



ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. lxxiii.

An Act for incorporating the Town of *Portsea* Gas-light Company. [28th May 1821.]

WHEREAS in and by an Act, passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better paving, cleansing, widening, and regulating the Streets, Courts, Roads, Lanes, Ways, Rows, Alleys, and public Passages and Places, within the Town of Portsea in the County of Southampton, and for removing and preventing Nuisances, Annoyances, and Obstructions within the said Town*, the Trustees thereby appointed, or any Seven or more of them, were empowered from Time to Time and at all Times when and as often as they or any Seven or more of them should think proper, to order and direct all or any of the Pavements in the said Streets, Courts, Roads, Lanes, Rows, Ways, Alleys, and public Passages then in being, or thereafter to be made, in the said Town, or any Part or Parts thereof, as well those Parts used by Carriages as those used by Foot Passengers, to be taken up, and the said Streets, Courts, Lanes, Rows, Ways, Alleys, and public Passages to be paved, re-laid, repaired, raised, lowered, or altered, in such Manner as the said Trustees or any Seven or more of them should think proper, and the Person or Persons authorized or directed by them to do the same accordingly, in such Manner and upon such Plan as is directed by the said Act; and the said Trustees, or any Seven or more of them, were by the said Act further empowered, from Time to Time, at any Public Meeting to be held in pursuance of the said Act, to contract with any Person or Persons for paving, re-laying, repairing, raising, lowering,

[Local.] 25 D ing,

32G.3. c.103

Persons in-
corporated.

ing, or altering all or any of such Streets, Courts, Lanes, Rows, Ways, Alleys, and public Passages, or any Parts or Part thereof, subject to such Regulations as in the said Act are expressed and contained: And whereas the Inhabitants of the Island of *Portsea* are desirous of having the lighting by Gas introduced therein for lighting the Streets and public Passages thereof, and for the Use of such Persons as may wish to light their Shops, Warehouses, and Houses therewith: And whereas the lighting the Island of *Portsea* with Gas will very materially add to the Comfort and Accommodation of the Inhabitants thereof, and be of public Utility, and many Persons are willing to contribute Sums of Money in aid of and for the Completion of the said Undertaking and carrying on the same: But inasmuch as such Undertaking cannot be effectually carried into execution, or a competent Supply of Gas afforded to the said Island, without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Barlow* and *George Barlow*, and all and every such other Person or Persons as shall from Time to Time become Proprietors of Shares in the Undertaking hereby established as herein-after is mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company, and declared to be One Body Politic and Corporate, by the Name of the "*Portsea Island Gaslight Company*," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony Misdemeanor, or other Offence indictable by the Laws of this Realm, and shall by that Name be authorized and empowered to purchase Lands and Hereditaments for the Purposes of the said Gasworks, not exceeding Three Acres, without being subject to the Penalties of the Statutes of Mortmain; and that the said Company shall be established for the Purpose of making or producing Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, from Coal or other Materials, and of lighting the Island of *Portsea* with Gas or inflammable Air, and of selling and disposing of the Coke and other Products of the Manufactory of the said Company, in such Manner as they shall from Time to Time think fit.

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

II. And be it further enacted, That the said Company shall have full Power to contract with any Commissioners, Trustees, Bodies Politic, Corporate, Collegiate, or Corporations Aggregate or Sole, or Person or Persons whomsoever, who shall or may be desirous or willing to contract or agree with the said Company for the lighting of the said Island, or any Part or Parts thereof, or any public or private Ways or Roads, Streets, Lanes, Buildings, Houses, Shops, Manufactories, Warehouses, or Premises, within the said Island, and to sell or dispose of the Coke, and other Products of the Manufactory of the said Company, in such Way and Manner as the said Company or their Committee of Management may from Time to Time think proper.

III. And

III. And be it further enacted, That for the Purposes of this Act it shall be lawful to and for the said Company, or their Committee of Management, to be chosen as herein-after is mentioned, and they are hereby empowered, to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Island, and the Freehold and Inheritance thereof, or any Estate or Interest therein, with any Body or Bodies Politic, Corporate, or Collegiate, or any Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute, or determinable on any Life or Lives, or with any Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, Feoffees in Trust, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for himself, herself, or themselves, and also with all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or with any Persons whomsoever who shall be willing to sell the same, or his, her, or their Right and Interest in the same, for the Uses and Purposes of this Act, provided that the Quantity of Land to be purchased as aforesaid shall not exceed Three Acres; and upon Payment of the Purchase Money for the same respectively to the Person or Persons entitled thereto, or into the Bank of *England* in manner directed by this Act, (as the Case may be,) the Lands, Tenements, and Hereditaments respectively shall absolutely vest in the said *Portsea Island Gaslight Company*, and may be taken and used by them for the Purposes of this Act.

Power to contract for the Purchase of Lands and Buildings

IV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute, or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company to be purchased for the Uses and Purposes of this Act, to treat, contract, and agree with the said Company, or their Committee of Management, for the Sale thereof or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act shall, without Fine or Recovery, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Possibility, Claim, and Demand whatsoever of their said several Cestuique Trusts,

Bodies Politic and other Persons empowered to sell.

Trusts, and of all Persons whomsoever claiming or to claim by, from, or under him, her, or them, or claiming or to claim in remainder or reversion expectant on any such particular Estate, or by way of Executory Devise or springing Use, and the same shall be deemed and considered to bar all Dower and Dowers of any such Person or Persons, and all Estates Tail and other Estates, in possession, reversion, remainder, or expectancy, and the Issue and Issues of any Person or Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute, or determinable on any Life or Lives, and Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is, are, and shall be indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

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

V. And be it further enacted, That if any Money shall be contracted to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* "The *Portsea Island* Gaslight Company;" to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Lands, Tenements, and Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application made thereto as aforesaid, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and

until

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 Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement thereof were then actually made.

VI. Provided always, and be it further enacted, That if any Money so to be paid for any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politic, Corporate, Collegiate, or Ecclesiastic, Tenant for Life, or in Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved of by Three or more of the Committee of Management of the said Company (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends to arise thereon, or the Interest thereof, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

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

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

Application of Money not exceeding 20l.

VIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments so purchased in pursuance of this Act, or to any Bank Annuities

In case of questionable Title to the Money, Persons in possession of the Lands to be deemed entitled

thereto, until the contrary shall be shown.

ties to be purchased with any such Monies, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expenses of Purchase Money to be allowed by Court.

IX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Chancery to order the Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the Expenses as the said Court shall deem reasonable, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

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

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

Form of Conveyance.

‘ I [or we, as the Case may be] of _____ in consideration
 ‘ of the Sum of _____ to me [or us] paid by the
 ‘ Portsea Island Gas Light Company, do hereby grant and release [or
 ‘ assign, as the Case may be] to the said Company of Proprietors and their
 ‘ Successors, all [here describe the Premises to be conveyed] and all my
 ‘ [or our] Right, Title, and Interest in and to the same and every Part
 ‘ thereof; to hold to the said Company of Proprietors, and their Suc-
 ‘ cessors 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 Pre-
 ‘ mises.

' mises. In Witness whereof, I [*or we*] have hereunto set my Hand
' and Seal [*or our Hands and Seals, or our Common Seal, as the Case*
' *may be*] this of in the Year of our
' Lord

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

Re-sale of
Land not
wanted.

XIII. And be it further enacted, That it shall be lawful for the Company hereby established, and their Successors, and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time, with the Consent of the Trustees under the said recited Act, or any Seven or more of them, in respect to the Town of *Portsea*, and with the Consent of the Commissioners for the better paving the Town of *Portsmouth*, in respect of the Town of *Portsmouth*, to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices, on the Lands taken or to be purchased or acquired by them by virtue of the Powers herein-before contained, and (with the Permission or Consent of the Owners and Occupiers, but not otherwise) to erect and fix Pipes against any Walls, or in Posts or Pillars in the Streets, of such Construction, and in such Manner, as the said Trustees and Commissioners respectively, or any Seven or more of them, shall think necessary or proper for carrying the Purposes of this and the said recited Act into execution; and, with the like Consent from Time to Time of the said Trustees and Commissioners respectively, to break up the Soil and Pavements of any of the Streets, Highways, Roads, Ways, Lanes, and Passages within the said Towns, and, with the Consent of the Mayor, Aldermen, and Burgesses of the Borough of *Portsmouth*, to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along the said Streets, Highways, Roads, Ways, Lanes, and Passages; and from Time to Time, with such Consent respectively as aforesaid, to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, Syphons, and Plugs, or Branches, and also to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Road or Highway, Lane or Passage, by virtue of this Act, into or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting any public or private Lamp from any of such Mains or Pipes; and to erect and set up any Machine

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

or

or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been so placed, which shall be injured or damaged; and to do all such Acts, Matters, and Things as the said Trustees and Commissioners respectively shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, supplying, and using the same; provided a proper Compensation be made for any Damage which may be done thereby: Provided always, that nothing herein contained shall authorize or empower the said Company, or any of their Servants, Agents, Workmen, or others, to enter into any private Lands, Grounds, or Premises, without the Consent in Writing of the Owners and Occupiers thereof respectively for the Time being first had and obtained.

Company
not to make
any Drains,
&c. without
Consent of
the Occu-
piers, &c.

XIV. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Company, or their Successors, to sink or make any such Cuts, Drains, Sewers, Watercourses, and Reservoirs, in any Situation or Direction where the same can, shall, or may interfere with any present or future public or private Drain, Sewer, or Well, nor to carry or lay any Pipes, Cocks, or Branches from any Main or Pipe into any Dwelling Houses, Manufactories, public or private Buildings as aforesaid, without the Consent in Writing of the Occupiers for the Time being of every such Dwelling Houses, Manufactories, public or private Buildings as aforesaid; and provided also, that no such Consent of the Occupier or Occupiers shall be considered to be binding and conclusive on the Owner or Owners of the said Property for the Time being for any longer Period than for the Estate and Interest of such Occupier or Occupiers so giving Permission as aforesaid; provided also, that all public Streets, Highways, Roads, Lanes, and Passages shall only be broken up with the Consent of the Commissioners, Trustees, or other Persons having the Control of the said Streets, Highways, Roads, Ways, Lanes, and Passages, and that all private Roads or Ways shall only be broken up with the Consent of the Occupier or Occupiers, and Owner or Owners of the Soil thereof respectively.

To be subject
to all Acts of
Parliament
relating to
Roads.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company, or any other Person or Persons whomsoever, to break, take up, or disturb the Soil or Pavement in or of any Street, Road, Highway, Lane, or Passage, within the Limits of this Act, without the Consent in Writing of the Commissioners, Trustees, or other Persons in whom the Superintendence, Property, or Control of any such Street, Road, Highway, Lane, or Passage is by Authority of Parliament, or otherwise howsoever, vested, under the Hand or Hands of their proper Officer or Officers; and that all and every the Works, Matters, and Things at any Time hereafter to be done or performed by the said Company, or their Servants, Workmen, or others, in, upon, through, or over any such Street, Road, Highway, Lane, or Passage, shall be subject to the Provisions, Regulations, Penalties, and Notices, and all and every the Powers, Authorities, Provisions, Rules, Directions, Forfeitures, Claims, Matters, and

and Things contained in any Act or Acts of Parliament for the making, amending, repairing, or improving any such Street, Road, Highway, Lane, or Passage, or otherwise relating thereto, so far as the same, or any of them, are applicable to Gas Light Companies, as fully and effectually as if the same had been amply re-enacted herein.

XVI. And be it further enacted, That if it shall at any Time or Times be deemed necessary or expedient by the Commissioners or Trustees, or other Persons having the Control of the Pavements, Ground, or Soil of or in the said Streets, Highways, Roads, Ways, Lanes, and Passages respectively, to require the said Company to raise, sink, or otherwise to alter the Situation of any of the Pipes, Stopcocks, Plugs, or Branches which shall be laid down for the Purposes aforesaid, the said Company shall at their own Expense, within Three Calendar Months next after being required so to do, by Notice in Writing to them given by the said Commissioners or Trustees, or other Persons respectively, signed by their Clerk, raise, sink, or alter such Pipes, Stopcocks, Plugs, or Branches according to such Notice, in such Manner and in such Place or Places as the said Commissioners or Trustees respectively shall think right and proper; and in default thereof, it shall be lawful for the said Commissioners or Trustees, or their Surveyor, or any other Person or Persons acting by their Order or under their Authority, to cause such Pipes, Cocks, Plugs, or Branches to be raised, sunk, or altered, and the reasonable Costs and Charges for doing the same shall be paid by the said Company, and shall and may be certified to them and paid by them within the Time, and shall and may be recovered from them by Warrant or Warrants of any Justice or Justices of the Peace for the said Borough of *Portsmouth*, or County of *Southampton*, by Distress and Sale of the Goods and Chattels of the said Company.

Power to alter Pipes.

XVII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Company to interfere with any of the Lines, Works, or Defences now made, or hereafter to be made, within the said Island of *Portsea*; without the Consent in Writing of the Master General, or principal Officers of His Majesty's Ordnance, for the Time being, first had and obtained for that Purpose.

Company not to interfere with the Works of the Master General of Ordnance.

XVIII. Provided always, and be it further enacted, That the said Company and their Successors shall at their own Expense, on the Expiration or Determination of the Tenancy or Tenancies of any such Occupier or Occupiers so giving Consent as aforesaid, or within Twenty-one Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose for and on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, remove, take, and carry away, or cause to be removed, taken, and carried away, any Pipe or Pipes, Cocks or Branches, from any Main or Pipe which shall have been introduced or laid by the said Company of Proprietors and their Successors, in any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, pursuant to the Power for that Purpose herein-before contained, and repair and make good such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, where the same shall have

Company to remove Pipes, &c. when Tenants quit, if required.

[*Local.*]

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been

been so introduced, anything herein contained to the contrary thereof in anywise notwithstanding; and in default thereof, it shall and may be lawful to and for such Owner or Owners, or such new Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away, and the Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, where the same shall have been introduced, to be repaired and made good, and the reasonable Costs and Charges for so doing the same shall be immediately paid by the said Company and their Successors, or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require; provided nevertheless, that if such reasonable Costs and Charges be not paid within Seven 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 Borough of *Portsmouth*, all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the said Borough, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may require.

Workmen in
laying Pipes
to make good
the Pavement.

XIX. And be it further enacted, That the Workmen employed in laying or preparing any such Mains, Pipes, Plugs, Cocks, Syphons, Branches, or other Apparatus, shall do as little Damage as may be, and shall forthwith fill in the Trenches, and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts, which may be made for the Purposes of this and the said recited Act, without any Delay, and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, and cause a Light or Lights to be fixed, and remain during the Night in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided always, that if there shall be any wilful or negligent Delay in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads, or in case the said Trenches, or any of them, or any Part or Parts thereof, shall not during such Time be properly guarded and fenced, or such Light or Lights be placed out and maintained as aforesaid, then and in every such Case it shall and may be lawful for the Surveyor or other Officer for the Time being, under the said recited Act, or any other Person under his Authority or the Authority of the said Trustees or Commissioners respectively, to fill in such Ground, and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Road, Lane, or Passage or Place, so broken up, and properly to guard and fence every such Trench, and to place and maintain every such Light and Lights during the Night, as to him shall appear necessary for the Purposes aforesaid, and the reasonable Costs and Charges thereof shall be paid by the said Company, or their Treasurer, to the Collector under the said recited Act, or under the said Commissioners; and in default of Payment thereof for Seven Days next after Demand shall be made by such Collector, or other Person, acting

ing under the Authority aforesaid, (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 Borough of *Portsmouth* or County of *Southampton* aforesaid), all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace, which Warrant such Justice or Justices is or are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to such Collector, or Person acting under his Authority, and applied in such Manner as any Fine, Forfeiture, or Penalty for any Nuisance done or committed within the said Towns of *Portsea* or *Portsmouth* respectively is appointed to be sued for, recovered, paid, and applied under and by virtue of the said recited Act, or the Act for the better paving the Town of *Portsmouth* respectively, or may be sued for and recovered by the respective Treasurers under the said respective Acts, by Action of Debt in any of His Majesty's Courts of Record.

XX. And be it further enacted, That if, in carrying into execution any of the Powers or Authorities by this Act given or granted, any Injury or Damage shall be done or committed to any of the Pipes, Branches, Apparatus, Materials, or Things by means whereof the said Island, or any Part thereof, is or shall be supplied with Water, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression or subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever, the said Company shall at their own Expense, Costs, and Charges, within Three Days next after Notice in Writing to them given by or on behalf of the Proprietors or Renter of the Waterworks to which such Injury or Damage shall be done, cause such Pipes, Branches, Apparatus, Materials, and Things to be well and effectually repaired and amended; and in default or neglect thereof, it shall and may be lawful to and for the Proprietors or Renter of the Waterworks, and they are hereby authorized and empowered, to cause such Pipes, Branches, Apparatus, Materials, and Things, so injured or damaged as aforesaid, to be effectually repaired, amended, and made good, and the reasonable Costs, Charges, Damages, and Expenses attending the same shall be paid and defrayed by the said Company or their Treasurer; and if the Parties cannot agree touching the Amount thereof, the same shall be ascertained and settled by Two or more Justices of the Peace for the said Borough of *Portsmouth* or County of *Southampton*, who are hereby authorized to hear and determine the same, and their Determination therein shall be final and conclusive; and such Damages and Expenses, together with such Costs and Charges as shall be by them allowed, shall be levied and recovered by Warrant of Distress under their Hands and Seals.

Protection
for the
Water Pipes.

XXI. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe or Tube to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, nor use Burners of larger Dimensions than he, she, or they respectively shall contract or pay for, or supply any Inhabitant or other

No Pipes of
Communica-
tion to
laid without
Consent of
the Com-
pany.

Person

Person with any Part of such Gas, on pain of forfeiting and paying to the said Company the Sum of Forty Shillings a Day for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished; every such Penalty to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said Borough of *Portsmouth* or County of *Southampton*, and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture and the Costs and Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol for the Borough of *Portsmouth*, or House of Correction for the County of *Southampton*, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied; and it shall be lawful for the said Company of Proprietors, if they shall so think fit, also to take off the Gas from the House and Premises of the Person so offending, notwithstanding any Contract or Agreement which may have been previously entered into.

Penalty for wilfully damaging Pipes, &c.

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

Satisfaction for accidental Damage of Lamps, &c.

XXIII. 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 Expense, or any
Pipe,

Pipe, Pedestal, Post, Plug, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or carelessly or accidentally waste any of the inflammable Air or Gas supplied by the said Company, and shall not upon Demand by the said Company, or their Clerk or Superintendent, or other Person or Persons authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace for the County, Borough, or Place wherein the Offence shall arise, and he or they is and are hereby required, upon Complaint to him or them made, to summon before him the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Non-appearance of the Party or Parties so complained against, to proceed *ex parte*, and to award such Sum or Sums of Money, by way of Satisfaction to the said Company, or to such other Person or Persons (as the Case may be and require), for such Damages or Excess, as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded, within Seven Days after Demand, it shall and may be lawful to and for such Justice or Justices, or any One of them, and he and they is and are hereby required, to cause the same to be raised and levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied.

XXIV. And be it further enacted, That if any Person shall hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure such Interruption or Hindrance to take place, and shall be thereof convicted before any Justice or Justices acting in and for the Borough of *Portsmouth*, or County wherein the Offence shall arise, either on Evidence or by Confession, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum to be adjudged by such Justice or Justices, not exceeding Forty Shillings; and such Sum so adjudged shall be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered, or the said Company may at their own Option sue for Damages sustained by them for such Hindrance or Interruption.

Penalty for interrupting Company's Workmen.

XXV. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be put down by the said Company for lighting the Streets, Lanes, Passages, and other Public Places of the said Island, under any Contract or Agreement with the said Trustees or Commissioners respectively, shall be kept fully charged with Gas, and the Stop-cocks shall be so formed and turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Service Pipes to be fully charged with Gas.

XXVI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes already laid down, or which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall, at their own Expense, immediately after receiving Notice, by Parol or in Writing, of any such Escape of Gas, from any Person or Persons whomsoever, cause the most speedy and effectual

For preventing the Escape of Gas.

[Local.]

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Measures

Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not within Twenty-four Hours next after such Notice, by Parol or in Writing, being given of any such Escape of Gas effectually stop up and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, in the same Manner as other Penalties and Forfeitures by this Act imposed are directed to be recovered and levied.

Gas to be supplied cheaper than Oil Light.

XXVII. Provided always, and be it enacted, That the said Company shall and they are hereby directed and required to supply all the public Streets and Lanes in the Towns of *Portsea* and *Portsmouth*, which shall be lighted under and by virtue of this Act, with Gas of such Quality as shall at all Times afford a better and cheaper Light than could be obtained from Oil Lamps.

Capital Stock to be 30,000*l.*

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

Stock to be divided into Shares.

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

Power to raise a further Capital of 7,500*l.*

XXX. And be it further enacted, That in case the aforesaid Sum of Thirty thousand Pounds shall be found insufficient for the Purposes of this Act, and carrying on the aforesaid Undertaking, then and in such Case it shall be lawful for the said Company of Proprietors to raise and contribute amongst themselves, in such Shares and Proportions as they shall think proper, or by the Admission of new Subscribers, any further or other Sum of Money, not exceeding the Sum of Seven thousand five hundred Pounds; and every Subscriber towards raising such further Sum of Money shall be a Proprietor in the said Undertaking, and shall have a like Vote by himself or herself or by Proxy, in respect of his or her Shares in the said additional Sum so to be raised, and be liable to such Forfeitures, and stand interested in all the Profits and Advantages of the said Undertaking, in proportion to the Sum he, she, or they shall subscribe

scribe to the said Undertaking, as extensively to all Intents and Purposes as if such further or other Sum hereby allowed to be subscribed for or raised had been originally Part of the said Capital of Thirty thousand Pounds, anything herein-before contained to the contrary in anywise notwithstanding: Provided always, that the said Company shall be obliged to raise the said Sum of Seven thousand five hundred Pounds within Seven Years from the passing of this Act,

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

Lands, &c.
of Company
liable for
Debts of
Company.

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

Remedy for
Recovery of
Rents.

XXXIII. And be it further enacted, That the several Persons who shall subscribe for or towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for, pursuant to or by virtue of the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner, as shall be ordered and directed by the Committee of Management for the Time being, in manner herein-after mentioned; and in case any Person or Persons shall at any Time neglect or refuse to pay any such Money at such Times and in such Manner required for that Purpose

To compel
Payment of
Subscrip-
tions.

pose as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt, or otherwise, in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from such appointed Time of Payment, and all Costs of Suit, from such Person or Persons; or in Cases where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One or more Share or Shares in the said Undertaking, then from all or any or either of such Persons.

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

XXXIV. And be it further enacted, That immediately after the said Company shall be formed, and a Clerk chosen, the Clerk of the said Company shall cause the Names and Designations of the several Persons who shall have subscribed for or may at any Time hereafter become entitled to a Share or Shares in the said Undertaking, with the Number of such Share or Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept for that Purpose, and after such Entry cause the same to be signed by their Chairman; and the Committee of Management shall cause a Certificate, under the Common Seal of the said Company, to be prepared and delivered to every Proprietor upon Demand, specifying the Share or Shares to which he or she is entitled in the said Undertaking; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate shall not hinder or prevent the Owner from selling or disposing of such Share or Shares.

First Meeting of Proprietors.

XXXV. And be it further enacted, That on the Twenty-first Day after the passing of this Act, or as soon after as conveniently may be, a General Assembly or Meeting of the Proprietors of Shares shall be holden in *Portsea* aforesaid, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, of which General Assembly or Meeting Five Days Notice shall be given, Once in some One Newspaper printed or circulated in the said County of *Southampton*, and shall then and there proceed in the Execution of this Act, and shall or may adjourn to, or shall assemble at the same or such other Times and Places as shall be appointed in manner herein-after mentioned; at which General Assembly or Meeting, or at any Adjournment thereof, a Treasurer or Treasurers, and a Committee of Management, consisting of Five Proprietors, to be possessed of Five Shares each at the least, to continue until the Half-yearly Meeting which shall be held in *January* in the Year of our Lord One thousand eight hundred and twenty-two, or until others or another shall be appointed in their or any of their Stead shall be elected and chosen; and that after the said Committee shall have been elected One of the Members thereof shall be chosen the Chairman, and another Member thereof the Deputy Chairman, and an Engineer shall be named and appointed; and such General Assembly or Meeting may be adjourned to such other Time and Place as the Proprietors of the Majority of Shares then present shall think fit.

General Assemblies to be holden.

XXXVI. And be it further enacted, That the said Company shall, in the Months of *January* and *July* in each Year, hold a General Assembly or Meeting of the said Proprietors, of which General Assembly or Meeting

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ing Five Days Notice shall be given in some One Newspaper printed or circulated in the said County of *Southampton*; and at every General Assembly or Meeting to be holden in the Month of *January*, or some Adjournment thereof, the Committee of Management for the Year ensuing, and the Chairman and Deputy Chairman thereof, to be elected as aforesaid, shall from Time to Time be appointed; provided that nothing herein contained shall render any One of the said Committee whose Office shall have expired, ineligible to be immediately re-elected upon such Committee of Management, if otherwise duly qualified; provided also, that no Person shall be qualified to be elected, or to serve or act as a Member of the said Committee, who shall hold or derive any Place of Profit under the said Company, or deal or be interested in any Article, Matter, or Thing used or manufactured by the said Company, or concerned or interested in any Contract or Contracts for supplying the same, or any of them, or shall not have possessed Five Shares in the said Undertaking for Three Calendar Months at the least; and at any of such General Assemblies or Meetings the said Company shall and they are hereby authorized and empowered to make such Rules, Orders, Byelaws, and Regulations, from Time to Time, as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of the said Committee of Management, and the Duties and Conduct of all Officers, Workmen, and Servants to be employed in and about the Affairs and Business of the said Company, and for the Superintendence and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Byelaws, or any of them, and to make new or other Orders, and impose such reasonable Fines and Forfeitures upon all Officers, Workmen, and Servants of the said Company and other Persons to be employed in and about the Affairs and Business of the said Company, or in the Superintendence and Management of the said Undertaking, not exceeding the Sum of Forty Shillings for any One Offence, as to the said Company at a General Assembly or Meeting shall seem meet and expedient; and all Rules, Orders, and Byelaws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, shall be binding upon all such Persons, and shall be a sufficient Authority in any Court of Law or Equity to justify all Persons who shall act under the same; provided, nevertheless, that such Rules, Orders, and Byelaws 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; provided also, that Copies of all such Byelaws shall be affixed and continued in the Office of the said Company: Provided always, that in case at any Assembly of the said Proprietors the Number of Votes, including the Vote of the Chairman, shall be equal, then and in every such Case the Chairman for the Time being shall have the casting Vote.

XXXVII. And be it further enacted, That no Member of the said Company shall be entitled to be present or to vote at any General or Special Meeting, or Adjournment thereof, unless he shall have subscribed for at least One Share in the Joint Stock of the said Company; and that the Members of the Company shall have One Vote at such General or Special Meetings for every Share he or she shall possess in the said Undertaking; but no Member shall be entitled to more than Twenty Votes, or to vote in respect of any Share or Shares after a Day appointed for Payment of any Instalment or Call to be made or called for as herein-after is

Proprietors to vote according to the Number of their Shares.

[Local.]

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mentioned,

mentioned, until such Instalment or Call shall have been paid; and that no Person or Persons shall vote at any General or Special Meeting upon any Question or Questions relating to the Concerns of the said Undertaking in which such Person or Persons shall be in anywise interested; other than as a Subscriber or Subscribers, Proprietor or Proprietors, in the said Undertaking.

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

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

Empowering Proprietors of Shares to vote by Proxy.

XXXIX. And be it further enacted, That any Female, Infant, or other Proprietor of any Share or Shares in the said Company's Stock, entitled to vote in respect of such Shares at any General or Special Assembly or Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General or Special Meetings as aforesaid, either in Person or by Proxy, every such Proxy being a Proprietor in the said Undertaking; and the Appointment of such Proxies may be made in the Form or to the Effect following; (that is to say),

' I *A. B.* of _____ One of the Proprietors of and in the
' Portsea Island Gaslight Company, do hereby nominate, constitute,
' and appoint *C. D.* of _____ to be my Proxy, in my Name
' and in my Stead to vote or give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking that shall be
' mentioned or proposed at the General or Special Assembly of the said
' Company to be holden on the _____ Day of _____ or any
' Adjournment thereof, if I shall not be present, in such Manner as he
' the said *C. D.* shall think proper, according to his Opinion and Judgment, for the Benefit of the said Undertaking, or anything relating
' thereto: In witness whereof I have hereunto set my Hand, the
' Day of _____

Power to General Meeting to appoint a Treasurer or Treasurers.

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

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

XLI. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special Meetings or Adjournments respectively, or to any of the said Proprietors upon any particular

particular Occasion, and not herein otherwise provided for, shall be given to the said several Proprietors respectively, by Letters from the Clerk of the said Company sent by the Post to each and every Proprietor entitled to vote at such Meeting respectively, or to the individual Proprietors entitled to such Notice (as the Case may be), and that such Notices shall be and shall be deemed and considered the same as personal Notices.

XLII. And be it further enacted, That the Committee of Management to be from Time to Time appointed as aforesaid, or any Three or more of them, shall hold their Meetings at such Time and at such Place within the Town of *Portsea* or the Suburbs thereof, as they shall from Time to Time think proper; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at any of their Meetings shall be decided and determined by the Majority in Number of Members present; and in case of an equal Number of Votes, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee Three Members qualified to vote shall not attend, then and in such Case the Meeting shall be adjourned till the next Day, if not a *Sunday*, and if the next Day should be a *Sunday*, then to the *Monday* following, by the Member or Members then present, or if none be present, then by the Clerk of the said Company, or such other Person as shall attend in his Place; and that any Three or more Members of the Committee may, at any Time when they shall think fit, call a Meeting of the Committee, by causing Three Days Notice in Writing, signed by such Members, to be sent by the Post, or otherwise, to the Residence or Address of every other Member of such Committee, and also renew the Meetings of the Committee although they may have been discontinued for Want of Adjournment, or to institute a new Meeting, independent of any Meeting appointed by Adjournment.

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

XLIII. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and appoint the Time and Place for holding General Assemblies or Meetings, and direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out, or disposed of for the Purposes of the said Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and entering into Agreements or Contracts for lighting the said Island, or any Part thereof as aforesaid, or the Houses, Shops, or Buildings therein, and in selling and disposing of all Articles produced as aforesaid, and in making, enforcing, and rescinding, compounding, and compromising, all Contracts and Bargains touching or in anywise concerning the same, subject to such Orders, By-laws, Rules, and Regulations as shall at any Time be duly made by the said Company in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted; and the said Committee of Management shall be at liberty at any Time to call any Special General Meetings of the said Company for any Purpose they may think proper, and shall and they are hereby required to take such Security to the said Company of Proprietors from the Treasurer or Treasurers, Clerk, or other Officer or Officers, or other Person, for the faithful Execution of their respective Duties, as they shall think proper and adequate to the Trust.

Power of
Committee.

XLIV. And

For supply-
ing Vacancies
in Com-
mittee.

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

Power to the
Committee
to appoint
Clerks, &c.

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

Treasurer
and Clerk
not to be the
same Person.

XLVI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, 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, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer
not to issue
Money with-
out an Order
signed by
Three of the
Committee.

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

Proceedings
to be entered
in Books.

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

General
Meeting may
make Calls
on Sub-
scribers.

XLIX. And be it further enacted, That the Committee of Management for the Time being shall have full Power, at any Time or Times, to make such Call or Calls upon the several Subscribers and Proprietors of the said Undertaking, or their respective Executors, Administrators, Successors, or Assigns, for the Amount of the Subscription for their respective Shares, either in One Payment, or by Instalments, as such Committee shall

shall deem requisite or necessary for the Purposes of the said Undertaking; and every Order for a Call shall be signed by Three of the said Committee of Management for the Time being, at least, present at some Meeting of the said Committee; and the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers to the said Company for the Time being, at such Time and Place as shall be appointed by such Committee, of which Time and Place Twenty-one Days previous Notice shall be given in such Manner as the said Committee shall direct or appoint in that Behalf.

L. And be it further enacted, That if any Subscriber, Person or Persons, or Proprietor or Proprietors of any Share or Shares in the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Part or Portion of the Money to be called for by the Committee of Management as aforesaid, by the Time appointed for Payment thereof, then and in such Case such Person or Persons so neglecting or refusing shall (whether or not the same shall then have been sued for in any Court of Law or Equity) absolutely forfeit all his, her, or their Share, Part, and Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special General Meeting; and that all Shares which shall and may be so forfeited shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the Company; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, until after Twenty-one Days Notice shall have been given by the Chairman or Deputy Chairman of the said Company, or Three of the Committee of Management, to the Owner or Owners thereof, by Notice in Writing left at his, her, or their usual or last Place of Abode; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Subscriber or Subscribers, Proprietor or Proprietors, or their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Subscriber or Subscribers, Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns.

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

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

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

belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

Shares may
be trans-
ferred.

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

Form of
Transfer.

‘ I [or We] of in consideration of
‘ I paid to me [or us] by of
‘ do hereby bargain, sell, and transfer to the said
‘ Share [or Shares] (*as the Case may be*) in the Portsea Island Gaslight
‘ Company, Number [or Numbers] in the said Under-
‘ taking; to hold to the said Executors,
‘ Administrators, and Assigns, subject to the same Rules, Orders, and
‘ Restrictions, and on the same Conditions, as I [or we] held the same
‘ Share [or Shares] immediately before the Execution thereof; and I [or
‘ we] the said do hereby agree to take and accept
‘ the said Share [or Shares], subject to the said Rules, Orders, Restric-
‘ tions, 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 Three Shillings shall be paid 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 Part of the Profit of the said Undertaking, or in the Profits or Advantages thereof, nor shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to any Vote at any Meeting or Meetings as a Member or Members of the said Undertaking, in respect of such Share or Shares, until the Expiration of Three Calendar Months after such Transfer shall have been registered.

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

LIII. Provided always, and be it further enacted, That after any Call for Money shall have been made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after the Day appointed for Payment of the said Call, until the Money so called for or in respect of his, her, or their Shares intended to be sold shall be paid; and until such Money so called for shall be paid any such Sale or Transfer of any Share or Shares shall be void; and all and every Person or Persons making default herein shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Undertaking, unless he, she, or they shall at the Time of such Sale or Transfer pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred, such Forfeiture nevertheless to be first notified and declared in manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

LIV. And

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

Executors
indemnified
in paying
Calls.

LV. And whereas in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of the said Company or any Officer acting for the said Company, to know who is or are the Owner or Proprietor or Owners or Proprietors of such Share or Shares: Be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-before specified, an Affidavit shall be made and sworn to by a credible Person, before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace for the said Borough of *Portsmouth* or County of *Southampton*, stating the Manner in which such Share or Shares hath or have passed to such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns; and that such Affidavit shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors in the said Undertaking, to be kept in the Office of the Clerk to the said Company.

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

LVI. And be it further enacted, That it shall be lawful for the said Company, with the Consent of the said Trustees or Commissioners respectively, to make Sewers or Cuts, of such Breadth, Depth, and Dimensions and in such Manner as they shall think expedient, under the Streets, Ways, Lanes, Avenues, and Places within the said Island, for the Purpose of carrying off the Washings and other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing, at their Expense, all such Damage, and afterwards maintaining such Sewers or Cuts in good and sufficient Repair: Provided always, that no such Washings or other waste Liquids, or any other Matter or Thing produced in the manufacturing of such Gas, be conducted or conveyed into any River, Brook, or running Stream whatsoever.

Power to
convey
Washings.

LVII. Pro-

Protecting
the Water
Companies.

LVII. Provided always, and be it further enacted, That if the said Company shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which may arise or be produced in the Prosecution of the Works of the said Company, into any River or running Stream or Brook, or into any Sewer, Drain, Passage, or Channel, by means whereof any such Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things as aforesaid, shall be drained, conducted, or conveyed into any River, Brook, or running Stream communicating therewith, or into any Reservoir, Aqueduct, Waterway, Feeder, or Pond belonging to or used or intended for the Supply of Water by any Corporation or Company established for the Supply of Water to the Inhabitants of the said Island, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such Reservoir, Aqueduct, Waterway, Feeder, or Pond, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in each and every such Case the said Gaslight Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed; and one Moiety thereof shall be paid to the Person or Persons who shall sue for the same, and the other Moiety to the Waterworks Company against whom any such Annoyance, Act, or Thing as aforesaid shall have been done or committed: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time of such Penalty being incurred: Provided also, that over and above, and in addition to the said Penalty of Two hundred Pounds, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream communicating therewith or into any Reservoir, Aqueduct, Waterway, Feeder, or Pond belonging to or used or intended for the Supply of Water by the said Waterworks Company, 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 the said Waterworks Company, or by any other Person or Persons whatsoever, to the said Gaslight Company, and the said Gaslight Company shall not, within Twenty-four Hours after such Notice shall have been given to them as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Gaslight Company shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so 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 Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered, levied, and applied.

LVIII. Pro-

LVIII. Provided also, and be it further enacted, That it shall be lawful for the said Company, at any Time after the Tide in the Harbour of *Portsmouth* shall have ebbed One Half Hour, to drain or convey, or cause to be drained or conveyed, into the said Harbour, or into the Sea, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the Works of the said Company: Provided nevertheless, that if the said Company shall drain or convey, or cause to be drained or conveyed, any such Washings or other Liquids, Substances, or Things into the said Harbour before the Tide shall have so ebbed Half an Hour, such Company shall forfeit and pay for each and every Offence the Sum of Two hundred Pounds; and such Penalty shall and may be sued for, recovered, levied, and applied in such and the same Manner as any other Penalty or Forfeiture is by this Act directed to be sued for, recovered, levied, and applied.

Directing at what Time Liquids shall be drained or conducted into the Harbour of Portsmouth.

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

Accounts to be settled half-yearly.

Meetings to declare Dividends.

LX. And be it further enacted, That a Special Meeting may be called at any Time by the Committee of Management; and also, that Five or more Members of the said Company, holding in the aggregate One hundred 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 Member of the said Committee of Management, or left at his last or usual Place of Abode, require the Committee of Management to call a Special General Meeting, so as such Requisition fully express the Objects for which such Special General Meeting is required to be called; and in case of Neglect or Refusal of the said Committee to call such Meeting for the Space of Five Days after such Notice given as aforesaid, the same may be called by the said Members, by giving Five Days Notice thereof in some One or more Newspaper or Newspapers printed or circulated in the said County of *Southampton*.

Committee of Management, and also Five Proprietors possessed of One hundred Shares, may call a Special General Meeting.

LXI. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Infor-

For compelling the Attendance of Witnesses.

[Local.]

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mation

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

Proceedings
to be com-
menced
within Six
Calendar
Months.

LXII. 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 shall be given, or the Action shall be commenced, within Six Calendar Months next after such Offence committed.

Recovery and
Application
of Penalties.

LXIII. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the County or Place where the Offence shall have been committed, in a summary Way, and who is hereby authorized and empowered to convict the Offender or Offenders upon Information by the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal of such Justice; and One Moiety of the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, the reasonable Charge for such Distress and Sale being first deducted, shall, where not otherwise by this Act directed, be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the Parish wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish; and in case sufficient Distress cannot be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his or their Appearance before any Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Fourteen Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then and in such Case it shall be

be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol of the Borough of *Portsmouth* or House of Correction for the County of *Southampton* (as the Case may be) for any Time not exceeding Six Calendar Months.

LXIV. 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, Th at on the Day of
 ‘ is [or are] convicted before me [or us, as the Case shall be]
 ‘ of His Majesty’s Justices of the Peace for the Borough of Portsmouth
 ‘ or County of Southampton [as the Case may be], by virtue of an Act of
 ‘ Parliament, passed in the Second Year of the Reign of His Majesty
 ‘ King George the Fourth, intituled [here insert the Title of this Act], of
 ‘ having [specifying the Offence, and the Time and Place when and where
 ‘ the same was committed, as the Case may be] contrary to the said Act;
 ‘ and for which Offence 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 our Hands and Seals] (as the Case shall
 ‘ be) the Day and Year first above written.’

LXV. Provided always, and be it further enacted, That any Body or Bodies Corporate or Collegiate, or any Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Rule, Order, or Byelaw to be made by virtue of this Act, or any Alteration thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may appeal to the Justices of the Peace at their next General or Quarter Sessions of the Peace to be holden for the Borough of *Portsmouth* or County of *Southampton* (as the Case may be), the Person or Persons appealing having first given at least Ten clear Days Notice of such Appeal, and the 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 the said Borough or County (as the Case may be), with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the said Borough or County (as the Case may be), and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall adjudge 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. Appeal to be made to the Quarter Sessions.

LXVI. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, Party or Parties, to serve any Directing what shall be deemed a

Service of
Notice, &c.
on the Com-
pany.

any Notice or Notices, Demand or Demands, upon the said Company, or any Summons, Writ or Writs, or other legal Proceedings, the Service thereof upon any Member of the said Committee of Management, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, or at the Manufactory of the said Company, shall be deemed sufficient Service of the same respectively on the said Company.

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

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

Justices of
the Peace to
act within
their own
Jurisdictions.

LXVIII. And be it further enacted, That all Powers and Authorities by this Act given to and vested in any Justice or Justices of the Peace shall be exercised and executed by such Justice or Justices within the Limits of their respective Jurisdictions only, and not elsewhere.

Expenses of
Act how to
be paid.

LXIX. And be it further enacted, That all the Costs, Charges, and Expenses attending the applying for, obtaining, and passing of this Act shall be paid and discharged out of the Monies to be subscribed by virtue of this Act.

General
Saving of
Rights.

LXX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, all Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made: Saving always to the Mayor, Aldermen, and Burgesses of the Borough of *Portsmouth*, and their Successors, and to the Trustees acting under the said recited Act, and to the Commissioners for paving the Town of *Portsmouth*, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made.

Public Act.

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

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