



ANNO QUARTO

GEORGIIV. REGIS.

Cap. xcvi.

An Act to establish a Company for lighting with Gas the Town of *Northampton*. [17th June 1823.]

WHEREAS the Town of *Northampton* in the County of *Northampton* is large and populous, and it would be of great Advantage to the Inhabitants thereof, and to the Public at large, if the Streets and other public Passages and Places therein were better lighted: And whereas Inflammable Air, Carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be produced from Coal and other Substances: And whereas the said Inflammable Air, Carburetted Hydrogen or Coal Gas, being conveyed by Means of Pipes, may be safely and beneficially used for lighting the several Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places within the said Town of *Northampton*, and for lighting Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings therein; and the Coke may be beneficially employed as Fuel in private Houses and Manufactories, and the said Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be used and applied in various other Ways with great Advantage: And whereas 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

[Local.]

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enacted

enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *William Allen, John Alliston, Thomas Armsfeld, John Barrett, Sarah Billington, William Birdsall, William Borton, Thomas Browett, John Brettell, Joseph Bradley, James Chamberlain, Benjamin Clarke, William Collins, Richard Collins, Thomas Cooke, Edward Cotton, Joseph Cox, John Lloyd Crawley Clerk, Thomas Dadford, Richard Dennis, Charles Dodd, John Edens, William Gates, John Groom, Thomas Grundy, John Slater Hall, Richard Hall, Sarah Haynes, Daniel Hewlett, Elisha Hobson, Richard Howes, Henry Hughes, Theophilus Jeyes, Christopher Markham, John Marshall, John Mercer, William Fisher Morgan, Francis Mulliner, James Marshall the younger, George Osborn the elder, George Osborn the younger, William Parker, George Peach, John Percival, William Percival, Samuel Percival, Mary Perrin, John Pettifer, Pickering Phipps, John Riches, Archibald Robertson Doctor of Medicine, George Russell, William Roe, William Stanton, William Sawbridge, Thomas Sharp, John Shaw, John Shelton, George Smith, Charles Smith, Michael Smith, Elizabeth Smith, Robert Smithson, Christopher Smyth, Benjamin Steevenson, Samuel Tibbits, George Tibbits, James Tomson, Charles Whitworth, and Richard Womersley, and all and every such other Person or Persons as from Time to Time shall become a Subscriber or Subscribers, and be duly admitted a Proprietor or Proprietors as herein-after mentioned; and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be One Body Politic and Corporate, by the Name of The *Northampton Gas Light Company*, and by that Name shall have perpetual Succession and a common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and the said Company shall be established for the Purpose of making or producing Inflammable Air, Carburetted Hydrogen or Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and for lighting with Gas the said Town of *Northampton*; and shall have full Power from Time to Time to make Contracts or agree with the Commissioners for the Time being, acting under the Authority of an Act passed in the Fifty-fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for better paving, lighting, cleansing, watching, and improving the Town of Northampton, and for taking down, widening, and rebuilding the Bridge over the River Nine or Nen, at the South Entrance of the said Town, and improving the Avenues to the said Bridge, or any other Commissioners who for the Time being shall have the Controul, Direction, or Management of the paving, lighting, or otherwise improving the said Town of Northampton, or with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, who may be willing and desirous of contracting or agreeing with the said Company for the lighting with Gas the said Town, and all and every or any of the public Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places therein, or any Churches or Chapels, or any Theatres or Places of public Amusement, Manufactories, Shops, Inns, Taverns, Dwelling Houses, Buildings, or other private Places within the said Town, and to sell and**

Their Style
and Powers.

54G.3. c.193.

dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Products as aforesaid.

II. And be it further enacted, That in order to enable the said Company of Proprietors to construct or make Gasometers and other necessary Works, and to erect any Manufactory or Manufactories, or other Buildings for the Purposes of this Act, it shall and may be lawful to and for the said Company, or their Committee of Management for the Time being, and they are hereby empowered, from Time to Time, to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town, which the said Company shall deem requisite for the Purposes of this Act, (not exceeding Six Statute Acres of Land in the Whole), with any Body Politic, Corporate or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail general or special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised, possessed of, or interested in their own Right, or with any other Person or Persons whomsoever, who shall be willing to sell the same, or his, her, or their Estate, Right, or Interest therein, for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company of Proprietors to hold such Lands, Tenements, and Hereditaments, 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 of 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 Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, 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 be thought necessary by the said Company of Proprietors to be purchased for the Uses and Purposes of this Act, to treat, contract, and agree with the said Company, or the said Committee of Management, for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Company of Proprietors and their Successors, for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue and

Bodies Politic, &c. empowered to sell.

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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, Trust, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and all 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 Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail general or special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be hereby indemnified for what they, he, or she shall do or cause to be done by virtue and in pursuance of this Act.

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

IV. And be it further enacted, That if any Money shall be contracted or agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* The *Northampton* Gas Light Company, together with the Name or Names of such Person or Persons as any Five or more of the Committee of Management of the said Company shall, by Writing signed by them, direct and appoint, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements, 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
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in the same Manner as the Messuages, Lands, Tenements, and Hereditaments, which shall be purchased, taken, or used for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

V. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, 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 by Five or more of the said Committee of Management (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

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

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

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

In case of questionable Title to the Money, Persons in Possession of the Lands to be deemed entitled thereto, until the contrary shall be shewn.

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 Privy of the said Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any 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 shewn to the Satisfaction of the said High Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchases may be allowed by the Court.

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

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

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

X. And

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

I [or we, as the Case may be] of _____ of _____
 in consideration of the Sum of _____ paid to me
 [or us, or into the Bank of England, as the Case may be] by the Com-
 pany of Proprietors established under or by virtue of an Act passed in
 the Fourth Year of the Reign of King George the Fourth, intituled
 [here insert the Title of this Act], do hereby grant and release [or
 assign, as the Case may be] to the said Company of Proprietors and their
 Successors, all [here describe the Premises to be conveyed]; and all my
 [or our] Right, Title, and Interest in and to the same and every Part
 thereof; to hold to the said Company of Proprietors and their Succes-
 sors for ever, [or, as the Case may be, during all the Remainder of my,
 or our, Term, Estate, and Interest in the said Premises]. In Witness
 whereof, I [or we] have hereunto set my Hand and Seal [or our Hands
 and Seals, or our Common Seal, as the Case may be] this
 Day of _____ in the Year of our Lord One thousand eight
 hundred and _____

Form of
Conveyance.

And every such Sale, Conveyance, and Assurance so made shall at all Times be good, valid, and effectual to all Intents and Purposes whatsoever, *quoad* the Party or Parties making the same, and his, her, or their Cestuique Trusts, and all other Persons claiming or to claim by, from, under or in Trust for him, her, or them respectively, or in Remainder, Reversion, or Expectancy as aforesaid.

XI. And whereas the said Company of Proprietors under the Provi-
 sions of this Act may purchase Lands, Tenements, or Hereditaments,
 which may be found not necessary or which may not be wanted for the
 Purposes thereof; be it therefore further enacted, That it shall and may
 be lawful for the said Company of Proprietors 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, Tene-
 ments, and Hereditaments, which shall or may have been so purchased,
 and which shall be inconvenient, or shall not be wanted for the Purposes
 of this Act, and to purchase other Lands, Tenements, or Hereditaments
 in lieu thereof, by virtue of the Powers herein-before contained, not
 exceeding, together with the Lands in the Possession of the said Company,
 more than Six Statute Acres; 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 and may 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.

Empowering
Company to
resell Lands
not wanted.

XII. Pro-

Purchase
of Lands
limited to
Six Acres.

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

Capital
Stock.

XIII. And be it further enacted, That the Capital or Joint Stock of the said Company of Proprietors, to be applied and used in establishing and carrying on the Undertaking and the Purposes aforesaid, shall be the Sum of Ten thousand eight hundred and forty Pounds Sterling.

Works not
to be begun
until the Sum
of 10,840*l.*
shall have
been sub-
scribed.

XIV. And whereas the probable Expence of making the Works hereby authorized will amount to the Sum of Ten thousand eight hundred and forty Pounds; be it further enacted, That the Works hereby authorized shall not be begun until the whole of the said Sum of Ten thousand eight hundred and forty Pounds shall have been subscribed for the Purpose of making the said Works.

Stock to be
divided into
Shares of 20*l.*
each, and to
be Personal
Estate.

XV. And be it further enacted, That the said Sum of Ten thousand eight hundred and forty Pounds shall be divided into Shares of Twenty Pounds Sterling each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Twenty 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.

Subscribers
to share in
the Stock in
Proportion to
their Sub-
scriptions.

XVI. And be it further enacted, That all and every Person or Persons by or for whom any Subscription shall have been made or accepted, or any Payment made pursuant to the Order or Orders of any General Meeting or Meetings to be held by the said Company of Proprietors for that Purpose, for or towards the raising of the said Capital Sum of Ten thousand eight hundred and forty Pounds as aforesaid, his, her, or their Executors, Administrators, and Assigns respectively, (no such Subscription being less than Twenty Pounds) shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Company in Pro-
portion

portion to the Monies which he, she, or they shall have so contributed towards making up the same, and 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 of the same.

XVII. 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.

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

XVIII. And be it further enacted, That in case the aforesaid Sum of Ten thousand eight hundred and forty Pounds shall be found insufficient for the Purposes of this Act, then and in such Case it shall be lawful for the said Company of Proprietors, or so many of them as shall be present at any special General Meeting to be called for that Purpose, from Time to Time to raise any further Sum or Sums of Money for completing the said Undertaking, not exceeding in the whole the Sum of Two thousand seven 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 Two thousand seven hundred Pounds, by the Creation of new and additional Shares in the said Undertaking, then it shall be lawful for the said Company to raise the same amongst themselves, in such Proportions as to them shall seem meet, and for that Purpose to create such Number of new and additional Shares of Twenty 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 Ten thousand eight hundred and forty Pounds; 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 Two thousand seven 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 Meeting of the said Company, to borrow and take up the same at Interest for the Use of the said Company, and thereupon, by Writing under their Common Seal, to assign all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, together with lawful Interest for the same; and the Charges and Expences of such Assignment (to be made as herein-after mentioned) shall be from Time to Time defrayed by the said Company out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say),

Power to raise more Money, if necessary, by Loan or new Shares.

Form of
Assignment.

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

And every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and Advantages thereof, according to the Form of Words of such Assignment, and the true Intent and Meaning of this Act.

Power of
transferring
Assignment
in a pre-
scribed Form.

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

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

And a Copy of every such Security or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Company; which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of _____

Two Shillings and Sixpence, and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, or Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

XX. Provided always, and be it further enacted, That in case it shall at any Time hereafter appear to a Majority of His Majesty's Justices of the Peace for the said Town of *Northampton*, that it will be for the Benefit of the Inhabitants of the said Town to have the several Streets, Squares, Lanes, and Passages therein more generally lighted than can be effected by the Expenditure of the original Capital of Ten thousand eight hundred and forty Pounds already subscribed, and the said additional Capital or Sum of Two thousand seven hundred Pounds hereby authorized to be raised, and the said Company shall be willing further to increase such Capital by raising an additional Sum for that Purpose, that then and in such Case it shall and may be lawful to and for the said Company, by and with the Consent and Authority of a Majority of His Majesty's Justices of the Peace for the said Town for the Time being, assembled at some General or Quarter Sessions of the Peace to be holden for the said Town, first had and obtained (which Consent and Authority shall be signified in Writing under the Hand of the Town Clerk or Town Steward of the said Town), from Time to Time to raise any further Sum and Sums of Money for the Purpose of extending their said Undertaking, not exceeding in the whole the Sum of Two thousand Pounds, by such and the same Ways, and in such and the same Manner, Shares, or Proportions, as the said additional Sum of Two thousand seven hundred Pounds is hereinbefore authorized to be raised; and in case the said additional Sum of Two thousand Pounds, or any Part thereof, shall be raised by the Creation of any new additional Shares, that then every Subscriber towards raising such further Sum of Two thousand Pounds by Shares shall be a Proprietor in the said Undertaking, and shall stand interested in all the Profits, Privileges, and Advantages of the said Undertaking, and shall be liable to the like Burdens in Proportion to the Amount of his, her, or their Subscriptions, as generally and extensively, to all Intents and Purposes, as if the same had been Part of the said original Capital Stock of Ten thousand eight hundred and forty Pounds; any thing herein contained to the contrary thereof in anywise notwithstanding.

Power to raise a further Sum in certain Cases.

XXI. And be it further enacted, That the several Persons who have already subscribed for and 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 respectively required to pay the Sum or Sums of Money by them respectively subscribed and to be subscribed for, or such Parts or Portions thereof, as shall from Time to Time be called for pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such manner as shall be ordered and directed by the said Company, or their Committee of Management hereinafter mentioned for the Time being; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Time or Times, and in such Manner as shall be ordered and directed by the said Company, or their Committee of Management as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt

For enforcing Payment of Subscriptions.

or

or otherwise, in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time or Times of Payment, and full Costs of Suit from such Person or Persons respectively; and in like Cases of Neglect or Refusal, where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One or more Share or Shares in the said Undertaking, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

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

XXII. And be it further enacted, That the said Company of Proprietors, or their said Committee of Management for the Time being, shall and they are hereby required to cause the Names and Designations of the several Persons who are at present and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the Number of Shares possessed by each of the Subscribers and Proprietors, and also the proper Number by which every Share is to be distinguished, to be distinctly entered in a Register Book, to be kept by the Clerk of the said Company, to be appointed as herein-after mentioned; and after the making of such Entry, a Certificate under the Common Seal of the said Company shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Proprietor thereof, which Certificate shall be delivered to the Proprietor of such Share upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share therein specified; but the Want of such Certificate shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof; and in case such Certificate shall not be produced or forthcoming, the said Entry, or a true Copy thereof, certified by the Clerk to the said Company, and for which Certificate the said Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more, shall be deemed sufficient *prima facie* Evidence of Title.

For ascertaining the Proprietorship of Shares in certain Cases.

XXIII. And whereas in case any original Holder or Proprietor of one or more Share or Shares in the said Undertaking shall die, become Insolvent or Bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk or Clerks to the said Company, it may not be in the Power of the said Company, or any Officer acting for the said Company, to learn who is or are the Owner or Proprietor or 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, and to maintain any Action or Actions, Suit or other Proceeding against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns for the 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 further enacted, That in all Cases where the Right and Property in one or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than

than, by a Transfer or 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 for the said Town of *Northampton*, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, and such Affidavit shall be submitted to the Clerk or Clerks of the said Company, to the Intent that he or they 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 to the said Undertaking; to be kept in the Office of the Clerk or Clerks to the said Company; and that in all or any of the said Cases, after Three Calendar Months Notice in Writing shall have been given by the said Clerk or Clerks to the Owner or Owners thereof, 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 or Places of Abode, to pay his, her, or their Proportion of Money so to be called for, and 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 Subscribers and Proprietors at any General or Special 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 become consolidated in the General Fund of the said Company.

XXIV. And be it further enacted, That when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company, or the Profits thereof in right of Marriage, an Affidavit containing a Copy of the Register of such Marriage, or the Purport of such Register, shall be made and sworn to by some credible Person, before a Master or Master Extraordinary in Chancery, or one of His Majesty's Justices of the Peace, and shall be delivered to and left with the Clerk for the Time being of the said Company, who shall preserve the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking; and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence and no more, before such Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof; and when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company or the Profits thereof under or by virtue of any Will or Bequest, or in a course of Administration, the Probate Copy of the Will, or the Letters of Administration, in case the Proprietor shall have died intestate, shall be produced and shewn to the said Clerk, who shall make an Entry of such Will, or of so much thereof as shall relate to the Disposition of the Share or Shares of the Testator, or of the Letters of Administration, in case the Proprietor shall have died intestate; and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence and no more, before any Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof: Provided nevertheless, that no Bequest

Proofs re-
quired where
Rights ac-
cruer by Mar-
riage or
Death.

or Clause in any such Will contained shall bind or affect or be construed to bind or affect the said Company with Notice of any Trust or Disposition of any Share or Shares in the Joint Stock of the said Company, or the Gains and Profits thereof; but the Registry of any such Share or Shares shall be in the Name or Names of the Executor or Executors who shall prove the Will of such Testator, or the Administrator or Administrators of his Effects, whose Receipt or Receipts to the said Company for the Gains and Profits thereof, and to any Purchaser or Purchasers for the Amount of the Purchase Money paid upon the Sale and Conveyance of such Share or Shares, shall be good and effectual, and shall bind the Cestuique Trusts, and all other Persons claiming Interest under such Testator; any Rule of Law or Equity to the contrary notwithstanding.

First and
other General
Meetings of
Proprietors.

XXV. And be it further enacted, That the said Company of Proprietors shall meet at the *George Inn* in the Town of *Northampton* aforesaid, or at some other convenient Place within the said Town, on the Second *Monday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time, either to the same Place or such other convenient Place in the said Town of *Northampton* as the said Proprietors shall think proper; and that from and after the said First General Meeting of the said Company of Proprietors, there shall be in each Year Two General Meetings of the said Company, (that is to say) on the First *Monday* next after the Twenty-fifth Day of *March* and the First *Monday* next after the Twenty-ninth Day of *September*, or within Ten Days next after such Days respectively; and that Five or more of the said Proprietors may at any Time, by Notice in Writing under their Hands, call a Special General Meeting, so as the Object for which such last mentioned Meeting shall be called be expressed in such Notice, of which several General Meetings and Special General Meetings Ten Days public Notice at the least shall be given by Advertisement in the *Northampton Mercury*, or in some other Newspaper circulated in the Neighbourhood (and which said Notice shall specify the Place where the same shall be held, and the Purpose for which any such Special General Meetings are or shall be called); and the First of the said Two Yearly General Meetings to be holden by virtue of this Act shall be holden on the First *Monday* next after the Twenty-ninth Day of *September* next, or within Ten Days next after the same; and that all such General Meetings and Special General Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and that at all such Meetings of the said Proprietors to be held as aforesaid, the Proprietors then present (not being fewer than Seven in Number); shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company of Proprietors; and if it shall happen that there shall not appear at any of the aforesaid Meetings of the said Company, a sufficient Number of the said Proprietors to act or to adjourn (Seven Proprietors being hereby declared sufficient in all Cases to proceed to Business, and Two Proprietors being hereby declared sufficient for the Purpose of Adjournment only), then and so often as the Case may happen such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Place and Hour at which the same ought to have been held as aforesaid, provided that no Business shall be transacted

transacted at any Special General Meeting of the said Proprietors besides the Business for which such Meeting shall have been called, and no other Business shall be transacted at any adjourned Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place: Provided also, that if at any such General or Special General Meeting of the said Company to be held under the Powers herein contained, there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled unto at least Fifty Shares in the said Undertaking, no Business shall be transacted at any such Meeting, except adjourning the same.

XXVI. And be it further enacted, That the said Company of Proprietors shall have full Power and Authority from Time to Time, at any of their General 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 their Committee of Management, and the Conduct 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 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 of Proprietors shall seem 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 printed, and be binding upon all such 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 that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or any of the express Directions or Provisions of this Act: Provided also, that Copies thereof shall be fixed and continued in the Office of the Clerk of the said Company, and also inserted in some public Newspaper circulated in the said Town of *Northampton*; and provided also, that Copies of such Bye-laws shall be from Time to Time transmitted to the Town Clerk of the said Town of *Northampton*, and also to the Clerk to the Commissioners acting under the said Act of the Fifty-fourth Year of the Reign of His said late Majesty, or under any other Act of Parliament which shall or may be in force for paving, cleansing, lighting, and improving the said Town; and all such Rules, Orders, and Bye-laws shall be subject to Appeal in Manner by this Act directed.

General Meetings may make Bye-laws.

XXVII. And be it further enacted, That at every General and Special Meeting of the Proprietors of the said Undertaking, One of the Proprietors then present shall be elected to preside as Chairman; and all Questions shall be decided by a Majority of Votes of the Proprietors present in Person (or in case of Female Proprietors, by their respective Proxies, to be appointed as herein-after mentioned) according to their respective Number of Shares; (that is to say), One Vote may be given in respect of One Share and upwards, and not exceeding Three Shares; Two Votes in respect of Four Shares and upwards, and not exceeding

Regulations as to General and Special Meetings, and Manner of voting.

Six

Six Shares; and Three Votes in respect of Seven Shares and upwards; and the Chairman of every such Meeting shall not only be entitled to vote in respect of his Shares, but in case of an Equality of Votes, shall also have an additional or casting Vote; but nevertheless it is hereby provided that no Proprietor shall be entitled to vote at any Meeting of the said Company, in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid all Arrears due in pursuance of any Call or Calls which shall have been made upon or in respect of such Share or Shares by the said Committee of Management for the Time being; nor shall any Person vote at any Meeting of the said Company upon any Question in which such Person shall be interested in any other Way than as being a Proprietor in the said Undertaking.

In case of joint Proprietors, the Person whose Name stands first to vote.

XXVIII. 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 one of the joint Proprietors of such Share or Shares shall be deemed to be the Proprietor of such Share or Shares for the Purposes next herein-after mentioned, (that is to say) such Person shall have the sole and entire Right of voting at all Meetings of the said Company in respect of such joint Share or Shares; and when any Notice in pursuance of this Act shall be given to such Person, the same shall be considered as a Notice given to all the Proprietors of such joint Share or Shares.

Empowering Females to vote by Proxy.

XXIX. And be it further enacted, That every Female being a Proprietor of any Share or Shares in the said Undertaking, shall have full Power and Authority from Time to Time to give her Vote or Votes in respect of such Share or Shares at any General or Special Meeting of the said Company by Proxy, every such Proxy being a Proprietor in the said Undertaking and entitled to vote; and the Appointment of such Proxies may be made in the Form or to the Effect following; (*videlicet*),

Form of Proxy.

‘ I *A. B.* of _____, One of the Proprietors of and in
 ‘ the *Northampton Gas Light Company*, do hereby nominate, con-
 ‘ stitute, and appoint *C. D.* of _____ to be my Proxy, and in
 ‘ my Name to vote or give my Assent to or Dissent from any Business,
 ‘ Matter, or Thing, relating to the said Undertaking, that shall be
 ‘ mentioned or proposed at any General or Special Meeting of the said
 ‘ Company, in such Manner as the said *C. D.* shall think proper, according
 ‘ to his Opinion and Judgment, for the Benefit of the said Undertaking,
 ‘ or any Thing relating thereto. In witness whereof I have hereunto
 ‘ set my Hand the _____ Day of _____

Provided always, that in case any Proprietor or Proprietors entitled to vote at any such Meeting as aforesaid shall be a Lunatic or Lunatics, or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings, by his, her, or their Committee, or any One of such Committee; and such Minor or Minors shall and may vote by his, her, or their Guardian or Guardians, or any One of such Guardians: Provided also, that the Appointment of such Committee or Guardian shall

shall be produced at every Meeting at which he may so offer to vote: Provided always, that the Person applying to vote as Proxy, do always at the Time of voting produce his Appointment or Appointments.

XXX. And be it further enacted, That any General Meeting or Special Meeting of the said Company called for the Purpose shall have full Power to call for and examine and settle the Accounts of the said Company, and of the Committee of Management; and that at One of the said General Meetings, or some Adjournment thereof in each Year, One or more Dividend or Dividends shall be made, out of the Interest, Profits, or Advantages of the said Undertaking, unless such Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much *per Centum* for every Share upon all and every the Sum and Sums of Money paid to the Company by the said Subscribers, their Executors, Administrators, Successors, or Assigns, as such Meeting shall think fit to appoint and determine; provided that no Dividend shall be made whereby the Capital of the said Company shall in any Degree be reduced or impaired, nor within Twelve Calendar Months next after the passing of this Act; nor shall any Dividend be paid in respect of any Share or Shares after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid.

Meetings to settle Accounts and declare Dividends.

XXXI. And be it further enacted, That the said Company of Proprietors shall at their said First General Meeting, or at any other General or Special General Meeting, elect and choose a Treasurer or Treasurers, and a Clerk or Clerks, for transacting the Business of the said Company; and it shall be lawful for the said Company at any subsequent General or Special Meeting to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer or Treasurers, and Clerk or Clerks, or either of them, or any other Person or Persons who shall be hereafter elected and appointed to their respective Offices; and shall also from Time to Time elect, choose, and appoint, in Manner aforesaid, any other Person or Persons to act as Treasurer or Treasurers, or Clerk or Clerks of the said Company, in the Room of such of the said Officers as shall happen to die or to resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers or any of them, as at any such General or Special Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company of Proprietors shall and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer of the said Company, for the faithful Execution of his Office, before he shall enter thereupon.

General Meetings to appoint a Treasurer and Clerk.

XXXII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks for any Person or Persons in the Service or Employ of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer

Offices of Clerk and Treasurer not to be held by the same Person.

[Local.]

25 A

or

or Treasurers, to be the Clerk or Clerks to the said Company ; and if any Person or Persons shall act in both the Capacities of Clerk and Treasurer or Clerks and Treasurers for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or any Person or Persons in the Service or Employ of any such Clerk or Clerks, shall act as Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, shall act as Clerk or Clerks in the Execution of this Act, or if any such Treasurer or Treasurers shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer or Treasurers, 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, or more than One Imparlane shall be allowed.

Treasurer not to issue Money without an Order of Committee.

XXXIII. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers to be appointed by the said Company on account of the said Company, without an Order or Orders made at a General Meeting, or 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 the Meeting of the said Committee of Management, ordering or directing such Issue of Money to be made.

Appointment of Committee of Management.

XXXIV. And be it further enacted, That at the First General Meeting of the said Company of Proprietors, to be held next after the passing of this Act, or at some Adjournment thereof, a Committee for managing the Affairs of the said Company shall be elected by Ballot by the Proprietors present at such Meeting, according to the Number of Votes which each such Proprietor shall or may be entitled to give out of the Proprietors or Subscribers of Shares of and in the said Undertaking ; and that such Committee shall consist of Fifteen Proprietors or Subscribers, and when elected they shall be the Committee of Management for managing the Affairs of the said Company, until others shall be chosen in their Stead, as herein-after mentioned.

First Committee to serve Two Years, and subsequent Committees One Year.

XXXV. And be it further enacted, That the several Members of the First Committee of Management shall continue in Office and be respectively Members of the said Committee for the Term of Two Years from the Day of their Election, and until others or another shall be appointed in their Stead in pursuance of this Act ; and at the Expiration of the said Term, and also at the Expiration of every succeeding Year, a fresh Committee of Fifteen Members shall, in Manner herein-after mentioned, be elected and appointed out of the Proprietors of Shares in the said Undertaking, to be the Committee of Management for managing the Affairs of the said Company, who shall continue in their respective Offices for the Space of One Year, to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

XXXVI. Pro.

XXXVI. Provided always, and be it further enacted, That if any Person who shall be elected a Member of the said Committee of Management, shall either directly or indirectly offer to take, and succeed in taking any Contract, or shall participate in any Manner in any Work to be done for the said Company, every such Person shall be disqualified from interfering and voting in any Matter to be discussed and argued by the said Committee of Management; and that if any Person hereby authorized or directed to be appointed by virtue of this Act a Member of the said Committee, shall at any Time cease to be a Proprietor in the said Undertaking, or shall refuse or neglect, unless prevented by Illness or Absence from Home, to attend any Three successive Meetings of the said Committee, every such Person shall thereby cease to act or vote at such Committee, and shall be disqualified as aforesaid, and thereupon another Proprietor shall be elected in the Stead of such defaulting Member, to be a Member of the Committee.

Committee-men contracting for Work to be disqualified.

XXXVII. And be it further enacted, That at the General Meeting which shall be held on the First *Monday* next after the Twenty-ninth Day of *September* which will be in the Year of our Lord One thousand eight hundred and twenty-five, or within Ten Days then next after, or at some Adjournment thereof, and at every General Meeting which shall be held in subsequent Years on the first *Monday* next after the Twenty-ninth Day of *September*, or within Ten Days then next after, or at some Adjournment thereof, a new Committee of Fifteen of the Proprietors of Shares, in the said Undertaking, shall be elected by Ballot in Manner before mentioned, in the Place of the former Committee, nevertheless any of the said former Committee whose Office shall then have expired shall (if otherwise eligible) be again immediately re-eligible; and that every Vacancy in the Committee of Management by Death, Resignation, or Disqualification, shall be filled up at the First General or Special Meeting of the said Company, which shall be held next after such Vacancy shall happen; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall (being duly qualified) continue in Office upon the same Terms, and only for the same Period as the Person whose Place he shall supply would have continued, if his Office had not been vacated before the Time at which he would, according to the Provisions of this Act, have gone out of Office: Provided always, that all Notices herein-before directed to be given of any General or Special Meetings, or Adjournments respectively, or to any of the said Proprietors upon any particular Occasion, and not herein-before otherwise provided for, shall be given to the said several Proprietors, or such individual Proprietors respectively, by Letters from the Clerk or Clerks, or Treasurer or Treasurers of the said Company, sent by the Post to each and every of the said Proprietors, or left at their respective Residencies or Places of Abode, entitled to vote at such Meetings respectively, or to the individual Proprietor entitled to such Notice (as the Case may be), and that such Notices shall be deemed and considered the same as personal Notice.

Annual Election of Committee.

Vacancies to be filled up at the First General Meeting after the Vacancy occurs.

How Notices of Meeting to be given.

XXXVIII. And be it further enacted, That in case any Twenty or more of the said Proprietors, being collectively possessed of or entitled to One hundred or more Shares in the said Undertaking, shall think that there is any Reason to complain of the Conduct of the Committee of Management for the Time being, or of any Member or Members thereof;

A certain Number of Proprietors may call a Special Meeting to remove any

of the Committee, or to elect others in certain Cases.

thereof; or in case they shall think it necessary that any Vacancy or Vacancies in the said Committee, occasioned by the Death or Absence of any Member or Members of the said Committee, or by any Member or Members thereof becoming disqualified to act as a Member or Members of the said Committee, should be supplied by the Election of another or others, then it shall and may be lawful for them to call a Special Meeting of the said Company, to be held at such Hour and Place within the said Town of *Northampton* as they shall think fit, provided Ten Days Notice of the Time and Place and Purport of such Special Meeting be given by the Persons calling the same by Advertisement in *The Northampton Mercury*, or in some other Newspaper circulated in the Neighbourhood of *Northampton*, and by a Letter from the Clerk or Clerks, or Treasurer or Treasurers of the said Company, to be sent to or left for each Member of the said Committee at his Place of Residence; and at each such Special Meeting it shall be lawful for the Proprietors then present, by the Majority of Votes, to be ascertained by Ballot as aforesaid, to remove all or any of the Committee, and to elect others in their Stead, or in the Stead of any Member dead or absent; and the Committee for the Time being shall produce their Accounts, and a Report of their Proceedings at such Special Meeting, if required by the Notice calling or convening the same; provided that if at any such Special Meeting there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled unto at least One hundred Shares in the said Undertaking, the Power hereby given unto the said Company to remove all or any of the Committee, and to elect others in their Stead, on account of any Complaint against the Conduct of such Committee, shall not be exercised, but the Meeting shall be adjourned for that particular Purpose to the same Place that Day Fortnight, and so from Time to Time until there shall be Persons present either as Principals or Proxies, who shall be possessed of One hundred Shares as aforesaid; and the same Rules, Regulations, Penalties, and Provisions, as are herein prescribed with respect to the General Meetings for choosing Committees shall be applicable to the Meetings to be held for removing them.

Meetings of the Committee of Management.

XXXIX. And be it further enacted, That the said Committee of Management shall or may hold their First Meeting within Fourteen Days after their being appointed, at such Time and Place within the said Town of *Northampton* as they shall think proper, and 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 the said Committee shall from Time to Time appoint One of the Committee to preside as Chairman; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at any of their Meetings, shall be decided and determined by a Majority in Number of Members present (the Number present not being less than Five), 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, Five Members qualified to vote shall not attend, then and in every such Case the Meeting shall be adjourned to the same Day in the following Week, or until such Time as the Member or Members then present shall appoint; and that any Three or more Members of the
Committee

Committee may, at any Time when they shall think fit, call a Meeting of the Committee, by Notice in Writing, signed by such Three or more Members, to be sent by the Post or otherwise, to the Residence or Place of Abode of every Member of such Committee.

XL. And be it further enacted, That the said Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special General Meetings of the said Company of Proprietors for any Purpose they may think proper, and to appoint the Times and Places, in the said Town of *Northampton*, of holding General and Special Meetings, and to direct the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of for the Purposes of the said Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and entering into Agreements or Contracts for lighting with Gas the said Town, and all and every or any of such Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places, Churches or Chapels, Theatres, or Places of Amusement, Shops, Inns, Taverns, Private Houses, Buildings, or public and private Places as aforesaid, and nominating, electing, appointing, placing, or displacing any Officer, Agent, or Servant of the said Company, (not being a Treasurer or Clerk of the said Company, who are to be elected and appointed at a General Meeting of the said Company as herein-before mentioned) with such Salaries, Gratuities, or other 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 provided, produced, or manufactured under the Authority of this Act, and in bringing and maintaining any Action or Actions at Law, or Suit or Suits in Equity, in the Name of the Company, for the Recovery of any Debt or Debts to become due to the said Company, in respect of any such Sale or Sales or otherwise, and in making, enforcing, and rescinding, compounding and compromising, all Contracts and Bargains touching or in anywise concerning the same, subject to such Orders, Bye-laws, Rules, and Regulations as shall at any Time be made by virtue of this Act by the said Company of Proprietors, in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted; and the said Committee of Management may require such Security to be given to the said Company from any Officer or Officers (not being a Treasurer or Clerk of the said Company), or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable.

Power of
Committee,
&c.

XLI. And be it further enacted, That the Orders and Proceedings of every Meeting of the said Company of Proprietors, and of the Committee of Management, shall be entered by the Clerk in a Book or Books to be provided and kept for that Purpose; and such Orders and Proceedings shall be signed by the Chairman for the Time being of each respective Meeting, or for the Purposes of Adjournment only, by the Clerk of the said Company; and shall be deemed and taken to be original Orders and Proceedings,

Proceedings
to be entered
in Books.

[Local.]

25 B

Proceedings,

Proceedings, and allowed to be read in Evidence in all Courts and Places whatsoever.

Calls to be paid.

On Non-payment of Calls Shares to be forfeited.

XLII. And be it further enacted, That the said Company of Proprietors, or their Committee of Management for the Time being, shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors or Subscribers of Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Company or their said Committee of Management shall from Time to Time find expedient for the Purposes of the said Undertaking, so that no one such Call do exceed Ten Pounds *per Centum* upon each Share of Twenty Pounds, and so that no Calls shall be made but at the Interval of One Calendar Month at least from each other, and so that the total Amount of such Calls shall not exceed the Sums subscribed for by the said several Proprietors; and that the several Sums of Money which shall be so called for, shall be paid into the Hands of the Treasurer or Treasurers of the said Company for the Time being, at such Times and Places as shall be appointed by the said Company of Proprietors, or such Committee of Management, of which Times and Places Fourteen Days Notice at least in Writing shall be given by the Clerk or Clerks, or Treasurer or Treasurers of the said Company, to the several Persons liable to pay such Calls, which Notice may be sent by the Post, or in such other Manner as the said Company of Proprietors, or such Committee of Management shall direct in that Behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of the Money so to be called for during the Space of One Calendar Month next after the Time appointed for Payment thereof, then and in such Case it shall and may be lawful to and for the said Company of Proprietors, at some General or Special Meeting to be held after such Neglect or Refusal, to declare all and every or any of the Share or Shares of such Person or Persons so neglecting or refusing as aforesaid to be forfeited; and from thenceforth the said Share or Shares so declared to be forfeited, and all the Profit and Advantage thereof, shall be vested in the said Company, their Successors and Assigns, to and for the Uses and Purposes herein-after mentioned: Provided always, that no Share or Shares of and in the said Undertaking shall be forfeited or vested in and accrue to the said Company of Proprietors, until Notice shall have been published in the *London Gazette*, and some Newspaper circulated in the said Town of *Northampton*, Twenty-one Days at least before such General or Special General Meeting, in which Notice shall be contained a Statement and Account of how much Money is 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 no such Share or Shares shall be forfeited to or vested in the said Company of Proprietors, if the Owner or Owners of such Share or Shares shall, before the holding of such General or Special General Meeting, pay what shall be due thereon for such Call or Calls as aforesaid, and legal Interest for the same, and all the Expences attending the Application for and advertising of the same as aforesaid.

The Company empowered to

XLIII. 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 of Proprietors as aforesaid, then and in every such Case it shall and may be lawful to and for the said Company, or their Committee 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 Company, to assign and transfer such and so many of the Share or Shares of such Defaulter or Defaulters as the said Company or their 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 Assignments and Transfers 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 case the Money produced by the Sale of any such Share or Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon, and the Expences attending the Sale or Sales thereof, the Surplus arising from such Sale or Sales 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 of Proprietors 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 Sale, to pay the Arrears due by 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 the Call or Calls so made or to be made by virtue of this Act, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company of Proprietors 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.

sell Shares that shall become vested in them by default of Owners not paying the Calls thereon.

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

The Remainder to revert to the former Owners.

XLIV. And be it further enacted, That if any Person who shall be a Subscriber or Proprietor of any Share or Shares in the said Undertaking shall die before Payment shall have been made by him or her of the full Amount which under the Provisions of this Act may be called for by the said Company of Proprietors or Committee, in respect of such Share or Shares, in Manner aforesaid, without having made any sufficient and effectual Provision, by Will or otherwise, how the future Calls in respect of such Share or Shares are to be answered and satisfied, then and in every such Case the Executors or Administrators of such deceased Subscriber or Proprietor, and the Trustees or Guardians of any Infant or other Person entitled to the Estate and Effects of such deceased Subscriber or Proprietor respectively, shall be fully indemnified against such Infant, and all Persons whomsoever, in paying any Money which shall be duly called for in respect of such Share or Shares as aforesaid.

Executors, &c. of deceased Persons indemnified on paying Calls.

XLV. And be it further enacted, That it shall be lawful for the several and respective Proprietors of any Share or Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, to sell and transfer

Shares may be transferred.

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),

Form of
Transfer.

' I [or we] of
' in Consideration of paid to me [or us]
' by of do hereby
' bargain, sell, and transfer to the said the
' Sum of Capital Stock of and in the Under-
' taking called "The *Northampton* Gas Light Company," being my [or
' our] Share [or Shares] Number in the said
' Undertaking, to hold to the said Executors,
' Administrators, and Assigns, subject to the same Rules, Orders, and
' Restrictions, and on the same Conditions, that 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 our Hands and Seals
' this Day of in the Year of our Lord One
' thousand eight hundred and .

Transfers to
be registered.

And every such Transfer shall be produced and notified to the Clerk or Clerks of the said Company of Proprietors, and shall be entered or registered in the Books of the said Company, and the Entry or Registry thereof shall specify the Date, Names of the Parties, and the Number of Shares transferred, for which Entry and Registry the Sum of Two Shillings and Sixpence shall be paid to the Clerk or Clerks, or other Officer making the same ; and a Copy of such Registry, signed by the Clerk or Clerks, or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes and in all Trials before any Court in the United Kingdom ; and that until such Transfer shall be entered or registered in the Books of the said Company of Proprietors as aforesaid, no Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor 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 Shares in the said Undertaking.

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

XLVI. Provided always, and be it further enacted, That after a Call for Money shall be 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, until the Money so 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 ; and all and every Person or Persons making Default herein shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Undertaking to and for the general Benefit of the said Undertaking, unless he, she, or they shall at the Time of such Sale or Sales, or Transfer, pay to the Treasurer or Treasurers of the said Company the full Sum of Money called for upon every Share so to be sold or transferred ; such Forfeiture never-

nevertheless to be first notified and declared in Manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon.

XLVII. And be it further enacted, That it shall be lawful for the said Company of Proprietors and their Successors, and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect, subject to the Restrictions in this Act contained, such Buildings, Gasometers, Retorts, Receivers, Cisterns, Engines, Machines, and other Works and Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices, upon any of the Lands, Tenements, or Hereditaments, which the said Company may purchase for the Purpose, in such Manner as the said Company, or their Committee of Management for the Time being shall think necessary or proper for carrying the Purposes of this Act into Execution, and also to break up the Soil and Pavements of all and every or any Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places, or any Part of them, or the Arches or Coverings of any Cellar or Cellars, in and under any Streets, Squares, Highways, Roads, Ways, Lanes, Market Places, Passages, or other Places in the said Town, or any private Grounds, Roads, or Ways, or any Part of them, within the said Town, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, Branches, or other necessary Apparatus from such Pipes, in, under, across, and along such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Light as aforesaid, and from Time to Time to alter the Position of, and to repair, relay, and maintain such Mains, Pipes, Stopcocks, Syphons, Plugs, Branches, or other Apparatus; and also to erect, set up, place, and affix Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in any of the said Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places, or upon or against the Walls of any Dwelling Houses or other Buildings therein, either public or private; and also to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in or over any Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage, Cellar, or other Place, by the said Company, by virtue of this Act, into, through, or against any Dwelling House or Houses, Manufactories, or 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 Machine or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring or ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been so placed, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things, as the said Company and their Successors shall from Time to Time think necessary for completing, amending, repairing, improving, supplying, and using the same; provided a proper Compensation be made by the said Company of Proprietors for any Damage which may be done thereby.

Power to
make and
erect Retorts,
&c.

and to fix
Lamp Irons,
&c.

Consents to
be obtained.

XLVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize and empower the said Company or their Successors, to sink or make any such Cuts, Drains, Sewers, Watercourses, Reservoirs, or other Works and Devices, in any Situation or Direction where the same can, shall, or may injure any present or future public or private Drain, Sewer, or Well, nor fix, carry, or lay any Pipe or Pipes, Cocks or Branches, or other Apparatus, from any Main or Pipe, into or through or against any Dwelling House or Houses, Shops, Counting Houses, Warehouses, Manufactories, and other Buildings as aforesaid, or the Arches or Coverings of any Cellar or Cellars as aforesaid, or so to continue the same without the Consent of the Owner or Owners and Occupier or Occupiers for the Time being, of every such Dwelling House or Houses, Shops, Counting Houses, Warehouses, Manufactories, Cellars, and other Buildings as aforesaid: Provided also, that the Soil, Pitchings, Gutters, and Pavements of any Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places within the present or future Jurisdiction of the said Commissioners for executing the said recited Act of the Fifty-fourth Year of the Reign of His said late Majesty, or of any other Commissioners who for the Time being shall have the Controul, Direction, or Management of the paving, cleansing, lighting, and improving the said Town of *Northampton*, under the Authority of any Act or Acts of Parliament which shall be in force for that Purpose, shall only be broken up with the Consent of such Commissioners, and under the Inspection of their Surveyor; and that the Posts, Pillars, Pilasters, and Lamp Irons to be erected and fixed, and the Pipes to be carried, laid, or fixed in or to the same, or against any Dwelling Houses, Buildings, or Walls as aforesaid, for the Purpose of lighting the public Lamps, shall only be so erected, carried, laid, and fixed with the Approbation of the said Commissioners: Provided also, that all other public Streets, Highways, Roads, Lanes, Passages, and other public Places, shall only be broken up with the Consent of the Commissioners or Trustees respectively under whose Care, Superintendance, or Controul the same Streets, Highways, Roads, Lanes, Passages, and other public Places may be, and under the Inspection of the Surveyor or Surveyors of such Commissioners or Trustees respectively: Provided also, that nothing herein contained shall extend or be construed to extend to enable the said Company to carry or lay any Pipe or Pipes in, through, over, or upon any private Ground, Road, or Way, or to continue the same without the Consent in Writing of the Occupier or Occupiers and Owner or Owners of the Soil thereof respectively.

After Consent
allowed for
Company to
break up
Pavements,
no further
Consent
necessary.

XLIX. Provided always, and be it further enacted, That in all Cases where any Consent is required to be and shall be obtained by the said Company to break or take up or remove the Soil, Pitchings, Gutters, or Pavements in or of all and every or any of the said public Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places in the said Town, in order to lay down any Main or Mains, Pipe or Pipes to convey Gas, or for any other Purpose which may be required under this Act, nothing in this Act contained shall, after such Consent obtained as aforesaid, and after Twenty-four Hours previous Notice (or in case of Emergency, after Three Hours previous Notice) in Writing from the said Company or their Clerk,
given

given to or left at the Place of Abode of such Surveyor or Surveyors, or of the Clerk to such Commissioners or Trustees respectively, be deemed or construed to extend to prevent the said Company from repairing such Main or Mains, Pipe or Pipes, or from breaking or taking up or removing any Soil, Pitchings, Gutters, or Pavements in or of all and every or any public Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places whatsoever, for the Purpose of laying down or repairing any such Main or Mains, or any Pipe or Pipes whatsoever, or for any other Purpose which may be required under this Act: Provided always, that after the said Main Pipes shall have been first laid down and completed, and the public Lamps of the said Town of *Northampton* shall have been begun to be lighted, all and every of the new or additional public Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places which shall be required to be broken up by the said Company in order to lay down any further Main Pipe or Pipes therein, shall only be so broken up subject to the Directions and Restrictions provided by this Act.

L. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company, or any other Person or Persons whomsoever, to break, take up, or disturb the Ground, Stones, Soil, or Pavement in or of any Road or Highway within the said Town of *Northampton*, without the Consent in Writing of the Commissioners, Trustees, or other Persons in whom the Superintendance, Property, or Control of any such Road or Highway is by Authority of Parliament or otherwise vested, under the Hand or Hands of their proper Officer or Officers; and that all and every the Works, Matters, and Things at any Time hereafter to be done or performed by the said Company, or their Servants, Workmen, or others, in, upon, through or over any such Road or Highway shall be subject to the Provisions, Regulations, Penalties, and Notices, and all and every the Powers, Authorities, Provisions, Rules, Directions, Forfeitures, Claims, Matters and Things contained in any Act or Acts of Parliament for the making, amending, repairing, or improving any such Road or Highway, or otherwise relating thereto, so far as the same or any of them are applicable to Gas Light Companies, as fully and effectually as if the same had been amply re-enacted herein.

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

LI. Provided always, and be it further enacted, That no Person being a Proprietor of the said Company shall be entitled to be present and vote at any Meeting to be holden by the Commissioners acting under the said recited Act of the Fifty-fourth Year of the Reign of His said late Majesty, or any Commissioners to be appointed by any future Act for paving, cleansing, lighting, and improving the said Town of *Northampton*, upon any Question which shall arise relative to any Contract to be entered into between the said Commissioners and the said Company for lighting the said Town of *Northampton* with Gas, or upon any other Matter or Question which shall relate to or in anywise concern the said Company, upon Pain of forfeiting for every Offence to any Person who shall sue for the same, the Sum of Fifty Pounds, to be recovered with full Costs of Suit by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*.

Gas Light Proprietors being Commissioners of Paving, not to vote on Contracts with the Company.

LII. Pro-

Pavement to
be made
good where
Pipes are
laid.

Provision in
case of
Default.

LII. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Syphons, Branches, or other Works, shall do as little Damage as may be, and forthwith fill in the Trenches and make good the Pavements and Roads, and Arches and Coverings aforesaid, and remove, take, and carry away the Rubbish, Soil, and Materials occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for the Purposes of this Act, without any Delay, and shall in the meantime fence or guard and light by Night and all Night 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 in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Trenches or Ground, or removing Rubbish, or making good any such Pavements or Roads, Arches or Coverings, or in well and sufficiently guarding and lighting the same as aforesaid, then and in every such Case it shall and may be lawful to and for the Commissioners acting under or by virtue of the said recited Act of the Fifty-fourth Year of the Reign of His said late Majesty King *George* the Third, or any other Commissioners as aforesaid, or for the Trustees or Commissioners under whose Jurisdiction, Care, or Management, such Pavements or Roads now are or hereafter shall be respectively, or their Surveyor or Surveyors for the Time being, or any other Person or Persons acting by or under the Authority of the said Commissioners or Trustees respectively, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage, or other Place so broken up as aforesaid, and properly to fence or guard any such Trench or Excavation, and to place and maintain such Light or Lights during the Night, as to him or them shall seem necessary, and for the Owner or Owners of any such Cellar or Cellars, or any Person or Persons by his, her, or their Order, to make good the same Arches or Coverings, and that the reasonable Costs and Charges thereof, (such Costs and Charges, in case of Dispute respecting the same, to be ascertained and settled by some Justice or Justices of the Peace for the said Town of *Northampton*), shall be paid by the said Company or their Treasurer or Treasurers for the Time being; and that in default of Payment thereof for Four Days next after Demand shall be made by such Surveyor or Surveyors for the Time being as aforesaid, or other Person or Persons acting by or under the Authority of the said Commissioners or Trustees respectively, or the Owner or Owners of such Cellar or Cellars, (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 Town of *Northampton*), 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 of Proprietors, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to the Treasurer or Treasurers for the Time being to the said Commissioners or Trustees respectively, to the Account of such Commissioners or Trustees.

LIII. Pro-

LIII. Provided always, and be it further enacted, That the said Company of Proprietors, their Servants, Agents, Workmen or others, shall not, by any Work to be done by virtue of this Act, damage or injure any public Sewer or Drain within the said Town; and if any Damage or Injury shall unavoidably be done to any such Sewer or Drain, the said Company shall forthwith well and sufficiently repair and make good every such Damage or Injury, and on Default thereof, such Damage shall be recoverable by the Person or Persons to whom such Sewer or Drain may belong, or being liable to the Repair thereof, by Distress and Sale of the Goods and Chattels of the said Company; together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said Town of *Northampton*, and which Warrant such Justice or Justices is and are hereby empowered to grant.

Damages to Sewers to be made good.

LIV. Provided always, and be it further enacted, That if the said Company shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow any Washings or other Waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of the Works of the said Gas Light Company, or in the Process of obtaining the said Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or 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, Feeder, Pond, or 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 and in each and in every such Case the said Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed, and the Whole of such Penalty shall be paid to the Person or Persons who shall sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Feeder, Pond, Spring Head or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Company, and the said 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 emptied, drained, conducted, or conveyed,

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

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or from running or flowing in Manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid, and such last-mentioned Penalty shall and may be recovered and levied before any Justice or Justices of the Peace, as any other Penalty may be levied and recovered, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Commissioners of Pavement empowered to raise, sink, or alter Pipes, &c.

LV. And be it further enacted, That if for the Purposes of any Act or Acts in force for the Time being, for better paving the said Town of *Northampton*, it shall at any Time or Times be deemed necessary or expedient by the Commissioners for better paving the said Town, to require the said Company of Proprietors to raise, sink, or otherwise alter the Situation of any Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches, which shall be laid down for the Purposes of this Act, the said Company of Proprietors shall at their own Expence, within Three Calendar Months next after being required so to do, by Notice in Writing to them given by the said Commissioners, signed by their Clerk, raise, sink, or alter such Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches, according to such Notice, in such Manner and in such Place or Places as the said Commissioners shall think right and proper; and in Default thereof it shall and may be lawful to and for the said Commissioners, or their Surveyor, or any other Person or Persons acting by their Order, or under their Authority, to cause such Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches to be raised, sunk, or altered, and the reasonable Costs and Charges for doing the same shall immediately thereafter be paid by the said Company or their Treasurer: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Thirty Days next after Demand shall be made by such Surveyor or other Person acting by or under the Authority of the said Commissioners (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 Town of *Northampton*), all such reasonable Costs and Charges shall and may be recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs and Charges shall be paid to the said Commissioners or their Treasurer.

Damage to be made good to the Company.

LVI. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Mains, Pipes, Stopcocks, Plugs, Syphons, or Branches, any Damage or Injury shall be wilfully or negligently done to the same by the said Commissioners, or their Servants or Workmen, then and in every such Case such Damage or Injury shall be repaired and made good by the said Company themselves, as soon as Circumstances will permit, and the Costs, Charges, and Expences thereof

thereof shall be paid by the said Commissioners to the said Company or their Treasurer; and in case they cannot agree touching the Amount thereof, the same shall be ascertained and settled by Two Justices of the Peace acting in and for the said Town of *Northampton*, who are hereby authorized to hear and determine the same, and their Determination therein shall be final and conclusive; and such Damages and Expences, together with the Costs and Charges of ascertaining and recovering the same, may, in Default of Payment thereof, be recovered from the said Commissioners, together with Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

LVII. Provided also, and be it further enacted, That in case the said Company shall at any Time hereafter break up the Soil, Pitchings, Gutters, or Pavements of any private Ground, Road, or Way, for the Purpose of laying, and shall lay any Pipe or Main along, under, or across the same, with the Consent of the Owner or Owners, and Occupier or Occupiers thereof for the Time being, and such Owner or Owners, and Occupier or Occupiers shall at any Time or Times thereafter deem it necessary or expedient to alter and vary the Position of such Pipe or Pipes, Main or Mains, the said Company of Proprietors shall, at the Expence, Costs, and Charges of such Owner or Owners, and Occupier or Occupiers respectively, within One Calendar Month next after being required so to do, by Notice in Writing to them given by the said Owner or Owners and Occupier or Occupiers, alter and vary the Position of such Pipe or Pipes, Main or Mains, and relay the same according to such Notice, in such Manner and in such Place or Places as the said Owner or Owners and Occupier or Occupiers shall think right or proper; and in Default thereof it shall be lawful to and for the said Owner or Owners and Occupier or Occupiers, or their Agents, Servants, or Workmen, at the like Costs and Charges of the said Owner or Owners and Occupier or Occupiers, to cause the Position of such Pipe or Pipes, Main or Mains, to be altered, varied, and relaid as aforesaid.

Position of Pipes in private Grounds may be altered if Owners and Occupiers desire it.

LVIII. Provided always, and be it further enacted, That in case any Pipe, Cock, or Branch shall be fixed, carried, or laid from any Main or Pipe of the said Company into or through or against any private Dwelling House or Houses, Shops, Counting Houses, Warehouses, Manufactories, and other Buildings, for the Purpose of lighting the same or any other Dwelling House or Houses, Shops, Counting Houses, Warehouses, Manufactories, and other Buildings, in pursuance of and conformably to the Powers and Authorities in this Act contained, and the Owner or Owners or Occupier or Occupiers of any such private Dwelling House or Houses, Shops, Counting Houses, Warehouses, Manufactories, and other Buildings, into or through or against which such Pipe, Cock, or Branch shall be fixed, carried, or laid, shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such his, her, or their Desire, shall give Notice in Writing to the said Company, then and in every such Case the said Company shall at the Costs and Charges of the Party or Parties requiring

Company to remove Branch Pipes, &c. on private Property, on Notice.

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the same, within Ten Days after Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon from any such Main or Pipe of the said Company as aforesaid, and in Default thereof it shall and may be lawful to and for such Owner or Owners, or Occupier or Occupiers, or any other Person or Persons acting under his, her, or their Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require.

Gas to be
supplied
cheaper than
Oil Light.

LIX. Provided always, and be it further enacted, That in case the said Company of Proprietors, or their said Committee of Management, shall at any Time hereafter contract with the Commissioners acting for the Time being under the said recited Act of the Fifty-fourth Year of the Reign of His late Majesty as aforesaid, for lighting any of the public Lamps in any of the Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places within the said Town, or the Liberties thereof, the said Company shall and they are hereby directed and required to supply such public Lamps which they shall so contract to light with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil Lamps; and every Contract or Agreement which shall be entered into for lighting with Gas such public Lamps by the said Company, or their said Committee of Management, shall contain a Clause providing that it shall be obligatory on the said Company that such public Lamps shall at all Times be better and cheaper lighted by the said Company than could be done by Oil Lamps.

Service Pipes
to be kept
fully charged
with Gas.

LX. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be put up by the said Company of Proprietors for lighting such public Lamps under any Contract or Agreement with the said Company, shall be kept fully charged with Gas, and the Stopcocks shall be so formed and turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same public Lamps shall be lighted.

Recovery of
Rent.

LXI. And be it further enacted, That in case any Person or Persons who shall contract with the said Company of Proprietors, or their said Committee of Management, or agree to take, or shall use or enjoy the Benefit of the said Gas in their private Dwellings, Shops, Inns, Taverns, or other public or private Buildings or Manufactories, shall refuse or neglect, for the Space of Ten Days after Demand, to pay the Sum or Sums of Money then due for the same to the said Company of Proprietors, according to the Terms and Stipulations of the said Company, it shall be lawful for the said Company, or their Clerk or Clerks, or Engineer, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said Town of *Northampton*, (which Warrant such Justice is hereby empowered and required to grant, upon Application made to him for that Purpose) to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, together with the Costs and Charges attending such Application

cation, Distress, and Sale, rendering the Overplus (if any), on Demand, to such Person or Persons so neglecting or refusing; or the same, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance shall be allowed; and also that after such Refusal or Neglect as aforesaid, it shall and may be lawful to and for the said Company of Proprietors, their said Committee of Management, or their Clerk or Engineer, or any other Person or Persons acting by or under their or either of their Authority, to cause the Gas so supplied to any such private Dwellings, Shops, Inns, Taverns, or other public or private Buildings, Manufactories, or Places as aforesaid, to be withheld in such Manner as the said Company, or their Clerk or Engineer shall for that Purpose think proper.

LXII. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe or Burner, to communicate with any Pipe belonging to the said Company of Proprietors, without the Consent of the said Company, under their Common Seal, first had and obtained, nor when so laid use any Burner or Burners than such as shall be provided by the said Company, or use Burners of larger Dimensions, or of superior Quality, nor more in Number, nor for a greater Space of Time than he, she, or they shall respectively contract or pay for, nor supply any Inhabitant of the said Town, or other Person, with any Part of such Gas, on Pain of forfeiting and paying to the said Company the Sum of Ten Pounds; and also the further Sum of Ten Shillings a Day, for every Day such Pipe or Burner shall so remain, or such Burner or Burners which shall not have been provided by the said Company of Proprietors shall be used, or such Excess be so committed, or such Supply furnished, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said Town of *Northampton*, and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus after such Penalty or Forfeiture, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture and Penalty shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the said Town of *Northampton*, at *Northampton* aforesaid, 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, if they shall so think fit, also to take off the Supply of Gas from the House and Premises of the Person so offending, notwithstanding any Contract or Agreement which may have been previously entered into.

LXIII. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company of Proprietors, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing and performing any of the Works, or in Exercise of any of the Powers and Authorities

[*Local.*]

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Penalty for interrupting Company's Workmen.

Authorities by this Act granted, or shall in anywise cause or procure the same to be done, every Person so offending, shall for every such Offence forfeit and pay to the said Company of Proprietors, or to the proper Person or Persons by them authorized in that Behalf, any Sum not exceeding Five Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption; such Damage to be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered.

Penalty on
wilfully
damaging
Pipes, &c.

LXIV. And be it further enacted, That if any Person or Persons shall wilfully, wantonly, or maliciously remove, break, throw down, take away, destroy, damage, or injure any or any Part of any Pipe, Pedestal, Plug, Lamp, Lamp Post, Lamp Iron, or other Apparatus, Matter, or Thing belonging to the said Company of Proprietors, or shall wilfully, wantonly, or maliciously waste or improperly use any of the Inflammable Air or Gas supplied by the said Company, or shall wilfully extinguish the Light or Lights of or in any of the public Lamps, or shall wilfully or intentionally enlarge or alter any of the Burners, so as to occasion more of such Inflammable Air or Gas to be consumed than has been contracted for, every Person so offending in any 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 Town of *Northampton*, or other Justice or Justices of the Peace having legal Jurisdiction in that Behalf, shall for each such separate and distinct Offence forfeit and pay to the said Company of Proprietors any Sum not exceeding Five Pounds, and Three Times the Amount of the Damages done, to be ascertained by such Justice or Justices; such Penalty and Damage, together with reasonable Costs, to be levied under the Warrant of such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, 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 Common Gaol or House of Correction of and for the said Town of *Northampton*, at *Northampton* aforesaid, there to remain for any Time not exceeding Three Calendar Months, unless such Forfeiture, Damage, and Costs shall be sooner paid and satisfied.

Accidentally
damaging
Pipes, &c.

LXV. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, throw down, remove, destroy, damage, or otherwise injure any or any Part of any Pipe, Plug, Lamp, Lamp Post, Lamp Iron, or other Apparatus, Matter, or Thing set up by or belonging to the said Company, or belonging to any Person or Persons, and set up by him, her, or them, at his, her, or their private Expence, or carelessly or accidentally waste any of the Inflammable Air or Gas supplied by the said Company, and shall not immediately upon Demand by the said Company of Proprietors, or their said Committee of Management, or their Clerk or Superintendant, or other Person or Persons authorized by the said Company, or their said Committee, make Satisfaction for the Damage done, or the Gas so wasted, then and in

every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace for the said Town of *Northampton*, and he or they is and are hereby required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Nonappearance of the Party or Parties so complained against, to award such Sum or Sums of Money by way of Satisfaction to the said Company, or to such other Person or Persons as the Case may require, for such Damages or Waste as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any Sum or Sums of Money so awarded, within Four Days after Demand, it shall and may be lawful to and for such Justice or Justices, and he or they is and are hereby required to cause the same, with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels.

LXVI. 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 by Parol or in Writing (to be left or given at their Office or usual Place of transacting their Business) of any such Escape of Gas, from any Person or Persons whomsoever, 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 by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of any such Notice having been given, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, before some One or more Justice or Justices of the Peace for the said Town of *Northampton*, and shall and may be recovered, with all reasonable Costs and Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid.

For stopping
the Escape of
Gas.

LXVII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage, or other Place in the said Town, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Three Feet at the least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of any Body Politic or Corporate, Trustees or Commissioners, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places in the said Town (unless

Gas Pipes not
to be laid
within certain
Distances
from Water
Pipes.

(unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the Water Pipes of any such Body Politic or Corporate, Trustees or Commissioners, in which Cases the said Gas Pipes shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a right Angle), and that in such Cases the said Gas Pipes so crossing any such Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of any such Water Pipes than Three Feet at least; and that in laying down the said Gas Pipes the said Gas Light Company, their Successors or Assigns, shall in no Case join Three or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes connected or connecting therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively Air-tight, and in all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, upon Pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered and applied as any Penalty is herein-after directed to be recovered and applied.

Company to prevent Escape and Contamination, &c. of Water.

LXVIII. And be it further enacted, That whenever the Water of any Conduit for the Use of the Inhabitants of the said Town of *Northampton* shall be contaminated or affected by the Gas of the said Company of Proprietors, the said Company shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds; and in case any such Water shall be contaminated or affected in any Way whatsoever, by Gas of the said Company, then and in every such Case and Cases, the said Company shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any Inhabitant of the said Town, to be left at the usual Office or Place of transacting Business of the said Company, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting such Water; and in case the said Company shall not within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination by the Gas of the said Company, whereof Notice shall be given as aforesaid, then and in every such Case the said Company shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated, tainted, or affected by such Gas.

For ascertaining if the Water is contaminated.

LXIX. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Company of Proprietors; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Inhabitant so complaining, after giving Notice in Writing to the Commissioners or Trustees respectively, under whose Care, Superintendence, or Controul, any public Streets, Highways, Roads, Lanes, Passages, or other

other public Places within the said Town of *Northampton*, may be, and having an Order signed by any Justice or Justices of the Peace for the said Town (which Order such Justice and Justices is and are hereby required to grant on Oath made before him or them that such Water is believed to be so contaminated), to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Company, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Company; and if it shall appear that the said Water has been contaminated by any Escape of such Gas, the Costs and Expences of the said digging, Search, and Examination, and Repair of the Pavement of the Street or Streets, or such Part or Parts thereof which shall be so taken up or disturbed, shall be borne and paid by the said Company; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice or Justices, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any Escape of Gas from any of the Mains, Pipes, or Conduits of the said Company, then and in such Case the said Inhabitant so complaining shall bear and pay all the Costs and Expences of such Examination and Search, and shall also forthwith pay and make good to the said Commissioners or Trustees respectively, under whose Care, Superintendence, or Controul, any such Streets, Highways, Roads, Lanes, Passages, or other Places, or any Part thereof which shall or may have been so broken up for the Purpose aforesaid, may be, all Costs, Charges, and Expences which shall or may be incurred by such Commissioners or Trustees respectively, in repairing, restoring, and making good any Street, Highway, Road, Lane, Passage, or other Place, or any Part thereof, which may have been so broken up by such Inhabitant as aforesaid; and such Inhabitant shall also in the Case aforesaid forthwith pay and make good to the said Company any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Company in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined in the said Cases respectively, if necessary, by such Justice or Justices of the Peace as aforesaid.

LXX. 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 of Proprietors, or any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Means which shall be employed by them in making or producing the said Gas, and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Company of Proprietors, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or Use of the same Gas, or the Method of lighting, or the Carelessness or want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

The Company liable to be indicted.

LXXI. And be it further enacted, That in all Cases where any Costs, Charges, Damages, Compensations, or Expences are by this Act directed

For ascertaining and compelling to

[Local.]

Payment of
Costs, Da-
mages, and
Expences.

to be paid or received by the said Company to or from any Body Corporate or Politic, Commissioners, Trustees, or other Person or Persons, and the Amount of such Costs, Charges, Damages, Compensations, or Expences shall not be agreed on by or between the Parties, and is not herein or hereby otherwise directed or authorized to be ascertained and recovered, the same shall be settled and determined by any Two or more Justices of the Peace for the said Town of *Northampton*, who are hereby authorized and required within Seven Days next after Complaint or Application shall be made to them for that Purpose by the Party aggrieved or entitled to claim Compensation, to inquire into, and upon the Oath or Affirmation of One or more credible Witness or Witnesses, ascertain and determine the same in a summary Way, and in case the Amount of such Costs, Charges, Damages, Compensations, and Expences so to be ascertained and determined as aforesaid, shall not be paid and discharged within Ten Days next after the same shall have been so ascertained and determined, and Demand of Payment having been duly made, the Amount thereof, or of so much thereof as shall then remain unpaid, together with any Penalties which may then have been incurred in consequence of such Non-payment, shall and may, upon Proof by the Oath or Affirmation of One or more credible Witness or Witnesses of such Demand and Neglect of Payment, be levied and recovered by Distress and Sale of the Goods and Chattels of the Party or Parties to whom it shall belong to pay the same, together with the Costs of such Distress and Sale, by Warrant under the Hands and Seals of Two or more Justices of the Peace for the said Town, which Warrant they are accordingly hereby authorized and directed to grant, and for the Purpose of being executed in a different Jurisdiction to that in which such Warrant shall have issued, such Warrant shall and may be indorsed by the Justice or Justices of such other Jurisdiction, in the like Manner as Warrants of Distress and Sale are now permitted and authorized; and the Amount which shall be recovered and received under such Warrant shall be paid to the Party or Parties authorized to claim and receive the same under the Provisions herein contained, who after deducting the necessary Charges of making such Distress and Sale shall pay over the Surplus thereof (if any) to the Party or Parties so refusing or neglecting, or the Amount may be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

Recovery and
Application
of Penalties.

LXXII. 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 Offender is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the said Town of *Northampton*, or other Justice of the Peace having legal Jurisdiction, in a summary Way, and who is hereby authorized and empowered to convict the Offender or Offenders upon Information by the Oath of any Person or Persons (which Oath such Justice is hereby authorized to administer), or on the Confession of the Party offending; and that in Default of Payment of such Penalties or Forfeitures, together with the reasonable Costs and Charges attending the same, (such Costs and Charges to be ascertained and settled by the said Justice acting therein as aforesaid), the same shall be levied by Distress and Sale of the
Offender's

Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and One Moiety of the Penalties and Forfeitures when recovered, after rendering the Overplus (if any) on Demand to the Party or Parties whose Goods and Chattels shall be so distrained (the said Costs and Charges, and also the reasonable Charges of such Distress and Sale being first deducted) shall be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of such Parish in the said Town of *Northampton* wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures, Costs and Charges, shall not be paid, it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security (and which Security the said Justice is hereby empowered to take by Way of Recognizance or otherwise), but if upon the Return of such Warrant or Warrants it shall appear that no such sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said Town of *Northampton* at *Northampton*, for any Time not exceeding Three Calendar Months, unless such Penalties or Forfeitures, Costs and Charges, shall be sooner paid.

LXXIII. 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; (*videlicet*),

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

Form of
Conviction.

LXXIV. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any Penalty, Fine, or Forfeiture imposed by this Act, for any Offence

Informations
to be lodged
within Three
Calendar
or Months.

or Offences against the same, or any Order or Bye-Law made in pursuance thereof, herein-before made cognizable before any Justice or Justices of the Peace, unless Information respecting such Offence or Offences shall have been lodged before some Justice or Justices of the Peace within Three Calendar Months next after the committing of such Offence or Offences.

Appeal.

LXXV. And be it further enacted, That if any Body or Bodies Politic or Corporate, or 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 Body or Bodies Politic or Corporate, or such Person or Persons, may appeal either to the Justices of the Peace for the Town of *Northampton*, or to the Justices of the Peace for the County of *Northampton*, at the Option of the Party making such Appeal, at their General or Quarter Sessions of the Peace to be held for the said Town or County respectively, 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 Matter thereof, to the Respondent or Respondents, and within Ten Days next after such Notice given, entering into Recognizance before One of His Majesty's Justices of the Peace for the said Town or County, as the Case may be, with Two sufficient Sureties, conditioned to try such Appeal at such General or Quarter Sessions, and to abide the Order of and to pay such Costs as shall 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 once made shall be final, binding, and conclusive upon all Parties.

Compelling Attendance of Witnesses.

LXXVI. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on Behalf of the Prosecution, or on Behalf of the Person or Persons accused, and shall refuse or neglect to appear from Time to Time, at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum for his, her, or their Costs and Expences, without a reasonable Excuse for his, her, or their Refusal or Neglect of appearing, or appearing shall refuse to be examined upon Oath, or in case of a Quaker or Quakers, on solemn Affirmation, (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, to be recovered as is herein-before directed as to other Penalties imposed by the Authority of this Act.

Persons giving false Evidence to be punished.

LXXVII. And be it further enacted, That if any Witness or Witnesses, who shall be examined by or before any Justice of the Peace under this Act

Act upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he, she, or they so giving false Evidence shall be subject to the same Punishment as Persons convicted of wilful and corrupt Perjury.

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

Distresses not unlawful for Want of Form.

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

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

LXXX. And be it further enacted, That it shall and may be lawful for any of the said Proprietors or their Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Proprietors, Surveyors, or other Officers) who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the said Town of *Northampton*, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For securing transient Offenders.

LXXXI. And be it further enacted, That in all Cases wherein it may be requisite to serve any Notice or Notices upon the said Company of Proprietors, or any Writ or Writs or other legal Proceedings, the Service thereof upon the Clerk or Clerks of the said Company, or at the Office of such Clerk or Clerks, or left at his or their last or usual Place of Abode, or at the Office of the said Company; or upon any Member of the said Committee, or left at his last or usual Place of Abode, or upon any Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Directions as to Service of Notices, Writs, &c.

LXXXII. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, or otherwise incurred in relation to the same, shall be paid and discharged by the said Company of Proprietors, or their Committee of Management, out

Expences of the Act how to be paid.

[Local.]

25 G

of

of the Monies already subscribed or to be subscribed by virtue of this Act.

Saving
Rights.

LXXXIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Mayor, Bailiffs, and Burgesses of the said Town of *Northampton*, and their Successors, and to the Commissioners acting under the said recited Act of the Fifty-fourth Year of the Reign of His said late Majesty, or to the Commissioners of any Act or Acts which shall or may hereafter be in force for the cleansing, lighting, paving, and improving the said Town of *Northampton*, and their Successors, and to the Trustees for making, altering, amending, maintaining, and repairing any Road or Highway in any Parish or Place within the said Town of *Northampton*, or the Liberties thereof, and their Successors, their respective Royalties, Privileges, Franchises, Rights, and Powers, as fully and completely in every respect as they held and enjoyed the same before the passing of this Act.

Public Act.

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

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