum of _____ doth or shall bear to the whole Sum which may at any Time be borrowed by virtue of the said Act, to be had and holden from the Day of the Date hereof until the said Sum of _____ with Interest after the Rate of _____ per Centum per Annum for the same, shall be fully paid and satisfied. In Witness whereof we the said Company have hereunto set our Common Seal, the _____ Day of _____ in the Year of our Lord _____

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and

and Advantages thereof, according to the Form of Words of such Mortgage or Assignment, and the true Intent and Meaning of this Act.

Power of transferring Assignments in a prescribed Form.

VII. And be it further enacted, That it shall and may be lawful to and for the several Persons entitled to any of such Mortgages or Assignments, and their respective Executors, Administrators, or Assigns, as the Case may be, at any Time, by Writing under their respective Hands and Seals, to transfer the same to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say,)

I *A. B.* being entitled to the Sum of _____ under or by virtue of a Mortgage or Assignment, bearing Date the _____ Day of _____ under the Common Seal of *The Macclesfield Gas Light Company*, in pursuance of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], do hereby assign and transfer all my Right and Interest in and to the same, and to the Property and Effects assigned to me for securing the same, unto _____ of _____ his [*or her*] Executors, Administrators, or Assigns. Dated the _____ Day of _____ in the Year of our Lord _____

And a Copy of every such Mortgage or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby secured and transferred, to which Book any Person interested shall at all reasonable Times have access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of Five Shillings and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

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

VIII. And be it further enacted, That the Lands and Hereditaments, Manufactories, Gasometers, Machinery, Apparatus, and Works, Chattels and Effects of the said Company, and their Successors, shall be answerable for and subject to the just Debts, Liabilities, Engagements, and Demands of all and every the Creditors of the said Company.

To compel Payment of Subscriptions.

IX. And be it further enacted, That the several Persons who have subscribed or 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 the Powers of and Directions contained in this Act, at such Times

Times and Places, to such Person or Persons, and in such Manner as shall be ordered or directed by any General or Special Meeting of the said Company; and in case any such Person or Persons shall refuse or neglect to pay any such Sum or Sums of Money at such Times and in such Manner as shall be ordered or directed as aforesaid, it shall be lawful for the said Company to sue for and recover the same from him, her, or them, 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 required or appointed Time of Payment, and all Costs of Suit attending the same.

X. And be it further enacted, That the Clerk of the said Company, as soon as a Clerk is chosen, shall cause the Names and Additions of the several Persons who 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 registered or entered in a Book to be kept for that Purpose, and after such Registry or Entry shall cause the same to be signed by the Chairman of the Directors of the said Company; and the said 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, she, or they is or are entitled in the said Undertaking; and such Certificate shall be admitted in all Causes whatsoever as Evidence of the Title of such Proprietor, his, her, or their Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the want of such Certificate shall not hinder or prevent the Owner or Owners from selling or disposing of their respective Share or Shares; and the said Certificate may be in the Words or to the Effect following; that is to say,

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

<p>• <i>Macclesfield Gas Light Company.</i></p> <p>• THESE are to certify, that</p> <p>• is a Proprietor of the Share, Number</p> <p>• or Joint Stock of the <i>Macclesfield Gas Light Company</i>, subject to</p> <p>• the Rules, Regulations, and Orders of the said Company, and that</p> <p>• the said his [<i>or her</i>] Executors, Administrators, or</p> <p>• Assigns, is and are entitled to such Proportion of the Profits and</p> <p>• Advantages arising or to arise to the said Company as shall belong</p> <p>• to such Share. Given under the Common Seal of the said Com-</p> <p>• pany the Day of in the Year of our</p> <p>• Lord</p>	<p>Number</p> <p>of</p> <p>of the Capital</p>	<p>Form of Certificate.</p>
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XI. And be it further enacted, That within One Calendar Month after the passing of this Act, or as soon after as conveniently may be, a General Assembly or Meeting of the said Company of Proprietors shall be holden in the Town of *Macclesfield*, 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 or Subscribers once in some Newspaper published in the said Town of *Macclesfield*, or by Letter through the Post Office there, addressed to each of the other Proprietors or Subscribers at

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First Meeting of Proprietors.

their usual Residences; and such General Assembly or Meeting shall then and there proceed in the Execution of this Act, at which General Assembly or Meeting, or at any Adjournment thereof, Seven Directors of the Affairs of the said Company shall be elected from amongst such of the said Subscribers as shall be possessed of Three Shares at the least, which Directors shall respectively continue in Office until the next General Annual Assembly or Meeting shall be holden, or until others or another in their or any of their stead shall be elected; and such General Assembly or Meeting may be adjourned to such other Time and Place as the Majority of the Subscribers then present shall think fit; and at every Meeting under this Act, as well of Proprietors as Directors, One of the said Proprietors or Directors, as the Case may be, to be appointed by the Majority of the Proprietors or Directors present, shall be Chairman, and shall besides his own Vote have a casting Vote in case of Equality of Voices.

General Assemblies to be holden.

XII. And be it further enacted, That on the First *Thursday* in the Month of *July* in each Year, or as soon after as may be convenient, a General Meeting or Assembly of the said Company shall be holden (of which Ten Days Notice shall be given in some Newspaper published in the said Town of *Macclesfield*, or by Letter through the Post Office there, addressed to each of the said Proprietors or Subscribers); and at every such General Annual Meeting or Assembly to be holden after the First General Meeting of the said Company hereinbefore mentioned, or by Adjournment thereof, Four Members of the said Company, qualified as aforesaid, who shall have been Directors in the preceding Year, shall be re-elected Directors; and as soon as such Re-election shall have been made, Three other Members of the said Company (qualified as aforesaid) shall be elected Directors, but all the Directors of the said Company shall be immediately re-eligible if otherwise duly qualified; and after such Elections and Re-elections as aforesaid shall have taken place, the Director or Directors (if any) who shall not be re-elected, shall go out of Office; but no Person shall be eligible to serve or act as a Director who shall hold any Office or Offices or Place of Profit, under the said Company in the said Undertaking.

Meeting of Proprietors may be especially called.

XIII. And be it further enacted, That any Five or more Proprietors of the said Company holding in the aggregate Twenty 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 Director of the said Company, or left at his last or usual Place of Abode, require the Directors to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Ten Days after such Notice given as aforesaid, the same may be called by such Proprietors by giving Ten Days Notice thereof in some One or more Newspaper or Newspapers usually circulated in the Town of *Macclesfield*; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified

specified only; and all such Acts of the Proprietors or the major Part of them met together at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice as if the same had been done at a General Meeting at the Time hereinbefore appointed for holding the same.

XIV. And be it further enacted, That at all General Meetings or Special General Meetings of the said Company, the Proprietors then present, being possessed of Thirty Shares at least in the said Undertaking, shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company; and if it shall happen that there shall not appear at any of the aforesaid General Meetings or Special General Meetings a sufficient Number of the said Proprietors, then, and so often as the Case may happen, such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, at the same Place and Hour as the same ought to have been held as aforesaid; but no Business shall be transacted at any Special General Meeting of the said Proprietors besides the Business for which such Meeting shall have been called, and no other Business shall be transacted at any Adjourned Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

Proprietors possessed of Thirty Shares may act at General Meetings.

XV. And be it further enacted, That the said Company shall at their First General Meeting, or at some Adjournment thereof, elect and choose a Treasurer or Treasurers for transacting the pecuniary Business of the said Company; and it shall be lawful for the said Company at any subsequent General or Special Meeting to be holden as herein directed, from Time to Time to remove and displace such Treasurer or Treasurers, or any other Person or Persons who shall be elected and appointed in his or their stead; and also from Time to Time elect, choose, and appoint any other Person or Persons to act as Treasurer or Treasurers of the said Company in the Room of such as shall happen to die or resign or be removed from their respective Offices: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer or Treasurers of the said Company for the faithful Execution of his Office before he shall enter thereupon.

General Meeting to appoint a Treasurer.

XVI. And be it further enacted, That at any General Meeting of the Company the said Company shall and they are hereby authorized and empowered from Time to Time to make such Rules, Orders, Bye Laws, and Regulations as to them shall seem fit and proper for the Government, carrying on, Superintendence, and Management of the said Undertaking, and 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 from Time to Time to alter or repeal such Rules, Orders, Bye Laws, and Regulations, or any of them, and to make new or other Rules, Orders, Bye Laws, and Regulations; and also to impose such reasonable Fines and Forfeitures

Power to make Bye Laws.

feitures upon all Officers, Workmen, Servants, and other Persons to be employed in and about the Affairs and Business of the said Company, or in the Superintendence and Management of the said Undertaking, not exceeding the Sum of Forty Shillings for any One Offence, as to the said General Meeting shall seem meet and expedient; and all Rules, Orders, Bye Laws, and Regulations so made as aforesaid, being reduced into Writing and the Common Seal of the said Company thereto affixed, shall be binding upon all such Officers, Workmen, Servants, and other Persons, and shall be sufficient Authority in any Court of Law or Equity to justify all Persons who shall act under the same; provided such Rules, Orders, Bye Laws, and Regulations 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.

Proprietors to vote according to the Number of their Shares.

XVII. And be it further enacted, That the Members of the Company shall have One Vote at such General or Special Meetings for every Share he or she shall possess in the said Undertaking; that no Proprietor shall be entitled 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 hereinafter is mentioned, until such Instalment or Call shall have been paid; and no Person or Persons shall vote at any General or Special Meeting upon any Question or Questions relating to the Concerns of the said Undertaking in which such Person or Persons shall be in anywise interested other than as a Subscriber or Subscribers, Proprietor or Proprietors, in the said Undertaking.

Shares standing in the Names of more than One Person, the Person whose Name stands first shall be deemed the Owner.

XVIII. And be it further enacted, That when any of the said Shares shall be jointly possessed by or be the Property of more than One Person, the Proprietor whose Name shall stand first in Order on the Register Books of the said Company shall for all the Purposes of the said Company be deemed the Proprietor of such Share or Shares; and all Notices required to be given to the respective Proprietors of Shares in the said Undertaking shall and may be given to or served upon such Person whose Name shall so stand first in Order in the said Register Books of the said Company; and such Service shall be deemed to be Service upon all the Proprietors of such Share or Shares, and such Person shall be entitled to vote for any of the Purposes of this Act in respect thereof.

Empowering Proprietors of Shares to vote by Proxy.

XIX. And be it further enacted, That every Proprietor of Shares in the said Undertaking 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 either in Person or by Proxy, every such Proxy being one of the said Company; and the Appointment of such Proxies may be made in the Form or to the Effect following; (that is to say)

‘ I *A. B.* of One of the Proprietors in the *Macclesfield Gas Light Company*, do hereby nominate, constitute, and appoint *C. D.* of to be my Proxy, in my Name and in my Stead
to

‘ 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 Com-
 ‘ pany to be holden on the Day of ar
 ‘ 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 and Seal the Day of

XX. Provided always, and be it further enacted, That in case any of the said Proprietors entitled to vote as aforesaid shall be a Lunatic or Lunatics, or a Minor or Minors, such Lunatic or Lunatics may vote by any One of his, her, or their Committee, and such Minor or Minors shall or may vote by his, her, or their Guardian, or any One of such Guardians; but no Person or Persons, Bodies Corporate or Politic, shall hold and vote as a Proxy or Proxies for more than Two Proprietors, or give more than Five Votes for any One Proxy or Proxies upon any one Occasion.

Lunatics and
Minors how
to vote.

XXI. And be it further enacted, That all Notices herein directed to be given of any General or Special Meetings or Adjournments respectively to any of the said Proprietors upon any Occasion not herein otherwise provided for, shall be given by Advertisement inserted in some Newspaper published in the said Town of *Macclesfield*, or by Letter sent to each of the said Proprietors through the Post Office there; and such Notices and Letters when so published or sent shall be deemed and considered the same as personal Notices.

Notices of
Meetings
how to be
given.

XXII. 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 the said Town of *Macclesfield* as a Majority of them shall from Time to Time approve; and 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 the Members present; and in case of there being upon any Question an equal Number of Votes, including the Vote of the Chairman for the Time being, such Chairman shall have an additional or casting Vote; and if on the Day appointed for any Meeting of the said Directors Three Directors shall not attend, then and in such Case the Meeting shall be adjourned to the next Day, not being a *Sunday*, and if the next Day shall be a *Sunday*, then to the *Monday* following, by the Director or Directors then present, or if none be present, then by the Clerk to the said Company or such other Person as shall attend in his Place; and any One or more of the said Directors, or the Clerk of the said Company by the Direction of any One or more of them, may at any Time call a Meeting of all the Directors, by causing Notice in Writing, signed by such Director or Directors, or by the Clerk of the said Company, to be sent by the Post or otherwise to the Resid-

Meetings of
the Direc-
tors, and
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ence or Address of every other Director, and also renew the Meetings of the other Directors, although they may have been discontinued for want of Adjournment, or to institute a new Meeting independent of any Meeting appointed by Adjournment.

Directors
interested
not to vote.

XXIII. Provided always, and be it further enacted, That if any Proprietor who shall be elected a Director as aforesaid shall be or become a Dealer either directly or indirectly in any Article to be used or provided by the said Company, or shall offer to take, or shall take or participate in any Work to be done for the said Company, every such Proprietor shall be disqualified to vote in any Matters or Questions to be discussed or argued by the said Directors, wherein he shall be directly or otherwise interested further than as a Proprietor.

Powers of
Directors.

XXIV. 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 the issuing, receiving, laying out, 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 Company, and entering into Agreements or Contracts for supplying with Gas all Persons whomsoever, and all Public Places, Roads, Streets, Ways, Lanes, Passages, and Buildings, and also all Private Houses, Shops, Manufactories, and Buildings within the said Townships of *Macclesfield*, *Sutton*, and *Hurdsfield*, where Mains and Pipes are now already or shall hereafter be laid, and in selling and disposing of all Articles produced as aforesaid in manufacturing such Gas, and making, enforcing, and rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the same, or concerning any Debts due to the said Company, subject to such Orders, Bye Laws, Rules, and Regulations as shall at any Time be duly made by the said Directors in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted; and the said Directors shall and may appoint a Clerk, Servants, Workmen, Tradesmen, and other Officers with adequate Salaries (except a Treasurer or Treasurers) 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 take such Security to the said Company from the Treasurer or Treasurers, Clerk, or other Officer or Officers, or other Person or Persons employed by them, for the faithful Execution of their respective Duties, as they shall think proper and adequate to the Trust.

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cies.

XXV. And be it further enacted, That when and so often as any One of the said Directors to be elected by virtue of this Act shall die or become disqualified, or shall for the Space of Three Calendar Months refuse or neglect to attend the Meetings of the said Directors, it shall be

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 One of such Directors 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.

XXVI. And be it further enacted, That all such Officers appointed by the said Company or the said Directors, shall from Time to Time, when thereunto required, deliver to such Directors, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing under their respective Hands of all Monies which they and every of them respectively shall have received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said Directors, or to such Person or Persons as they shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Accounts and the Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Account; or if any such Officer or Person shall refuse or neglect to deliver up to the said Directors, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Directors, all the Books, Papers, or Writings in his Custody or Power relating to the Execution of this Act, then, and in every or any of the said Cases, it shall be lawful for any Two Justices of the Peace for the said Borough of *Macclesfield* or for the said County Palatine of *Chester*, as the Case may require, upon Complaint made before them by or on behalf of the said Directors, and such Justices are hereby required, by Warrant under their Hands and Seals, to summon such Officer or Officers, Person or Persons to appear before them, and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts if produced; and if upon Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, (which Oath such Justices are hereby empowered and required to administer without Fee or Reward,) or upon Inspection of the said Accounts, if produced, it shall appear to such Justices that any of the Money which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may and they are hereby authorized and required, on Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the same, or if such Officer or Officers, or other Person or Persons, shall not appear before the said Justices at the Time and Place by him appointed for that Purpose, unless for some sufficient Reason, or if appearing, shall refuse or neglect to give and deliver to such

Officers to
account.

such Justices an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to such Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power relating to the Execution of this Act, then and in either of the Cases aforesaid, such Justices may, and they are hereby authorized and required, by a Warrant under their Hands and Seals, to commit such Officer or Officers or Person or Persons to the Common Gaol or House of Correction for the County Palatine of *Chester*, there to remain without Bail or Mainprize, in case he or they shall be committed for Nonpayment of any Money received by him or them, or in his or their Hands, until he shall have accounted for and paid the full Amount thereof, or compounded with the said Directors, and paid such Composition in such Manner as the said Directors shall appoint, (which Composition the said Directors are hereby empowered to make), or in case he or they shall be committed for not delivering any Accounts, Books, Papers, or Writings as aforesaid, until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof to the said Directors; provided, that no Person who shall be so committed for Want of sufficient Distress shall be detained in Prison by virtue of this Act for a longer Space of Time than Six Calendar Months.

Clerk and
Treasurer
not to be the
same Person.

XXVII. Provided always, and be it further enacted, That it shall not be lawful for the said Company or their Directors to appoint the Person who may be appointed their Clerk, or the Partner of any such Clerk, or any Person in the Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Employ of any such Treasurer or of his Partner, the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer, or if any Person, being the Partner or in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Treasurer or Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, 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 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, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed, and shall for ever be disqualified from holding any Office or Place under the said Company.

Treasurer
not to issue
Money with-
out Orders
from the
Clerk.

XXVIII. And be it further enacted, That the Treasurer or Treasurers to be appointed by the said Company shall not issue any Sum or Sums of Money on their account without an Order or Orders in Writing signed by any Three or more of the Directors of the said Company, or by the Chairman of any Meeting of the said Company; and

and the Receipt or Receipts of such Treasurer or Treasurers for all Monies payable to the said Company shall be effectual Discharges for the same.

XXIX. And be it further enacted, That all Orders and Proceedings of the said Company, and also of the said Directors, made at any Meeting of the said Company and Directors respectively, shall be entered in a Book or Books to be kept for that Purpose, and shall be signed by the Chairman for the Time being of such respective Meetings; and such Orders and Proceedings so entered and signed shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence on behalf of the said Company in all Courts and Places whatsoever.

Proceedings
to be enter-
ed in Books.

XXX. And be it further enacted, That the said Company at any General or Special General Meeting to be called for that Purpose, or any Adjournment thereof respectively, shall have full Power to make such Call or Calls for Money from the several Persons who shall hereafter become Proprietors of or Subscribers for any Share or Shares beyond the said Sum of Ten thousand Pounds already subscribed as aforesaid, so that no one such Call exceeds the Sum of Ten Pounds for or in respect of any one Share, and so that no Call or Calls be made but at the Distance of One Calendar Month at least from another; and the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers to the said Company, and shall be paid at such Time and Place as shall be appointed at such General Meeting, of which Time and Place Ten Days Notice at least shall be given.

General
Meetings
may make
Calls on
Subscribers.

XXXI. And be it further enacted, That if any such Proprietor or Subscriber of or to the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Portion of the Money to be called for by any General or Special Meeting as aforesaid, by the Time appointed for Payment thereof, or within Twenty-one Days next after, then and in such Case such Proprietor or Subscriber so neglecting or refusing shall (whether the same shall have been then sued for in any Court of Law or Equity or not) absolutely forfeit all his, her, or their said Share and Interest in the said Undertaking, 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 be sold at a Public Sale to the highest Bidder, and the Produce thereof shall be added to the Capital or Joint Stock of the said Company: Provided always, that no Advantage shall be taken of such Forfeiture until after Fourteen Days Notice in Writing shall have been given by the Chairman of the said Company, or Three of the Directors thereof, to the Proprietor or Proprietors thereof, or left at his, her, or their usual or last Place of Abode, if they shall reside within the Limits of this Act, and if not, then by Letter sent by the Post; and every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, and their Executors, Administrators,

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

[Local.]

4 C

Successors,

Successors, and Assigns so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls.

If the Purchase Money or 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.

XXXII. Provided also, 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 lawful Interest thereon, with 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; but the said Company shall not 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 the Payment of all such Calls and the Interest and Expences as aforesaid, any Share or Shares so vested in such 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 any such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

Shares may be transferred.

XXXIII. And be it further enacted, That it shall be lawful for the said several Proprietors, 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,)

Form of Transfer.

‘ I [or we] of in Consideration
 ‘ of paid to me [or us] by
 ‘ do hereby bargain, sell, assign, and transfer to the said
 ‘ Share [or Shares, as the Case may be,] in the *Macclesfield*
 ‘ *Gas Light Company*, Number [or Numbers] in the said
 ‘ Undertaking, to hold to the said Executors, Ad-
 ‘ ministrators, 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 hereof;
 ‘ 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

Transfer to be registered.

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 shall be registered in the Books of the said Company, no Purchaser or Purchasers of any Share, or his, her, or their Executors, Administrators, or Assigns, shall be deemed a Proprietor, or have any

any Part of the Profit of the said Undertaking or the Advantages thereof, nor shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as a Proprietor or Proprietors of the said Undertaking in respect of such Share or Shares.

XXXIV. Provided also, and be it further enacted, That after any Call for Money shall have been made by virtue of this Act, no Proprietor or Proprietors 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 shall be void; and all and every Proprietor or Proprietors making default herein shall forfeit such his, her, or their Shares in the said Undertaking to and for the Benefit of the said Company, unless he, she, or they shall at the Time of such Sale and Transfer pay to the Treasurer of the said Company the full Sum of Money so called for upon every Share so to be sold or transferred.

No Share to be sold after a Call without the Money called for is paid.

XXXV. And whereas, by reason of Death, Insolvency, or Bankruptcy, or by the Absence from this Kingdom of the said Proprietors, or by the Transfer of their, his, or her Right and Interest to some other Person without any Registry being made thereof with the Clerk of the said Company, it may not be in the Power of the said Company to know who is or are the Proprietor or Proprietors of such Share or Shares; be it therefore further enacted, That in all Cases where the Right to One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers thereof to any Person or Persons by any other legal Means than by a Transfer thereof in the Manner hereinbefore specified, an Affidavit shall be made and sworn to before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or any One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares have or hath 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 of the said Company.

For ascertaining the Proprietorship of Shares in certain Cases.

XXXVI. And be it further enacted, That the said Company at any General Assembly or Meeting specially called for the Purpose, shall have full Power from Time to Time to call for and examine all or any of the Accounts of the said Company, and at every Annual General Assembly or Meeting, or some Adjournment thereof, a Dividend or Dividends shall be made out of the Interest, Profits, or Advantages of the said Undertaking (unless such Meeting shall declare otherwise), and such Dividend or Dividends shall be at and after the Rate of such a Sum *per Centum* upon or for every Share in the said Undertaking, as such Meeting or Meetings shall think fit to order and determine; but no Dividend shall be made whereby the Capital of the said Company shall be reduced, nor shall any Dividend be paid in respect of any Share or Shares until all Calls for Money then

Accounts to be settled.

then made in respect thereof by virtue of this Act shall have been paid.

Power to contract for the Purchase of Lands and Buildings.

XXXVII. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered from Time to Time to contract and agree for the absolute Purchase of, and to hold to them and their Successors and Assigns, such other Buildings, Works, Mains, Pipes, and Apparatuses, Lands, Tenements, and Hereditaments, as they may think requisite for any of the Purposes of this Act, not exceeding in the whole at any one Time any greater Quantity of Land than Two Statute Acres; and also to sell and dispose of such Buildings, Works, Mains, Pipes, and Apparatus, Lands, Tenements, and Hereditaments, as they shall think proper, and to purchase and hold other Lands, Tenements, or Hereditaments, as they shall think proper, not exceeding the Quantity aforesaid, 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.

Bodies Politic, &c. empowered to sell.

XXXVIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life and 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, and to and for all other Persons whomsoever who are or shall be seised, possessed of, or interested in any Buildings, Lands, Tenements, Ground Rents, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company to be purchased for the Uses and Purposes of this Act, such Lands not exceeding Two Statute Acres, to contract and agree with the said Company for the Sale thereof or of any Part thereof, and to sell and convey all or any Part thereof to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be made by virtue of this Act shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Body or Bodies Politic or Corporate, Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or other Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail and other Estates, in Possession, Remainder, Reversion, or Expectancy, and the Issue or Issues of such Person, or Persons claiming under them, as effectually as Fines

or

or Common Recoveries would do if levied or suffered by proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is, are, and shall be hereby indemnified for what he, she, or they shall do by virtue of this Act.

XXXIX. And be it further enacted, That if any Money shall be agreed or contracted to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate or Collegiate, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity whatsoever, 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 Macclesfield Gas Light Company*, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, 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, and 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 Body or Bodies, Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or in 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 Part or Parts thereof, or other Lands, Tenements, or Hereditament settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and 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 for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application being made thereto as aforesaid, be invested by the said

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

[*Local.*]

4 D

Accountant

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

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

XL. Provided always, and be it further enacted, That if any Money so agreed or contracted to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased for the Purposes of this Act, belonging to any Body or Bodies, Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, or Parts, Estates, or Interests so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be named by the Body or Bodies, 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 Dividends to arise thereon may be applied in Manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application of Purchase Money not exceeding 20*l.*

XLI. And be it further enacted, That where such Money so to be paid as last before mentioned shall not exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Parts, Estates, and Interests so to be purchased for the Purposes of this Act, in such Manner as the Directors of the said Company, 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.

XLII. And

XLII. And be it further enacted, That where any Question shall arise touching the Title of any Body or 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 to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, Share or Shares, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Share or Shares, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money and also the Capital of such Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Body or Bodies, Person or Persons, was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Disputed
Titles.

XLIII. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of 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.

Expences of
Purchases
may be al-
lowed by the
Court.

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

On Pay-
ment of Pur-
chase Mo-
ney, Pre-
mises vested
in the said
Company.

XLV. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments to be made

Conveyance
of Lands.

to

to the said Company of Proprietors and their Successors shall be made in the Form or to the Effect following ; (that is to say,)

Form of
Conveyance.

‘ I [or we, as the Case may be] of , in Consider-
 ‘ ation of the Sum of paid to me [or us, or into
 ‘ the Bank of *England, as the Case may be*] by the Company of Pro-
 ‘ prietors established under or by virtue of an Act passed in the
 ‘ Seventh Year of the Reign of King *George* the Fourth, intituled
 ‘ [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 we] have hereunto
 ‘ set my Hand and Seal [or our Hands and Seals] this
 ‘ Day of in the Year of our Lord One thousand eight
 ‘ hundred and .’

For the Sale
of Land, if
not wanted.

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

Restraining
the Com-
pany from
purchasing
more than
Two Statute
Acres of
Land from
incapacitat-
ed Persons.

XLVII. And whereas the said Company of Proprietors are enabled to purchase Two Statute Acres of Land whereon they may erect Works for the Purposes of this Act, and all Persons whomsoever are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any 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

Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femmes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom and 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 sold; be it therefore enacted, That it shall not be lawful for the said Company 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, Femmes 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 Two Statute Acres of Land; and in case the said Company shall afterwards sell the whole or any Part of such Land so purchased; it shall not be lawful for the said Company to purchase from, 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, Femmes 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 sold or disposed of by the said Company or any Part thereof.

XLVIII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorised and empowered, subject to the Provisions and Restrictions hereinafter mentioned, by their Servants, Agents, Workmen, and others, from Time to Time to make, erect, sink, lay, place, and fix such Retorts, Gasometers, Receivers, Buildings, Cisterns, Engines, Machines, Cuts, Drains, Sewers, Watercourses, Reservoirs, Pipes, and other Works and Devices, of such Construction and in such Manner as the said Company shall think necessary or proper for the Purpose of carrying the Purposes of this Act into Execution; and also to break up the Soil and Pavements of any Streets, Highways, Roads, Ways, Lanes, Passages, and other Public Places, or any Part of them or either of them, and to erect Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in the same Streets, Highways, Roads, Ways, Lanes, Passages, and other Public Places or any of them, against any Wall or Walls erected on or adjoining to them or any of them, and to dig and sink Trenches and Drains, and lay Mains and Pipes, and put Stop Cocks, Syphons, Plugs, or Branches from such Pipes in, under, across, and along such Places, Streets, Ways, Lanes, or Public Passages, and also with such Consent as hereinafter mentioned, in, under, across, and along any Private Buildings, Ways, Passages, Grounds, and other Places, in such Manner as shall be necessary for the Purpose of carrying this Act into Execution or supplying any such Lights as aforesaid, and from Time to Time to alter the Position of

Power to
break up the
Soil and
Pavement of
Streets, &c.

[Local.]

4 E

and

and to repair, relay, and maintain such Pipes, Stop Cocks, Syphons, and Plugs, or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Road, Highway, Lane, Passage, or other Public or Private Place by the said Company by virtue of this Act, into or through any Dwelling House or Houses, Manufactories, Public or Private Buildings or Grounds, for the Purpose of lighting the same or any other Public or Private Lamp or Lamps from any of such Mains or Pipes, and to erect 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 placed, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, Public or Private Buildings, and to do all such other Acts, Matters, and Things as the said Company shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, supplying, and using the same, and for carrying into Effect the Purposes and Meaning of this Act, provided a proper Compensation be made for any Damage done thereby: Provided nevertheless, that nothing herein contained shall authorise and empower the said Company to carry or lay any Pipe or Pipes, Cocks or Branches, from any Main or Pipe into or against any Dwelling House or Dwelling Houses, Manufactory, Public or Private Buildings as aforesaid, or continue the same, without the Consent of the Owner and Owners, Occupier and Occupiers for the Time being of every such House, Manufactory, or Private Buildings as aforesaid; nor shall any thing herein contained authorise or empower the said Company to carry or lay any Pipe or Pipes, or to dig or sink Trenches or Drains, or to lay Mains, through any Dwelling House or Houses, Manufactory, or Private Buildings or Grounds, for the Purpose of conveying Gas to any other House or Houses, Manufactory, Shop, Warehouse, Building, or other Place or Places than that or those through which such Main or Mains, Pipe or Pipes, Trenches or Drains shall be laid or made, without the previous Consent of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, or Private Building, or Grounds, through which the same may be carried or laid for the Purpose of lighting such other Dwelling House or Houses, Manufactory, Buildings, Place or Places.

Power to the Company to contract for lighting of Streets and Houses.

XLIX. And be it further enacted, That it shall be lawful for the said Company to contract with the Commissioners, Trustees, Surveyors, Persons or Bodies having Controul, Direction, or Management of the Highways, or any of them, within the Limits of this Act, for lighting or supplying the same with Gas; and also to contract with any Persons, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, for the lighting or supplying with Gas any such Persons or Bodies, or any Streets, Ways, Lanes, or Passages, Manufactories, Shops, Warehouses, Public or Private Houses or Buildings belonging to them or any of them, or in which they or any of them are interested, or over which they or any of them have the Direction or Controul; and also to contract with any Person or Persons whomsoever for lighting or supplying with Gas any Shops, Manufactories, Ware-

houses,

houses, Public or Private Buildings or Places whatsoever, within the Limits of this Act, in such Manner and under such Stipulations as the said Company should think proper, consistent with the Powers and Authorities hereby granted.

L. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorised and empowered from Time to Time to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main Pipe or Main Pipes in any Road, Street, Way, Lane, or other Public Passage or Place, laid by or belonging to the said Company, in or through any Dwelling House or Houses, Manufactories, Public or Private Buildings, for the Purposes of lighting the same, or any Public or Private Lamp, from any such Main Pipe or Main Pipes, with the Consent of the Owner and Occupier of such Dwelling House or Houses, Manufactories, Public or Private Buildings.

Company
may lay
Pipes of
Communica-
tion from
Main Pipes.

LI. Provided always, and be it further enacted, That in all Cases (where it is not otherwise stipulated and agreed,) the said Company shall at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers so giving Consent as aforesaid, or within Ten Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Fourteen Days Notice in Writing for that Purpose for or on behalf of the Owner or Owners or the succeeding Occupier or Occupiers of any such Dwelling House or 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, Cocks or Branches, from any Main Pipe or Main Pipes which shall have been introduced or laid by the said Company in any such Dwelling House or Houses, Manufactories, Public or Private Buildings as aforesaid, pursuant to the Power for that Purpose hereinbefore contained, and repair and make good such Dwelling House or 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 be lawful for such Owner or Owners, or such new Occupier or Occupiers, as the Case may require, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away, and the Dwelling House or Houses, Manufactories, Public or Private Buildings, where the same shall have been introduced, to be repaired and made good, the reasonable Costs and Charges attending which shall be immediately paid by the said Company for the Time being to such Owner or Owners, Occupier or Occupiers, as the Case may require; and if the same Costs and Charges be not paid within Twenty-eight 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 said County of *Chester*;) such Costs and Charges 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

Company to
remove Pipes
when Te-
nants quit if
required.

Justice or Justices of the Peace for the said County, and which Warrant such Justice or Justices is and are hereby empowered to grant.

Restriction
as to break-
ing up of
Pavements,
Roads, &c.

LII. And be it further enacted, That it shall not be lawful for the said Company to break up or disturb the Pavement or Ground in any Road, Street, Way, Lane, or other Public Passage or Place, for the Purpose of laying down any Main Pipe or Main Pipes (except Service Pipes of a Diameter not exceeding One Inch in the Bore), without the Consent in Writing of the Mayor and Corporation of the Borough of *Macclesfield*, and of the Commissioners, Surveyors, Trustees, or other Persons having the Controul of such Pavement, Ground, Road, Street, Way, Lane, or other Public Passage or Place, respectively first obtained; but nothing in this Act contained shall be deemed or construed to prevent the said Company from laying down, repairing, or altering such Main Pipes (after such Consent as aforesaid), or from opening, taking up, or removing any of the Ground, Stones, Soil, or Pavement, or otherwise, in or of any Road, Street, Way, Lane, or other Public Passage or Place whatsoever, for the laying down, repairing, or altering of any such Service Pipes, or of any Apparatus leading from such Main Pipes, after such Consent as aforesaid.

Notice to be
given of
breaking up
Pavements,
Roads, &c.

LIII. And be it further enacted, That (after such Consent as aforesaid) it shall not be lawful for the said Company to break or take up or disturb any of the Pavements or Ground in any Road, Street, Way, Lane, or other Public Passage or Place, for the Purpose of laying down or repairing any Main Pipe or Pipes (except Service Pipes as aforesaid), or of altering the Position of any such Main Pipe or Pipes (except as aforesaid), unless Notice in Writing of their Intention to break or take up such Pavement or Ground, signed by the Clerk to the said Company, specifying the Road, Street, Way, Lane, or other Public Passage or Place, and the particular Part thereof intended to be broken or taken up, shall have been given to the Surveyor or Superintendant of such Road, Street, Way, Lane, or other Public Passage or Place for the Time being, or to the Surveyor of the Township, District, or Place wherein such Road, Street, Way, Lane, or other Public Passage or Place (the Pavement, Ground, or Soil whereof is so intended to be broken or taken up) shall be situate, or shall have been left for him at his Dwelling House or last Place of Abode for the Space of Three Days at the least before such Pavement or Ground or any Part thereof shall be so broken or taken up, except in Cases of sudden Emergency, when such Notice shall be given as soon as possible after such Pavements or Ground or any Part thereof shall be broken or taken up; and if the said Company shall break or take up, or disturb, or cause to be broken, taken up, or disturbed, any such Pavements or Ground without such Consent as aforesaid, and without such Notice being given or left as aforesaid (except as aforesaid), or shall break or take up or disturb any such Pavement or Ground for the Purpose of laying down any Main or Mains without such Consent as aforesaid, then and in every such Case the said Company shall forfeit and pay to the Corporation of *Macclesfield*, or to the Commissioners or Trustees, Surveyors, or other Persons having the Controul of the Pavements or Road, Ground, or
Soil

Soil which shall be so broken or taken up or disturbed, the Sum of Forty Shillings for every Square Yard of Pavement or Ground which shall be so broken or taken up without such Notice as aforesaid (except as aforesaid), to be recovered and levied in such Manner as other Penalties and Forfeitures by this Act imposed are directed to be recovered and levied.

LIV. And be it further enacted, That when and as often as the said Company shall have lawfully broken up or removed the Stones, Ground, Soil, or Pavement in or of any Road, Street, Way, Lane, or other Public Passage or Place, or any Part thereof, the said Company shall and they are hereby required immediately thereafter to reinstate and make good such Ground, Soil, or Pavement, to the Satisfaction of the Corporation, Surveyor, Commissioners, or Trustees; or other Person or Persons having the Controul, Direction, or Superintendence of such Pavement, Soil, or Ground respectively; and the said Company shall carry or cause to be carried away all surplus Earth, Filth, and Rubbish occasioned thereby, at their own Costs and Charges; and during the Time that such Works are carrying on, and until such Ground, Soil, or Pavement is reinstated as aforesaid, the said Company shall provide necessary Lights at Night, and otherwise guard the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company shall make Default in reinstating such Ground, Soil, or Pavement as aforesaid, or removing any Rubbish occasioned thereby, or in placing and setting up such Lights at Night and otherwise guarding the said Works, so as to prevent Accidents to Passengers, Cattle, and Carriages, then and in every such Case it shall be lawful for the said Corporation, Surveyor, Commissioners, or Trustees, or other Person having such Controul, Direction, or Superintendence as aforesaid, to reinstate such Ground, Soil, and Pavement, and carry away all Rubbish occasioned thereby, and during the Time that such Works are carried on to provide necessary Lights at Night, and the Expences thereof shall be repaid by the said Company to the Person or Party so reinstating the same; and in Default of Payment thereof within Twenty-eight Days next after Demand thereof in Writing shall have been made for and on the behalf of such Commissioners, Trustees, or other Persons (Proof being made thereof by the Oath of One credible Witness before One or more Justice or Justices of the Peace), all such Sum or Sums of Money so paid, together with any Sum not exceeding Twenty Shillings by way of Penalty, shall and may be levied and recovered for the Use of such Person or Party 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, who is and are hereby empowered to grant the same.

Requiring
Company to
reinstale
Pavements,
&c. after
Pipes, &c.
have been
laid down.

LV. And be it further enacted, That if it shall at any Time or Times be deemed necessary or expedient by the Corporation, Commissioners, or Trustees, Surveyor, or other Person or Persons having the Controul, Direction, or Superintendence of the said Roads, Streets, Ways, Lanes, and other Public Passages and Places respectively, to

Power to
alter Pipes.

[Local.]

4 F

require

require the said Company to raise or sink or otherwise alter the Situation of any of the Pipes, Stop Cocks, Plugs, or Branches which shall be laid down for the Purposes aforesaid, the said Company shall at their own Expence, within Ten Days next after being required so to do by Notice in Writing to them given by the said Corporation, Commissioners, Trustees, Surveyors, or other Person or Persons respectively, raise or sink such Pipes, Stop Cocks, Plugs, or Branches, according to such Notice; and in Default thereof it shall be lawful for the said Corporation, Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid, to cause such Pipes, Cocks, Plugs, or Branches to be raised or sunk, and the reasonable Costs and Charges of doing the same shall immediately thereafter be paid by the said Company; and if the same be not paid within Twenty-eight Days next after Demand shall be made by the said Corporation, Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid, by Writing left 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, 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 such Justice or Justices, which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to the said Corporation, Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid.

Damage to
be made
good.

LVI. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Cocks, Syphons, Plugs, or Branches, any Damage or Injury shall be done to the same by the said Corporation, Commissioners, Trustees, Surveyors, or their Servants, or such other Person or Persons aforesaid, then and in such Case such Damage or Injury shall be made good to the said Company as soon as Circumstances will permit; and the Costs, Charges, and Expences thereof shall be paid to them on Demand by the said Commissioners, Trustees, or Surveyors, or other Person or Persons aforesaid, and recovered in the same Manner as any Penalty hereby inflicted not specially provided for is to be recovered.

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

LVII. And be it further enacted, That no Person shall lay any Pipe to communicate with any Pipe belonging to the said Company without the Consent of the said Company in Writing first had and obtained, nor use Burners of larger Dimensions or in any other Manner than he, she, or they shall contract to 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 the Sum of Forty Shillings *per* Day for every Day such Pipe shall so remain, or such Excess be committed, or such Supply furnished, to be recovered by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, Place, or District where the said Offence shall be committed, and which Warrant such Justice or Justices is and are hereby empowered and required to grant; and the Surplus, after such
Forfeiture

Forfeiture and the Charges of such Distress and Sale are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said County of *Chester*, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Forfeiture and all reasonable Charges be sooner paid and satisfied.

LVIII. And be it further enacted, That if any Person or Persons shall wilfully, maliciously, or negligently do or commit, or cause to be done or committed, any Injury or Damage to any of the Mains or Service Pipes of the said Company, either by removing or disturbing the Ground or Soil whereon or wherein the same is or are laid or placed, or by the Compression or subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever; or if any Person or Persons whomsoever shall wilfully and maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or shall wilfully or maliciously waste or improperly use any of the Inflammable Air or Gas supplied by the said Company, or shall alter, exchange, or remove the Burners from the Pipes of Supply, or shall use such Burners or consume such Gas beyond the Time stipulated and agreed to, 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 for the said Borough and Township of *Macclesfield*, provided the Offence be committed in the said Borough and Township, or if not, before One or more Justice or Justices for the said County Palatine of *Chester*, shall for every separate Act or Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, and Three Times the Amount of the Damages to be done, as the same shall be ascertained by such Justice or Justices; such Penalty and Damage, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) to the Owner of such Goods and Chattels; or such Offender shall or may be committed to the Common Gaol or House of Correction of the County, Place, or District where the Offence is committed, for any Time not exceeding Six Calendar Months, at the Discretion of the Justice or Justices before whom such Offender shall be convicted, or until such Forfeiture, Damage, and Costs shall be paid.

Damaging
Pipes, &c.

LIX. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, destroy, throw down, damage, or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or by any Person or Persons at his, her, or their private Expence, or any Part of any Pipe, Pillar, Pedestal, Lamp Post, Lamp Iron, Plug, or other Apparatus, Matter, or Thing set up by or belonging to the said Company, or belonging to any Person or Persons and set up by him, her, or them, at his, her, or their private Expence,

Satisfaction
for acci-
dental Da-
mage to
Lamps, &c.

or

or carelessly or accidentally waste any of the Inflammable Air or Gas supplied by the said Company, or keep the Light or Lights burning for a longer Time than he, she, or they shall contract to pay for, and shall not upon Demand by the said Company, or their said Committee of Management, or their Clerk or Superintendant or other Person or Persons authorised by them, make Satisfaction for the Damage done, or the Excess of Gas so wasted or used, or keeping the Lights burning longer than they shall have contracted for as aforesaid, 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 of the said Borough of *Macclesfield*, or for the said County of *Chester*, within their respective Jurisdictions, and he or they is and are hereby empowered and required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Non-appearance of the Party or Parties 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 require), for such Damage or Excess or Waste as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded within Five Days after Demand, it shall and may be lawful to and for such Justice or Justices, 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.

For the Protection of Water Pipes.

LX. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, Way, Lane, or other Public Passage or Place within the Limits of this Act, shall be laid at the greatest practicable Distance (and whenever the Width of the Carriage Way in such Road, Street, or Place will allow thereof, at the Distance of Four Feet at least,) as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by the Corporation of *Macclesfield* or by any Company of Proprietors for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other Public Passages or Places, (unless in Cases where it shall be unavoidably necessary to lay the Pipes of the said *Macclesfield* Gas Light Company across any of the Pipes of any Company of Proprietors for the Conveyance of Water,) in which Cases the said Pipes of the said *Macclesfield* Gas Light Company shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith as near as possible a right Angle; and in such Cases the Pipes of the said *Macclesfield* Gas Light Company so crossing the Pipes of any Company of Proprietors for the Conveyance of Water shall be at least Six Feet in Length, so that no Joint of any of the said Pipes of the said *Macclesfield* Gas Light Company shall be nearer to any Part of the Pipes of any Company of Proprietors for the Conveyance of Water than Three Feet at least; and in laying down the said Pipes the said *Macclesfield* Gas Light Company shall in no Case join Two or more Gas Pipes together
previous

previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench 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 connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in every respect prevent the Gas from escaping therefrom, upon Pain of forfeiting for any such Offence, if the said Company shall neglect or refuse to make such Gas Pipes air-tight within Twenty-four Hours after Notice thereof given to them in Writing, the Sum of Fifty Pounds.

LXI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down in any Market, Street, Square, Lane, Public Passage or Place within the said respective Townships of *Macclesfield, Sutton, and Hurdsfield*, the said Company, or the Body or Bodies Politic or Corporate, or the Person or Persons being the Owner or Owners of such Pipe or Pipes so laying down or causing the same to be laid down in any such Market, Street, Square, Lane, Public Passage, or Place, shall immediately after Notice given to them or him by Parol or in Writing of any such Escape of Gas, from any Inhabitant or Inhabitants of the said Townships respectively, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company, or the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not within Twenty-four Hours next after such Notice given effectually stop and prevent any future Escape and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company, or the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid before some One or more Justice or Justices of the Peace, and shall and may be recoverable and levied with all reasonable Charges by Distress and Sale of the Goods and Chattels of the Treasurer of the said Company, or of the Goods and Chattels of the Body or Bodies Politic or Corporate, or of the Person or Persons so contracting to light or lighting as aforesaid.

For preventing the Escape of Gas.

LXII. And be it further enacted, That whenever the Water of the Corporation of the Borough of *Macclesfield*, or any Owner or Company of Proprietors of Water Works, shall be contaminated or affected by the Gas of the said Company, or of any Body or Bodies Politic or Corporate, or any Person or Persons as aforesaid, such Company, or Body or Bodies Politic or Corporate, or other Person or Persons aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Corporation, Owner, or
[Local.]

Gas Company to prevent Contamination of Water, &c.

Company of Proprietors of the Water Works affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case and Cases the said Company, or Body or Bodies Politic, or Person or Persons as aforesaid, shall within Twenty-four Hours next after Notice thereof in Writing signed by the Clerk or Surveyor to the said Corporation, Owner, or Company, or by any Person or Persons consuming the Water, to be left at the usual Office or Place of transacting Business of the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of the said Company of Proprietors; and in case the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, and then and in every such Case the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Corporation, Owner, or Water Company, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the said Water shall be and remain contaminated, tainted, or affected by the Gas of the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; and in Default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness by and in the Name of the Mayor for the Time being of the said Borough, or by and in the Name of any One or more of the Directors of any such Water Company, at the Option of the Party or Parties prosecuting such Information against the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, before any Justice of the Peace, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs when so levied shall be paid to the Treasurer or to One of the Directors for the Time being of the said Company which shall be contaminated or affected by such Gas.

For ascer-
taining if the
Water is
contami-
nated.

LXIII. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Company; be it therefore enacted, That in every such Case it shall be lawful to and for the said Corporation, or their Officers, or any such Company of Proprietors for supplying with

with Water, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said *Macclesfield* Gas Light Company, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Company; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said *Macclesfield* Gas Light Company, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said *Macclesfield* Gas Light Company; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said *Macclesfield* Gas Light Company, then and in such Case the said Corporation, or such Company of Proprietors for the supplying with Water, shall bear and pay all the Expences of such Examination, Repair, and Search, and also shall make good to the said *Macclesfield* Gas Light Company any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said *Macclesfield* Gas Light Company in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined (if necessary) by such Justice or Justices of the Peace as aforesaid, and recoverable in like Manner as any Penalty may be recovered by virtue of this Act.

LXIV. And be it further enacted, That if the said Company of Proprietors, or any Body or Bodies Politic or Corporate, or Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Townships, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring 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, then and in every such Case the said Company of Proprietors, or Body or Bodies Politic or Corporate, or Person or Persons 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, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance shall be allowed, and the whole thereof shall

Penalty for conveying Washings into any River.

shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time 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 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, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, and the said Company of Proprietors, or Body or Bodies Politic or Corporate, or Person or Persons, 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, or Body or Bodies Politic or Corporate, or Person or Persons, 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 have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

Remedy for
the Reco-
very of
Rents.

LXV. And be it further enacted, That in case any Body or Bodies, Commissioners, Trustees, Surveyors, or any other Person or Persons who shall contract with the said Company, or agree to take, or shall use or enjoy the said Gas either in their private Dwellings, Shops, Inns, Taverns, or other Buildings or Manufactories, Grounds or Premises, or otherwise, shall refuse or neglect, for the Space of Ten Days after Demand, to pay the Sum or Sums of Money then due under their, his, or her Contract for the same to the said Company, according to the Terms and Stipulations of the said respective Parties with the said Company, it shall be lawful for the said Company or their Clerk, or any Person or Persons acting by or under their Authority,

thority, by Warrant under the Hand and Seal of any One of the Justices of the said Borough and Township of *Macclesfield*, if the Party or Parties so refusing or neglecting to pay as aforesaid reside therein, if not, for any One of the Justices of the Peace for the said County Palatine of *Chester*, which Warrant such Justice is hereby required to grant upon Confession, or upon Proof of such Sum or Sums of Money being due to the said Company, and of Demand having been made 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 the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Surplus (if any) to such Person or Persons refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; and it shall also be lawful for the said Company to cut off and take away the Supply of Gas from the House or Houses, Inn, Tavern, Shop, Manufactory, Warehouse, or other Buildings, Premises, or Places of every such Person so making Default in Payment of such Sum or Sums of Money then due by his, her, or their Contract to the said Company for the Space of Ten Days after such Demand as aforesaid, and thenceforth to discontinue the Supply of Gas contracted for with the said Company by such Person or Persons.

LXVI. And be it further enacted, That the said Company shall and they are hereby directed and required to supply Public Roads, Streets, Ways, Lanes, and other Passages and Places, 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 them further to break up the Soil or Pavement of any such Road, Street, Way, Lane, or other Public Passage or Place within the Limits of this Act where such 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 cheaper and better lighted by the said Company than can be done by Oil Lamps.

Gas to be supplied cheaper than Oil.

LXVII. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works or in Exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure such Interruption or Hinderance to take place, and shall be thereof convicted before any Justice or Justices acting in and for the said Borough and Township of *Macclesfield* or for the said County of *Chester* within their respective Jurisdictions, either on Evidence or on Confession, every Person so offending shall for every such Offence forfeit and pay to the said Company such Sum or Sums of Money as shall be adjudged by such Justice or Justices, not exceeding Five Pounds, and also the full Amount of the Damage which shall

Penalty for interrupting Company's Workmen.

[Local.]

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be sustained by such Hinderance or Interruption ; and such Sum or Sums of Money 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 the Damage sustained by them for such Hinderance or Interruption.

Compensation for Damages &c. how to be recovered.

LXVIII. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of this Act as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by such Company, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the Clerk to the said Company or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Company, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorised and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid ; and in case any Overplus shall remain after Payment of such Sum or Sums of Money and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company, or to their Treasurer for the Time being, as the Case may be : Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Damages and Charges in Cases of Dispute to be settled by Justices.

LXIX. And be it further enacted, That where by this Act any Damages or Charges are directed or authorised to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorised and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in Manner directed by this Act for the levying of any Penalties or Forfeitures.

LXX. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, or by any Rule, Order, or Bye Law inflicted or imposed, in relation to which the Manner of convicting the Offenders or applying the Penalties is not particularly mentioned or directed, shall be adjudged by and be recovered before any Justice of the Peace for the said Borough of *Macclesfield* or for the said County Palatine of *Chester*, in and by the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath the said Justice is hereby authorised 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 Half of the Penalties and Forfeitures when recovered, after rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, the reasonable Charges of such Distress and Sale being first deducted, shall be paid to the Informer, and the other Half thereof to the Treasurer for the Time being of the *Macclesfield* Dispensary, or the Overseers of the Poor of the Township where the Offence upon which any Conviction shall take place shall have been committed, for the Use and Benefit thereof; and in case such sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no such Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders or otherwise, that he, she, or they have or hath not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice of the Peace, and he is hereby authorised and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County wherein such Offence shall arise, for any Time not exceeding Six Calendar Months.

Recovery
and Appli-
cation of
Penalties.

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

Form of
Conviction.

‘ 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

of His Majesty's Justices of the Peace for the said Borough [or for the said County of *Chester*, as the Case may be] by virtue of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled [here set forth the Title of this Act] of having [specifying the Offence, and the Time and Place when and where the same was committed, as the Case may be] contrary to the said Act, and for which I [or we, as the Case shall be] do adjudge the said _____ to have forfeited the Sum of _____ Given under my Hand and Seal [or, as the Case shall be, our Hands and Seals;] the Day and Year first above written.

For compelling Attendance of Witnesses.

LXXII. 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 as aforesaid 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, and shall refuse or neglect (without a reasonable Excuse) to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his, her, or their Costs and Expences, or appearing shall refuse to be examined upon Oath (which Oath such Justice or Justices is and are hereby authorised and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Persons giving false Evidence to be guilty of Perjury.

LXXIII. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before the Mayor or any Justice or Justices of the Peace for the said Borough under this Act upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he, she, or they so giving false Evidence shall be subject to the same Punishment as Persons convicted of wilful and corrupt Perjury.

Appeal to the Quarter Sessions.

LXXIV. 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 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 any General or Quarter Sessions of the Peace to be holden for the said County Palatine of *Chester*, within Four Calendar Months after the Cause of Appeal shall have arisen, (the Person or Persons appealing having first given at least Twenty-one Days Notice in Writing of such Appeal, and the particular Nature and Matter thereof, to the Person or Persons appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such Borough or County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon); and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered

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 County, and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order, Rule, Bye Law, 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 think 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.

LXXV. 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 for any Offence or Offences against this Act, unless Information respecting such Offence or Offences shall have been lodged before some Justice of the Peace within Three Calendar Months next after such Offence committed.

Proceedings to be within Three Calendar Months.

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

Directing what shall be a Service of Notices on the Company.

LXXVII. Provided always, and be it further enacted, That no Order, Judgment, Conviction, or other Proceedings to be had, made, or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed 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 notwithstanding.

Proceedings not to be quashed for Want of Form.

LXXVIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied under the Authority of this Act, or any Order or Bye Law made in pursuance thereof, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto; nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress; but the Person or Persons aggrieved by such Irregularity

Distress not unlawful for Want of Form.

[Local.]

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may recover Satisfaction for Special Damages by Action on the Case.

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

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

For paying the Expences of this Act.

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

General Saving.

LXXXI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made; and nothing in this Act contained shall extend or be deemed or construed to extend to interfere with, alter, lessen, or in any Manner affect the Rights, Powers, and Authorities heretofore given or granted to or vested in the Mayor, Aldermen, and Capital Burgesses of the Borough of *Macclesfield*, or in the Commissioners of Police of the said Borough and Township of *Macclesfield*, or in any Commissioners, Trustees, Bodies Politic or Corporate, or other Persons having the Superintendence, Controul, or Management of any Street, Road, Highway, Bridge, or Public Place, or of any Pavement, Ground, or Soil of or in any Street, Road, Highway, Bridge, or Public Place.

Public Act.

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