



ANNO TERTIO

GEORGIIV. REGIS.

Cap. xxxiii.

An Act for lighting with Gas the Town and Borough
of *Stockton*, in the County of *Durham*.

[15th *May* 1822.]

WHEREAS the Town and Borough of *Stockton*, in the County of *Durham*, are large and populous : And whereas by an Act of Parliament passed in the First Year of the Reign of His present Majesty, intituled *An Act for lighting, cleansing, and otherwise improving the Town and Borough of Stockton, in the County of Durham*, the Commissioners thereby appointed are authorized and empowered from Time to Time to contract with any Person or Persons for furnishing and for lighting such Lamps as to them should seem necessary or proper for lighting all or any of the Streets, Squares, and other public Passages or Places within the said Town and Borough : And whereas Inflammable Air, Carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be procured from Coal, and such Inflammable Air and Gas may also be obtained from Oil or other Materials : And whereas the said Inflammable Air being conveyed by means of Pipes, may be safely and beneficially used for lighting the several Streets, Market Places, Courts, Yards, Passages, Lanes, and other Places ; and also for lighting private Houses, Offices, Shops, Counting Houses, Warehouses, and public Works and Manufactories, and other Buildings within the said Town and Borough, and the Liberties thereof : And whereas the lighting the said Town and Borough, and the Suburbs thereof with Gas, will very materially add to the Comfort and Accommodation of the Inhabitants thereof, and be of great

1 G. 4. c. lxii.

[*Local.*]

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public

public Utility ; and the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to effect the several Purposes aforesaid ; but such beneficial Purposes cannot be carried fully and completely into Execution without the Aid and Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Richard Ableson, Thomas Ayres, John Atkinson, Thomas Appleby, Robert Bald, William Braithwaite, Andrew Browne, Thomas Carr, John Coats, James Crowe, Sarah Christopher, John Christopher, Robert Cock, John Dixon, Sarah Davidson, Thomas Eeles, Thomas Fall, Thomas Fall the younger, Zachariah Fletcher, Thomas Robinson Grey, William Gent, Francis Humble, John Hutchinson, Martha Howson, Richard Jackson, Ann Jordison, Thomas Jennett, Robert Binks Jordison, William Johnson, William Jickill, John Lodge, Robert Lamb, Sampson Langdale the younger, George Lockwood, William Hilton Longstaff, Thomas Page, Thomas Place, John Procter, William Richmond, James Stuart Robson, Francis Richardson Richmond, Thomas Robinson, William Skinner, William Sleigh, William Skinner the younger, William Sleigh Jeweller, William Smith, John Stagg, John Smith, Thomas Story Clerk, Henry Story, George William Todd, Nathan Thompson, Thomas Allison Tennant, John Wilkinson Wharfinger, Elizabeth Wilkinson, Margaret Wilkinson, Hannah Wetherell, James Wade, John Wilkinson,* and all and every such other Person or Persons as shall from Time to Time become a Proprietor or Proprietors of the Undertaking hereby established, as herein-after is mentioned, their respective Successors, Executors, Administrators, and Assigns, shall be and are hereby united into a Company, and shall be one Body Politic and Corporate, by the Name of "*The Stockton Gas Light and Coke Company ;*" and by that Name shall have perpetual Succession, and a Common Seal ; and by that Name shall and may sue and be sued, plead and be impleaded at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanour, or other Offence indictable by the Laws of this Realm ; and that the said Company shall be established for the Purpose of making Inflammable Air or Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor and Essential Oil, and other Products, from Coal and other Substances, and shall have full Power to sell and dispose of the same respectively, in such manner as they shall think proper ; and that it shall and may be lawful for the said Company from Time to Time to enter into and to make any Contracts, or to agree with the Commissioners acting under the Act of Parliament before mentioned or recited, or with any Person or Persons, Bodies Politic, Corporate or Collegiate, or Corporations Aggregate or Sole, who may be willing to contract with the said Company for the lighting of any public Streets, Market Places, Courts, Yards, Passages, Lanes, and other Places, private Houses, Offices, Shops, Counting Houses, Warehouses, public Works and Manufactories, and other Buildings, or any of them, within the said Town and Borough and the Liberties thereof, or any or either of them.

Proprietors.

Company incorporated.

Their Style, and to have a Common Seal.

II. And be it further enacted, That in order to enable the said Company to construct or make Gasometers and other necessary Works, and to erect any Manufactory or Manufactories, or other Buildings for the Purposes of this Act, it shall and may be lawful to and for the said Company, or their Committee of Management, to be appointed as herein-after directed, and they are hereby empowered to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town and Borough and the Liberties thereof (not exceeding the Quantity of Three Statute Acres in the whole) with any Person or Persons, Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or with any Wardens, Feoffees in Trust for charitable or other Uses, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees or Persons 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 Issues unborn, Lunatics, Idiots, Femes Covert, or other Person or 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, 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; and upon Payment of the Purchase Money for any such Lands, Tenements, or Hereditaments to the Parties or Persons respectively entitled thereto, or upon Payment thereof in manner herein-after by this Act directed (as the Case may be), such Lands, Tenements, and Hereditaments may be taken and used for the Purposes of this Act; and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title, Claim or Reversion to such Lands, Tenements, or Hereditaments, and the same Lands, Tenements or Hereditaments shall vest in the *Stockton Gas Light and Coke Company* and their Successors; and it shall and may be lawful to and for the said Company to hold such Lands, Tenements, and Hereditaments, and any Term, Right, and Interest therein so purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever.

Power to contract for the Purchase of Lands and Buildings.

III. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Wardens, Feoffees in Trust for charitable or other Uses, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees and Persons whomsoever, not only for and on Behalf of themselves their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall

Bodies Politic empowered to sell.

shall at any Time 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 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 and their Successors, for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law; any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Wardens, Feoffees in Trust for charitable or other Uses, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons is and are and shall be indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

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

IV. And be it further enacted, That if there shall be any Money to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, Tenant for Life or in Tail, Warden, Feoffee, Trustee, Feme Covert, Infant, Lunatic, Idiot, 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 *Stockton Gas Light and Coke Company*, together with the Name or Names of such Person or Persons as any Three or more of the Committee of Management of the said Company shall by Writing signed by them direct or appoint, to the Intent that such Money may 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

other Incumbrance, or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Messuages, Lands, Tenements, and Hereditaments which shall be 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 High 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 the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were then actually made.

V. Provided always, and be it further enacted, That if any Money 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, or Collegiate, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under any Disability or Incapacity as aforesaid (except 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 said Committee of Management, (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends to arise thereon, 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.

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

[*Local.*]

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VI. Pro-

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

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

In Cases of
questionable
Title to Pur-
chase Money,
Persons in
Possession of
the Lands to
be deemed
entitled
thereto, until
the contrary
shall be
shown.

VII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the 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 and Interest in any Lands, Tenements or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments 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; 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 Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

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

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

Sales and
Conveyances
to be made.

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

“ I [or we, as the Case may be] of _____ in Considera-
 ‘ tion of the Sum of _____ to me [or us, or otherwise, as
 ‘ the Case may be] paid by “ The Stockton Gas Light and Coke Com-
 ‘ pany,” established under or by virtue of an Act, passed in the Third
 ‘ Year of the Reign of His Majesty, King George the Fourth, intituled
 ‘ An Act, [here insert the Title of this Act,] do hereby grant and release
 ‘ [or assign, as the Case may be] to the said Company of Proprietors and
 ‘ their Successors, all [here describe the Premises to be conveyed,] and
 ‘ all my [or our] Right, Title and Interest in and to the same, and
 ‘ every Part thereof: To hold to the said Company of Proprietors and
 ‘ their Successors for ever [or as the Case may be] during all the Re-
 ‘ mainder of my [or our] Term, Estate, and Interest in the said Pre-
 ‘ mises. In Witness whereof I [or we] have hereunto set my Hand
 ‘ and Seal [or our Hands and Seals] this _____ Day of
 ‘ _____ in the Year of our Lord _____ ”

Form of
Conveyance.

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

Re-sale of
Lands incon-
venient, or
not wanted.

XI. 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 Three thousand six hundred Pounds, and that the said Company shall not exercise the Powers granted by this Act until the whole of the said Sum of Three thousand six hundred Pounds shall have been subscribed for that Purpose; but that the said Capital or Joint Stock of the said Company may be augmented under the Provision herein-after in that Behalf contained.

Company to
raise the Sum
of 3,600*l.*

XII. And be it further enacted, That all and every Person and Persons by or for whom any Subscription shall be made or accepted, or any

Subscribers
to share the
Stock in

Proportion to
their Sub-
scriptions.

any Payment made pursuant to the Orders of any General Meeting or Meetings to be held by the said Company for that Purpose, for or towards the raising of the said Capital Sum of Three thousand six hundred Pounds as aforesaid, his, her or their Executors, Administrators and Assigns respectively, shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Company, in proportion to the Monies which he, she, or they shall have so contributed towards making up the same, and shall have and be entitled to a proportionable Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors in the same.

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

XIII. And be it further enacted, That the Lands and Hereditaments, Manufactories, Gasometers, Machinery, Apparatus and Works of the said Company and their Successors, shall be liable and answerable for the just Debts and Demands of the Creditors of the said Company; and that the several Persons composing the said Company shall severally and respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company to the full Amount of their several and respective Shares in the Capital of the said Joint Stock, and not further or otherwise.

Stock to be
divided into
Shares of 25*l.*
Sterling each,
and to be
Personal
Estate.

XIV. And be it further enacted, That the said Sum of Three thousand six hundred Pounds shall be divided into Shares of Twenty-five Pounds Sterling each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Twenty-five Pounds Sterling; 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 as such Personal Estate shall be transmissible accordingly.

Power to
raise 900*l.*
more, if re-
quired, by
Loan or new
Shares.

XV. And be it further enacted, That in case the aforesaid Sum of Three thousand six hundred Pounds shall be found insufficient for the Purposes of this Act, then and in such Case it shall be lawful for the said Company, from Time to Time, to raise any further Sum or Sums of Money for completing their said Undertaking, not exceeding in the Whole the Sum of Nine hundred Pounds, either by way of Loan on Security of the Property and Effects belonging to the said Company, or by raising and creating new and additional Shares in the said Concern, or by both of the said Ways and Methods; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Nine hundred Pounds by way of Loan, then it shall be lawful for the said Company, or their said Committee of Management for the Time being, by and with the Advice and Direction of any General or Special Assembly of the said Company, to be held according to the Directions of this Act, to borrow and take up the same at Interest for the Use of the said Company, and thereupon to grant, execute and deliver to or in favour of the Lenders thereof such Mortgages, Bonds, Obligations, Debentures, or other Securities in Writing, as may be required, thereby binding the said Company, and the Estates, Stock in Trade, and the Income and Profit thereof, for the Repayment of the Sum or Sums borrowed, with Interest for the same, upon such Terms and Conditions, not being

being contrary to the Laws of this Realm, as shall be mutually agreed upon in that Behalf between the said Company and the Lenders of such Money; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Nine hundred Pounds by the Creation of new and additional Shares in the said Concern, then it shall be lawful for the said Company to raise the same, either amongst themselves in such Proportions as to them shall seem meet, or by the Admission of new Subscribers into the said Concern, and for such Purpose to create such Number of new and additional Shares of Twenty-five Pounds each as may be deemed expedient; and every Subscriber towards raising such further Sum by Shares shall be a Proprietor in the said Undertaking, and stand interested in all the Profits, Privileges, and Advantages of the said Undertaking, and shall be liable to the like Burthens in proportion to the Amount of his or her Subscription, as generally and extensively to all Intents and Purposes as if the same had been originally Part of the said Capital Stock of Three thousand six hundred Pounds; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

XVI. And be it further enacted, That the several Persons who have subscribed for or towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to or by virtue of the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such manner as shall be ordered and directed by the Committee of Management herein-after mentioned; and in case any Person or Persons shall refuse to pay any such Money at such Times and in such manner as shall be ordered and directed by the Committee of Management as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise in either of His Majesty's Courts of Record at *Westminster*, or the Court of Pleas at *Durham*, 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 Share in the said undertaking, then from all, any, or either of such Persons; and in which Action no Essoign, Protection, or Wager of Law, or more than One Imparance shall be allowed.

For enforcing Payment of the Sums subscribed.

XVII. And be it further enacted, That the said Company, or their Committee of Management, shall and they are hereby required to cause the Names and Designations of the several Persons who have subscribed for, or may at any Time hereafter be entitled to a Share or Shares in the said Undertaking, with the Number of such Share or Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by their Clerk; and after such Entry, a Certificate under the Common Seal of the said Company shall be 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

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

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 the Owner from selling or disposing of such Share or Shares, or from enjoying every other Benefit to which he or she may be entitled as the Owner thereof.

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

XVIII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as a Proprietor of such Share or Shares, shall for the Purposes of this Act be deemed and taken to be the Owner or Proprietor of such Share or Shares, and all Notices hereby required to be given to the Owner or Proprietor of any Share or Shares in the said Company, shall and may be given to such Person whose Name shall so stand first in the Books of the said Company; and such Notice to such Person shall be deemed and taken to be a Notice to all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Notice is intended to be given to the Owner or Proprietor or Owners or Proprietors of any such Share or Shares; and that such Owners or Proprietors shall be entitled to give their Vote or Votes in respect thereof, by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares; and his or her Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

For ascertaining the Proprietorship of Shares in certain Cases.

XIX. And whereas it may happen that the original Holder or Proprietor of One or more Share or Shares in the said Undertaking, may die, become Insolvent or Bankrupt, or go out of the Kingdom, or may transfer his or her Right and Interest to some other Person, and no Register be made of the Transfer thereof with the Clerk of the said Company, so that it may not be in the Power of the said Company, or any Officer acting for the said Company, to ascertain who is or are the actual Owner or Proprietor, Owners or Proprietors, of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors or Assigns, Notice or Notices of Calls to be made on such Share or Shares, or to maintain any Action or Actions, Suit or other Proceedings against him, her, or them, or his, her, or their Executors, Administrators, Successors or Assigns, for Recovery of the same, or for the Purpose of safely paying to him, her, or them, or his, her, or their Executors, Administrators, Successors or Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore 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 and Conveyance thereof, in the Form and Manner herein-after specified, an Affidavit shall be made and sworn to by Two credible Persons, before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace, stating the

Manner in which such Share or Shares have or hath passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors or Assigns, and such Affidavit shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Undertaking, to be kept in the Office of the Clerk to the said Company; and in all or any of the said Cases, it shall be lawful for the Committee of Management, after Three Calendar Month's Notice in Writing shall have been given by the Treasurer or Clerk to the Owner or Owners, or Person or Persons claiming by such Affidavit to be Owner or Owners thereof, or left at his, her, or their last or usual Place of Abode, to pay his, her, or their Proportion of Money so to be called for; and if such Person or Persons, his, her, or their Executors, Administrators, Successors or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the said Committee of Management, at any Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited; and that in such Case the same shall be and become forfeited, and shall and may be sold and disposed of in such manner as the said Subscribers or Proprietors at any Meeting or Meetings shall direct, or otherwise shall become consolidated in the General Fund of the said Company.

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

Shares may be transferred.

‘ I [or we] of in Consideration of the
 ‘ Sum of paid to me [or us] by
 ‘ of do hereby bargain, sell, assign and
 ‘ transfer to the said the Sum of
 ‘ Capital Stock of and in the *Stockton Gas Light and Coke Company*,
 ‘ being my [or our] Share [or Shares,] Number [or Numbers] therein,
 ‘ to hold to the said his Executors, Administrators and
 ‘ Assigns, subject to the same Rules, Orders and Restrictions, and
 ‘ on the same Conditions as I [or we] held the same immediately before
 ‘ the Execution hereof; and I [or we] the said do
 ‘ hereby agree to take and accept the said Share [or Shares,] subject
 ‘ to the same Rules, Orders, Restrictions and Conditions. As witness
 ‘ my Hand and Seal [or our Hands and Seals,] this Day
 ‘ of in the Year of our Lord

Form of Transfer.

And every such Transfer shall be registered in the Books of the said Company, by an Entry of the Date, Names of the Parties, and the Number of Shares transferred, for which Entry or Registering the Sum of Two Shillings and Sixpence, and no more, shall be paid to the Clerk or other Officer making the same; and a Copy of such Register, signed by the Clerk, or other such Officer of the said Company, shall be sufficient Evidence of every such Sale and Transfer, and shall be accounted as such in all Disputes, and in all Trials before any Court, and

Transfers to be registered.

and by all Judges, Justices and others, in the United Kingdom; and that until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares in the said Undertaking, or in the Profits and Advantages thereof, shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking.

Committee
of Manage-
ment.

XXI. And be it further enacted, That *Thomas Ayres, Robert Bald, John Dixon, Thomas Eeles, Thomas Jennett, Richard Jackson, William Richmond, Thomas Storey* Clerk; *George William Todd*, and *John Wilkinson*, shall be and they are hereby constituted and appointed the First Committee of Management for managing the Affairs of the said Company.

Committee
to serve until
the first
Annual
Meeting of
Proprietors
after the
Completion
of Works,
and subse-
quent Com-
mittees One
Year.

XXII. And be it further enacted, That the several Persons herein-before nominated, constituted, and appointed the First Committee of Management, shall continue in Office and be respectively Members of the said Committee until the First General Yearly Meeting of the Proprietors of the said Undertaking which shall take place next after the passing of this Act, and until others shall be appointed in their or any of their Stead, as herein-after mentioned; and at the Expiration of such Period Three of the Members hereby nominated, to be determined by Ballot at such First Yearly Meeting of the said Proprietors, shall go out of Office, and Three Persons duly qualified shall, in manner herein-after mentioned, be elected and appointed Members of the said Committee; and at the Expiration of the next succeeding Year Three other of the Members herein-before nominated, to be also determined by Ballot at the Second Yearly Meeting of the said Proprietors, shall go out of Office, and Three Persons duly qualified shall in like manner be elected and appointed Members of the said Committee; and at the Expiration of the following and in every subsequent Year Three of the Members of the said Committee who shall have been longest in Office shall at the End of each Year go out of Office, and their Places be supplied in like manner, except in the Case of any Member of the said Committee who shall have been chosen in the Place or Stead of any deceased Member, or other Member having become disqualified or refusing or neglecting to act, in which Case such Member so chosen in the Place and Stead of such deceased Member, or other Member becoming disqualified or refusing or neglecting to act, shall go out of Office at such Time as the Member in whose Place and Stead he shall have been so chosen would have gone out of Office under the Provisions of this Act; and every such Election of Members of the said Committee of Management shall be made by Ballot at a General Yearly Meeting of the said Company, to be held pursuant to the Directions of this Act.

Members
may be re-
elected.

XXIII. Provided always, and be it further enacted, That the Person or Persons who shall have served or acted upon the said Committee, and who, by the Expiration of the Term of Service, Rotation, or otherwise, shall go out of Office, shall and may, notwithstanding such Service or the Expiration of such Term, if otherwise properly

properly qualified, be eligible to be re-elected to and to serve and act as a Member or Members of the said Committee of Management.

XXIV. Provided also, and be it further enacted, That no Person shall be qualified to be elected a Member of the said Committee unless such Person shall have subscribed for or have been possessed of at least Two Shares in the said Undertaking for the Space of Three Calendar Months previous to such Election, nor unless the said Number of Two Shares be entered and continue in the Name of such Person in the Books of the said Company; and if such Person, having been duly qualified at the Time of such Election, shall afterwards cease to be possessed of such Number of Shares in the said Undertaking, such Person shall from thenceforth be disqualified from serving or acting upon the said Committee: Provided also, that no Person shall be qualified to be elected, nor to serve or act as a Member of the said Committee, who shall hold any Place of Profit, or be concerned or interested in any Contract or Contracts under the said Company, or shall be a Dealer either directly or indirectly, or be concerned in any thing manufactured or made use of by the said Company, but such Restriction shall not be construed so as to prevent the Treasurer or Treasurers for the Time being of the said Company from being elected upon or from serving or acting as a Member of the said Committee.

Persons holding less than Two Shares disqualified.

XXV. And be it further enacted, That when and so often as any Member of the Committee of Management appointed by this Act, or hereafter to be elected by virtue thereof, shall die or become disqualified, or shall refuse or neglect to attend the Meetings of the said Committee for the Space of Twelve Calendar Months, it shall be lawful for the said Company, at any General or Special Meeting to be called and held pursuant to the Directions of this Act, to elect some other Proprietor, duly qualified according to the Directions of this Act, to be a Member of the said Committee; and every such Proprietor so elected to fill any such Vacancy shall continue in his 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.

For supplying Vacancies in Committee.

XXVI. And be it further enacted, That the said Committee of Management shall and may hold their First Meeting on the Second *Thursday* next after the passing of this Act, at the Inn or Public House in *Stockton* aforesaid called by the Name of the *Town House*, at Eleven of the Clock in the Forenoon, and shall have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time and from Place to Place, as they shall think fit; and at every Meeting One of the Members of the said Committee present at such Meeting shall be elected Chairman; and 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 the Members then present, not disqualified under the Provisions of this Act from voting upon such Question, the Number present not being less than

Meetings of the Committee, and Regulations for their Proceedings,

[*Local.*]

11 S

Three;

Three; and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and that if on the Day appointed for any Meeting of the said Committee, Three Members qualified to vote shall not attend, that then and in every such Case the Meeting shall be adjourned till the next Day, if not a *Sunday*, and if the next Day shall 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 if by Accident or Neglect, or from any other Cause, such Committee or their Clerk or other Person shall omit to adjourn any Meeting, it shall be lawful for any Three or more Members of the said Committee to revive the Meetings of the said Committee, by calling a Meeting in such Mode as is herein-after directed with respect to calling a Special Meeting of the said Committee, and such revived Committee may be adjourned from Time to Time, and Place to Place, in the same Manner as the Meetings of the said Committee are before authorized to be held and adjourned; and that any Three or more Members of the Committee may at any Time, when they shall think fit, call a Special Meeting of the Committee, by Notice in Writing, signed by Three or more Members, to be sent by the Post or otherwise, to the Residence or Address of every Member of such Committee.

Power of
Committee.

XXVII. And be it further enacted, That the Committee of Management of the said Company for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority at any Time to call a Special General Meeting of the said Company, for any Purpose they may think proper, and to appoint the Place of holding General or Special Meetings; and to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, or laying out and disposing of all such Sums of Money, to be issued or received, laid out or disposed of, for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods and Chattels for the Use of the said Undertaking; and in making and entering into Contracts or Agreements for lighting the Streets, Market Places, Lanes, Ways and other Places, and public and private Houses or Buildings, within the said Town and Borough of *Stockton*, and the Liberties thereof as aforesaid; and nominating, appointing, electing, placing or displacing any Officer, Workman, Agent or Servant of the said Company, (not being a Treasurer, Engineer or Clerk of the said Company, who are to be elected and appointed and displaced at a General Meeting of the said Company as herein-after mentioned,) with such Salary, Gratuity, Wages or Recompence as to the said Committee shall seem proper; and in ordering, directing and employing the Works and Workmen, and in selling, and disposing of all Articles produced as aforesaid, and in making, enforcing and rescinding all Contracts and Bargains touching or in anywise concerning the same, subject to such Orders, Bye Laws, Rules and Regulations, as shall at any Time be duly made by the said Company, in Restraint, Controul or Regulation of the Powers and Authorities by the said Act granted.

XXVIII. And

XXVIII. And be it further enacted, That the said Committee shall have full Power to make such Call or Calls for Money from the several Proprietors of the said Undertaking, their Executors, Administrators, Successors and Assigns, as such Committee shall from Time to Time find requisite and necessary for the Purpose of the said Undertaking, so that no one such Call do exceed the Sum of Five Pounds for or in respect of any one Share of Twenty-five Pounds, and so that no Call or Calls be made but at the Distance of One Calendar Month at least from each other; and that the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer 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 Seven Days previous Notice shall be given by Letter from the Clerk of the said Company, sent by the Post, or in such other manner as the said Committee shall direct or appoint in that Behalf; and if any Person or Persons shall refuse or neglect to pay his, her, or their Proportion of the Money to be called for by the Space of Twenty Days next after the Time appointed for Payment thereof, together with lawful Interest for the same from such appointed Time of Payment, then and in that Case such Share or Shares shall be forfeited, and all the Profit and Benefit thereof shall be vested in the said Company, their Successors and Assigns, to and for the Uses and Purposes herein-after mentioned; but no Advantage shall be taken of such Forfeiture until personal Notice in Writing, under the Hand of the Clerk or Treasurer of the said Company, shall have been given to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively; and which Notice shall contain a Statement and Account of the Money due from such Person or Persons for such Call or Calls, in respect of his, her, or their Share or Shares in the said Undertaking, exclusive of the Interest thereon; and such Share or Shares shall be redeemable if the Owner or Owners thereof shall, within One Calendar Month next after the Delivery of such Notice, pay to the Committee of Management, or the Treasurer of the said Company, the full Amount of Money due thereon for such Call or Calls as aforesaid, and legal Interest for the same, and all Expences attending the Application for the same as aforesaid.

Committee
to make
Calls.

On Non-pay-
ment of Calls,
Shares to be
forfeited.

No Share to
be forfeited
until after
Notice to the
Owner.

XXIX. And be it further enacted, That when any Share or Shares of the said Undertaking shall by virtue of this Act have become forfeited to or vested in the said Company as last aforesaid, then and in every such Case it shall and may be lawful to and for the Committee of Management for the Time being, and they are hereby authorized and empowered from Time to Time to sell or cause to be sold by public Auction or private Contract, and by Writing under the Common Seal of the said Company, to assign and transfer such and so many of the Share or Shares of such Defaulter or Defaulters as the said Committee shall from Time to Time find necessary, and direct to be sold unto such Person or Persons as shall become the Purchaser or Purchasers thereof, his, her, or their Executors, Administrators, and Assigns; and such Transfers and Assignments shall be good, valid, and effectual against the Owner or Owners of every such Share or Shares so forfeited to or vested in the said Company and sold as aforesaid, and all Persons claiming under him, her, or them: Provided always, that in

Company
empowered
to sell Shares
become for-
feited as
aforesaid.

If the Pur-
chase Money
or such
case

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

Shares unsold to revert to the former Owners.

Executors and Administrators indemnified on paying Calls.

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

Regulations as to General and Special Meetings, and Adjournments, &c.

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

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

XXXI. Provided always, and be it further enacted, That after a 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 called for in respect of his, her, or their Share or Shares intended to be sold shall be paid; and that until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void.

XXXII. And be it further enacted, That the Proprietors of Shares in the said Undertaking shall assemble at the said Public House, called the Town House, in *Stockton* aforesaid, on the Third *Thursday* next after the passing of this Act, at Eleven of the Clock in the Forenoon, and shall then and there proceed in the Execution of this Act, and shall and may adjourn to or shall assemble at such other Times and Places as they shall be duly convened to in manner herein-after mentioned; and every such Assembly shall be called or styled a General Meeting, and One such Meeting shall be held yearly in every Year, on the First *Thursday* in the Month of *April*, between the Hours

of Ten and Twelve in the Forenoon; and the First of the said Yearly Meetings shall be held on the First *Thursday* in the Month of *April* which shall next happen after the passing of this Act, and shall be styled the First Yearly General Meeting, and the next Yearly General Meeting shall be held on the First *Thursday* in the Month of *April* in the succeeding Year, and so on successively; and that Three or more of the said Proprietors, holding in the Aggregate not less than Six Shares in the said Joint Stock, may at any Time, by Notice in Writing under their Hands, call a Special or General Meeting, so as such Notice fully express the Object for which such Meeting shall be called, and so as such Notice be advertised in some One Newspaper printed or circulated in the said County of *Durham*, or be given to each Proprietor, or left at his or their usual Place of Abode, Seven Days at least before the Day of Meeting; and that every General Meeting may be adjourned from Time to Time and from Place to Place as shall be found expedient, and that at least Seven Days previous Notice of every General Meeting, and Seven Days previous Notice of the Day to which every General Meeting shall be adjourned shall be given; and that at every such General or Special Meeting a Chairman shall be appointed, and all Questions shall be decided by a Majority of Votes of the Proprietors and Proxies present, and not declining to vote, according to their respective Number of Shares, (that is to say) One Vote may be given for and in respect of every Share; nor shall any Person be entitled to vote at any General or Special Meeting of the said Company, or any Adjournment thereof, in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person or Persons shall have fully paid and satisfied all Arrears of Money which shall or may become due in pursuance of any Call or Calls made or to be made by the said Committee of Management, for or in respect of such Share or Shares, nor shall any Person vote at any of the Meetings of the said Company upon any Question or Questions relating to the Concerns of the said Undertaking in which such Person or Persons shall be interested, otherwise than as a Subscriber or Subscribers, Proprietor or Proprietors to or of the said Undertaking; and that upon any Difference of Opinion any Proprietor present may require the Votes at any General or Special Meeting of the said Company to be taken by Ballot, but no Ballot shall be kept open for more than Two Hours, and that the Chairman of every such Meeting shall be entitled to vote; and in case the Number of Votes, including the Chairman's Vote, shall be equal, such Chairman shall also have the decisive or casting Vote; and if at any General or Special Meeting a sufficient Number of Proprietors to act or adjourn (Seven Proprietors being hereby declared sufficient to act, and Three only for the Purpose of Adjournment) shall not assemble and proceed to Business in One Hour from the Time appointed for such Meeting, or if such sufficient Number be not present when the Whole or any Part of the Business to be transacted shall be decided, the Meeting shall stand adjourned to the same Day in the following Week, or may be held on some other Day to be appointed by the Committee of Management, or any Three or more of them.

Manner of
Voting.

Chairman to
have a cast-
ing Vote in
certain Cases.

XXXIII. And be it further enacted, That any Female Proprietor of One or more Share or Shares in the said Joint Stock, being of the
 [Local.] 11 T Age Empowering Proprietors to vote by

nevertheless, be subject to such Appropriation for raising the Sum of One thousand Pounds Sterling, as is herein-after directed: Provided always; that no Dividend shall be declared, or paid, until the General Yearly Meeting which shall be holden next after the passing of this Act; provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any Degree reduced or impaired; 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; and when a Dividend or Dividends shall be declared upon the clear Profits of the said Undertaking, according to the Directions herein-before in that Behalf contained, then and in such Case there shall be set apart from the said Dividend or Dividends a Sum equivalent to Twenty Pounds *per Centum* upon the Amount thereof; until the Sum of One thousand Pounds Sterling, but no more, shall be raised as a Fund for answering Contingencies; and such Per-centage which shall be reserved in Manner aforesaid, shall from Time to Time be placed at Interest on such Government Security or Securities, as the said Company shall for that Purpose order or direct; and the Interest or Dividends of such Sum or Sums of Money so to be invested shall be divided amongst the said Proprietors of the said Company, according to the Amount of Capital which they shall severally have invested in the said Undertaking; but if by Accident, or any unforeseen Event which may happen to the Works of the said Company, or to any Apparatus or other Works belonging thereto, or by any other Contingency which may happen or arise, the said Sum of One thousand Pounds Sterling shall be reduced, in order to repair, make good or provide for the same, then a further Appropriation, to be calculated according to the Rate herein-before directed for raising the original Sum, shall be again made out of the Dividend or Dividends to be from Time to Time declared upon the Profits of the said Undertaking, until that Part thereof which shall have been so expended shall be replaced, or until another Sum of not less than One thousand Pounds Sterling shall be set apart as aforesaid.

A Per-cent-
age to be set
apart from
Dividends
for raising a
Sinking Fund
of 1,000*l.* to
meet Con-
tingencies.

XXXV. And be it further enacted, That in all Cases where Money shall be payable under the Provisions of this Act, to any Proprietor in the said Undertaking, who shall be a Minor under the Age of Twenty-one Years, the Receipt of the Parent or Guardian for the Time being of such Minor shall be a sufficient Discharge to the said Company and their Treasurer for the same.

Receipt of
Parents or
Guardians of
Minor Sub-
scribers to
be a sufficient
Discharge to
the Company.

XXXVI. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time at any of their General or Special Meetings as aforesaid, to make such Rules, Orders, and Bye Laws, as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of the said Committee of Management, and for the regulating of all Officers, Workmen and Servants, to be employed in or about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking, in all respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders and Bye Laws, or any of them, and to make others, and to impose

General
Meetings
may make
Bye Laws.

impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Company at a General or Special Meeting shall seem meet and expedient; and all Rules, Orders, and Bye Laws so made as aforesaid (being reduced into Writing, and the Common Seal of the said Company thereto affixed) shall be binding upon all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye Laws be not repugnant to the Laws of this Realm, or any of the express Directions or Provisions of this Act; provided also, that Copies of such Rules, Orders, and Bye Laws shall be printed, affixed, and continued in the Office or other conspicuous Part of the Buildings and Premises of the said Company; and all such Rules, Orders, and Bye Laws shall be subject to Appeal in manner by this Act directed.

Appoint-
ment of Offi-
cers of the
Company.

XXXVII. And be it further enacted, That at the First General Meeting of the Proprietors of the said Undertaking a Treasurer, Clerk, and Engineer shall be appointed to act, until the First Yearly Meeting which shall take place next after the passing of this Act, and until others shall be appointed in their respective Places in pursuance of this Act; and that at such Yearly Meeting, and all succeeding Yearly Meetings, or some Adjournment thereof, the Members present shall elect a Treasurer or Treasurers, Clerk or Clerks, Engineer or Engineers to the said Company; and any General or Special Meeting after the First Yearly Meeting which shall take place from the passing of this Act shall and may from Time to Time dismiss, remove, or suspend such Treasurer, Clerk, or Engineer as they shall think fit, and appoint any other Person or Persons in his or their stead; and the said Offices of Treasurer, Clerk, and Engineer shall be annual Offices from the Period aforesaid; and the Persons appointed to fill the same shall not, after the Expiration of the Appointments made by this Act, be elected for a longer Period than One Year or until others shall be appointed in their respective Places; but such Appointments may be renewed at the Pleasure of such General Meeting, if they should be desirous of re-electing such Treasurer, Clerk, or Engineer: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer, Receiver, or Collector for any of the Purposes of this Act, for the faithful Execution of their respective Offices, before they shall enter thereupon respectively.

Treasurer,
&c. to give
Security.

Same Person
not to act as
Clerk and
Treasurer.

XXXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, 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, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed.

XXXIX. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders in Writing signed by the Chairman of the Committee of Management for the Time being, and Two Members at least of the said Committee present at some Meeting of the said Committee of Management.

Treasurer, &c. not to issue Money without an Order, &c.

XL. And be it further enacted, That the Orders and Proceedings of every Meeting, as well of the Company as of the Managing Committee, shall be entered by the Clerk in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered and signed by the Chairman of the said Meeting, and the Clerk of the said Company, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others; and that no Business shall be transacted at any Special General Meeting besides the Business for which it shall have been called; and no other Business shall be transacted at any adjourned Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

Proceedings to be entered.

XLI. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special Meetings of Proprietors, or any Adjournments thereof respectively, or to any of the said Proprietors, and not herein otherwise provided for, shall be given by Advertisement, to be inserted in some one Newspaper printed or circulated in the said County of *Durham*, or by Letters from the Clerk of the said Company, sent by the Post to or left at the usual Place of Abode of the Proprietors respectively, and that such Notices, when so published or given, shall be deemed and considered the same as Personal Notices.

Notice of Meetings, &c. how to be given.

XLII. And be it further enacted, That for the Purpose of carrying this Act into Execution it shall be lawful for the said Company and their Successors, or their Committee of Management for the Time being, and they are hereby fully authorized and empowered, by their Engineer, Servants, Agents, Workmen and others, from Time to Time to make and erect such Buildings, Retorts, Gasometers, Receivers, Cisterns, Engines, Machines and other Works and Apparatus, upon any of the Lands, Tenements or Hereditaments which may be purchased for that Purpose as aforesaid, as the said Company, or their Committee of Management for the Time being, shall from Time to Time deem expedient or proper; and also to erect, set up, place and affix any Posts, Pillars, Pilasters, Lamp Irons, Lamps and other

Power to break up the Soil and Pavement of Streets, and for laying Pipes and lighting Houses, &c.

Apparatus in any of the said Streets, Lanes, Roads, Passages and public Places, or upon or against the Walls of any Dwelling Houses or other Buildings therein, either public or private; and also to break up the Soil and Pavement of any Streets, Highways, Roads, Ways, Lanes, Passages and other public Places, or any Part of them, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stop-cocks Syphons, Plugs or Branches from such Pipes, and to form, lay and make any Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices, in, under, across, along and upon such Place or Places as aforesaid, in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Light as aforesaid; and from Time to Time to alter the Position of, and to repair, relay, remake, and maintain such Pipes, Stop-cocks, Syphons, and Plugs, or Branches, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices; and 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, Lane, Road, Passage or other Place by the said Company, by virtue of this Act, in, to, or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same, or any public or private Lamp from any of such Mains or Pipes, and to erect and set up any other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring or ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been placed, or which shall be injured or damaged, and to do all such Acts, Matters and Things as the said Company and their Successors shall from Time to Time think necessary and convenient for completing and amending, repairing, improving, supplying and sustaining the same; provided a proper Compensation be made for any Damage which may be done thereby, but nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes through or against any Dwelling House or Houses, Manufactory, public or private Buildings, Hereditaments and Premises, or continue the same when so carried or laid down, for the Purpose of lighting the same, or any other Dwelling House or Houses, Manufactory, or public or private Buildings, Hereditaments, and Premises, without the Consent in Writing of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public or private Building, Hereditaments and Premises through or against which any Pipe or Pipes may be carried or laid for the Purposes aforesaid, nor to authorize or empower the said Company to carry or lay any Pipe or Pipes through, in, or upon any private Lands or Grounds, without the Consent in Writing of the Owner and Occupier thereof.

Workmen
laying Pipes
to make good
the Pavement.

XLIII. Provided always, and be it further enacted, That the said Company of Proprietors or their Workmen, in laying or repairing any such Mains, Pipes, Plugs, Cocks, Syphons, or Branches, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works, shall do as little Damage as may be, and shall forthwith fill in the Trenches, and make good the Pavement and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains,

Sewers,

Sewers, or Cuts which may be made for carrying off the Washings or Waste Liquids, without any Delay; and shall in the meantime fence or guard and affix sufficient Lights, during the Night, at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle and Carriages; provided also that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or any of their Agents, Officers, or Servants, or any other Person or Persons acting by or under their Authority in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads, then and in every such Case it shall and may be lawful to and for the Commissioners acting under the said Act passed in the First Year of the Reign of His present Majesty, or their Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Commissioners, and to and for any other Person or Persons, Body or Bodies Politic, having the Care and Management of the Highways or Turnpike Roads for the Time being where such Delay shall happen, or any other Person or Persons acting by or under his or their Authority, to fill in such Grounds, and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage, or Place so broken up, and properly to guard and fence every such Trench, and to place and maintain every such Light and Lights during the Night as to him or them shall appear necessary for the Purposes aforesaid, and that the reasonable Costs and Charges thereof shall be paid by the said Company or their Treasurer; and that in Default of Payment thereof for Ten Days next after Demand shall be made by such Surveyor, or other Person acting by or under the Authority of the said Commissioners, or having the Care and Management of the Highways or Turnpike Roads where such Delay shall happen, Proof of such Demand being made by the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Durham* (and which Oath such Justice or Justices is and are hereby authorized to administer), all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds, by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand or Seal or Hands and Seals of any such Justice or Justices of the Peace for the said County of *Durham*, and which Warrant such Justice and Justices is and are hereby empowered to grant, and such Costs, Charges, and Expences shall be paid to such Surveyor or other Person by whom such Demand is hereby authorized to be made.

Provision in case of Default.

XLIV. Provided always, and be it further enacted, That the said Company shall at their own Expence, 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 or on Behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, remove, take, and carry away, or cause to

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

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 in or against any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, pursuant to the Power for that Purpose hereinbefore contained, and repair and make good such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, where the same shall have been so introduced; any thing herein contained to the contrary thereof in anywise notwithstanding; and in Default thereof it shall be lawful 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 the same shall be immediately paid by the said Company, 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 One Calendar Month next after Demand shall be made by such Owner or Owners, Occupier or Occupiers (Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said County of *Durham*, and which Oath such Justice or Justices is and are hereby authorized to administer), all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the said County, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may require.

For stopping
the Escape
of Gas.

XLV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall, at their own Expence, immediately after receiving Notice in Writing, or by Parol, of any such Escape of Gas, from any Inhabitant or Inhabitants of the said Town or Borough of *Stockton*, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not within Twenty-four Hours next after such Notice being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and fully and satisfactorily remove the Cause of Complaint, that 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 recoverable in like Manner, and subject to the like Provisions, as are herein directed touching the Recovery of other Penalties from the said Company;

Company; and the same shall, on being so recovered, go and be paid to the Commissioners acting under the said Act of the First Year of His present Majesty, or their Treasurer for the Time being.

XLVI. And be it further enacted, That if any Person or Persons shall wilfully, wantonly, or maliciously remove, take away, destroy, damage or injure any or any Part of any Pipe, Pedestal, Post, Plug, Lamp or other Apparatus, Matter or Thing belonging to the said Company, or shall wilfully, wantonly, or maliciously extinguish or put out any or either of the public Lamps and Lights, and wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Company, every Person so offending in any one or either of the Cases aforesaid, and being thereof lawfully convicted on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Durham* (and which Oath such Justice or Justices is and are hereby authorized to administer), shall forfeit and pay to the said 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 or have not any Goods or Chattels sufficient to levy such Forfeiture or Damage as aforesaid, such Offender or Offenders shall and may be forthwith committed to the House of Correction, or the Common Gaol of the said County of *Durham*, there to remain for any Time to be fixed, not exceeding Three Calendar Months, unless the said Penalty and Damage, with such reasonable Costs as aforesaid, be sooner paid.

XLVII. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, destroy, throw down, damage or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or any Pipe, Pedestal, Post, Plug or other Apparatus, Matter or Thing belonging thereto, or to the said Company, 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 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 require, for such Damages, as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded within Ten Days after Demand,

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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.

Penalty for interrupting Company's Workmen.

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

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

XLIX. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Lead, or other Pipe to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained; nor use Burners of larger Dimensions, or of a different Form, nor more in Number than he, she, or they shall respectively contract or pay for, or supply any Inhabitant, Lodger, or other Person with any Part of such Gas, on pain of forfeiting and paying to the said Company the Sum of Five Pounds, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Durham*, and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture, and the Charges of such Distress and Sale are deducted, shall be returned on Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not forthwith be paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction in and for the said County of *Durham*, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Three 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, to take off the Gas from the House and Premises of the Person or Persons so offending by such fraudulent Consumption of Gas as aforesaid, notwithstanding any Contracts or Agreements which may have been previously entered into.

Remedy for Recovery of Rents.

L. And be it further enacted, That in case any Person or Persons who shall contract with the said Company, or agree to take, or shall use or enjoy the Benefit of the said Gas in, upon, or about their Dwellings,

lings, Shops, Inns, Taverns, or other Buildings or Manufactories, shall refuse or neglect, for the Space of Ten Days after Demand, to pay the Sum or Sums of Money then due for the same to the said Company, according to the Terms and Stipulations with the said Company, it shall be lawful for the said Company or their Clerk, Engineer, or Superintendant, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal or Hands and Seals of any One or more of the Justices of the Peace for the said County of *Durham*, to levy the said Sum or Sums in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; or the same with Costs of Suit may be recovered in any of His Majesty's Courts of Record at *Westminster*, or in the said Court of Pleas at *Durham*.

LI. Provided always, and be it further enacted, That the said Company shall and they are hereby directed and required to supply all the public Streets, Lanes, Passages, and other public Places in the said Town and Borough and Liberties thereof, which shall be lighted under and by virtue of this Act, with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil; and the Branch or Service Pipes which shall be put up by the said Company for lighting the Streets and other public Places of the said Town and Borough and the Liberties thereof, 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.

Gas to be supplied cheaper than Oil Light.

LII. Provided always, and be it further enacted, That if the said Gas Light and Coke 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, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of the Works of the said Gas Light and Coke Company, or in the Process of obtaining the said Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Water Way, Feeder, Pond, Spring Head or Well, Drain, Sewer or Ditch, whereby the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then in each and in every such Case the said Gas Light and Coke 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 or on the Case, or by Bill, Plaint, Suit, or Information, 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 inform or sue for the same; and the other Moiety to the Corporation

Penalty on Company for conveying Washings into any River, Stream, &c.

or

or Company, or other the Person or Persons against whom any such Annoyance, Act, or Thing shall have been done or committed, or who shall have been injured thereby: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time of such Annoyance, Act, or Thing shall have ceased and determined; provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not be recovered, 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, or any Reservoir, Aque-duct, Water Way, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given to the said Gas Light and Coke Company; and the said Gas Light and Coke 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 Gas Light and Coke 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 last-mentioned 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.

Directing
what may be
deemed a
Service of
Notice, &c.
on the Com-
pany.

LIII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service thereof upon any Member of the said Committee of Management, or left at his 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, shall be deemed good and sufficient Service of the same respectively on the said Company.

For compell-
ing the At-
tendance of
Witnesses.

LIV. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on Behalf of the Prosecutor, or on Behalf of the Person or Persons accused, and shall, after having been paid or tendered a reasonable
Sum

Sum for his, her, or their Costs, Charges, and Expences, 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 shall refuse to be examined upon Oath, such Person or Persons, not being a Quaker or Quakers, or being a Quaker or Quakers shall refuse to be examined upon his, her, or their solemn Affirmation (which Oath or Affirmation such Justice and Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

LV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, or by any Rule, Order, or Bye Law made in pursuance thereof, 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 or Justices of the Peace for the said County of *Durham*, in a summary Way, and who is and are hereby authorized and empowered to convict the Offender or Offenders, upon Information by the Oath or Affirmation of any Person or Persons, or on the Confession of the Party offending, which Oath or Affirmation such Justice or Justices is and are hereby authorized to administer; and that 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 or Hands and Seals of such Justice or Justices, rendering the Overplus (if any) on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted), and One Moiety of the Penalties and Forfeitures, when recovered, shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer of the said Gas Light and Coke Company, for the Use and Benefit of the said Company; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, 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, her, or their Appearance before such 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 Ten Days from the taking of 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 lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Durham*, there to remain for any Time not exceeding Three Calendar

Recovery and
Application
of Penalties.

[*Local.*]

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Months,

Months, unless such Penalty or Forfeiture shall be sooner satisfied and paid.

LVI. 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.

‘ Durham, } BE it remembered, That on the Day of
 ‘ (to wit.) } in the Year of our Lord One thousand
 ‘ eight hundred and is [or are,] convicted be-
 ‘ fore me [or us, as the Case may be], of His Majesty’s
 ‘ Justices of the Peace for the said County of *Durham*, by virtue of an
 ‘ Act passed in the Third Year of the Reign of His Majesty King
 ‘ *George* the Fourth, intituled *An Act* [here insert the Title of this Act],
 ‘ of having [specifying the Offence, and the Time and Place when and
 ‘ where the same was committed, as the Case shall be,] contrary to the said
 ‘ Act, and for which Offence, I [or we, as the Case shall be] do ad-
 ‘ judge the said to have forfeited the Sum of
 ‘ Given under my Hand and Seal [or our Hands and Seals] the
 ‘ Day and Year first above written.’

Proceedings to be within Six Calendar Months.

LVII. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act for any Offence or Offences against this Act, unless Information respecting such Offence or Offences shall have been lodged before a Justice within Six Calendar Months next after such Offence shall be committed.

Justices not disqualified from acting by being Commissioners under recited Act.

LVIII. And be it further enacted, That no Justice of the Peace shall be disqualified from acting as a Justice of the Peace in any Case whatsoever relative to the Execution of this Act, by reason of any such Justice of the Peace being appointed a Commissioner for lighting, cleansing, or other the Improvement of the said Town and Borough, under or by virtue of the before mentioned Act passed in the First Year of the Reign of His present Majesty.

Appeal.

LIX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done or to be done in pursuance of this Act, or by any Bye Law, Rule, or Order to be made in pursuance hereof (and for which no particular Method of Relief is herein-before appointed), such Person or Persons may appeal to the Justices of the Peace for the said County of *Durham* at their General Quarter Sessions to be holden at the City of *Durham*, within the Space of Four Calendar Months next after the Cause of Appeal shall have arisen, such Appellant or Appellants first giving or causing to be given Fourteen Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Cause thereof, to the said Company or other the Respondent or Respondents, and within Ten Days next after such Notice given, entering into a Recognizance before One of His Majesty’s Justices of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal at such General Quarter Sessions, and to abide the Order of, and to pay such Costs as shall be

be awarded by the Justices at such Sessions ; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal, in a summary Way, and shall award such Costs to either Party as they shall think proper ; and the Determination of the Justices at such Sessions shall be final, binding, and conclusive upon all Parties.

LX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment, or otherwise, against the said Company, or against any of their Officers, Servants or Workmen, in respect of any Works of the said Company, or the Method which shall be employed by them for furnishing such Lights as aforesaid, as a public or private Nuisance, or from bringing any Actions against the said Company, or any of their Officers, Servants or Workmen, for any Injury sustained by reason of any such Works or Method of Lighting, whether such Injury shall proceed from the Nature of such Method of Lighting or the Carelessness or Want of Skill of the Persons employed therein, or from any other Cause whatsoever.

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

LXI. And be it further enacted, That all the Costs, Charges and Expences attending the applying for, obtaining, and passing this Act, shall be paid and discharged by the said Company, or their Committee of Management, out of the Monies subscribed for the Purposes of this Act, in preference to all other Payments whatsoever.

Expences of the Act how to be paid.

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

Public Act.

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