



ANNO SEPTIMO

GULIELMI IV. REGIS.

Cap. xix.

An Act for better lighting with Gas the Town of
Cardiff in the County of *Glamorgan*.

[5th *May* 1837.]

WHEREAS the Town of *Cardiff* in the County of *Glamorgan* is a Place of considerable Trade, has of late Years much increased in Population, and is likely still further to increase, and it would be of great Convenience and Advantage to the Inhabitants of the said Town and to the Public at large if a further and better Supply of Gas were provided for lighting the several Streets, Roads, Lanes, and public Passages and Places, and Buildings, and also the several Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings within the said Town: And whereas a considerable Number of the Inhabitants of and Consumers of Gas within the said Town, and other Persons, are desirous of furnishing such Supply, and have entered into a Subscription among themselves for that Purpose; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Elizabeth Barrett, Robert Beaumont, George Bird, John Bird, William Bird, Charlotte Diana Lynch Blosse, Katherine Diana Lynch Blosse, Daniel Brown, Evan David, Evan Williams David, Robert Daw, Henry Douglas Donovan, Edward Edmonds, David Evans, Evan Evans, James Evans Clerk, Thomas Evans, Morgan Fairclough, William Harris, Peter Henderson, Jonathan Howells,*

Proprietors
incorporated.

[*Local.*]

5 U

William

Name of the
Company.

William Jenkins, George Insole, William John, Thomas Jones, William Jones, Thomas Henry Lowder, Andrew Miller, Thomas Minnitt, John Moggridge, Henry Morgan, Griffith Phillips, Thomas Powell, William Pritchard, Richard Lewis Reece, Edward Priest Richards, William Richards, William Rose, Thomas Stacey Clerk, Jeremiah Stockdale, George Thomas Clerk, James Thomas, William Thomas, Stephen Towgood, Susan Towgood, Henry Andrew Vaughan, George Watson, William Jonas Watson, John James Watkins, William Bradley Watkins, William Walters, William White, Ann Williams, Charles Crofts Williams, and William Williams, and every such other Person as shall or may from Time to Time, in such Manner as is hereafter mentioned, become a Proprietor of a Share or Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company, and declared to be One Body Politic and Corporate by the Name of "The *Cardiff* Gas Light and Coke Company," and by that Name shall have perpetual Succession and a Common Seal, with full Power and Authority to use the same, and by that Name shall and may sue and be sued, plead and be impleaded, at Law and in Equity, and shall and may prefer and prosecute any Bill of Indictment for any Felony, Misdemeanor, or other Offence punishable by the Laws of this Realm, and shall and may have Power and Authority from Time to Time and at all Times to purchase and to hold to them and their Successors and Assigns any Lands, Messuages, Buildings, Tenements, and Hereditaments, for the Use of the said Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and to sell and convey any of the Lands, Messuages, Buildings, Tenements, and Hereditaments so purchased or held by the said Company.

Purposes of
the Com-
pany.

II. And be it further enacted, That the said Company shall be established for the Purpose of producing Inflammable Air or Gas from Coal, Oil, Tar, Pitch, or other Materials, and for lighting with Gas the several Streets, Roads, Lanes, and public Passages and Places and Buildings, and also the several Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings within the said Town, and also for selling and disposing of Coke, and of all and every Product and Products, Refuse or Residuum arising or to be obtained from the Materials used in or necessary for the Manufacture of Gas, in such Manner as the said Company may think proper.

Construc-
tion of
Terms.

III. And be it further enacted, That wherever in this Act any Word or Words is or are used importing the Singular Number or Masculine Gender only, such Word or Words shall extend to and shall be construed to extend to and include several Matters as well as one Matter, and the Plural as well as the Singular Number, and Females as well as Males, and a Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals; and that the Words "Justice of the Peace" or "Justices of the Peace" shall be understood to mean a Justice of the Peace or Justices of the Peace for the Borough of *Cardiff* or for the County of *Glamorgan*; unless it be otherwise specially directed or provided for, or there be something in the Subject or Context repugnant to such Construction.

IV. And

IV. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves the Sum of Ten thousand Pounds, by way of Capital or Joint Stock, for establishing, completing, and carrying on the said Undertaking and the Purposes of this Act, provided that the whole of such Sum shall be subscribed before the Powers of this Act shall be put in execution.

Power to raise Capital or Stock not exceeding 10,000*l.*

V. And be it further enacted, That it shall be lawful for the said Company at any Time hereafter and from Time to Time to raise any further Sum of Money not exceeding, together with the said Sum of Ten thousand Pounds, the Sum of Twenty thousand Pounds, for increasing the Capital or Joint Stock of the said Company, either by a Subscription among themselves or by the Admission of new Subscribers, or by both the said Ways.

Capital may be increased.

VI. And be it further enacted, That the said Capital or Joint Stock of Ten thousand Pounds, and also any additional Sum to be hereafter raised as aforesaid, shall be divided into Shares of Twenty-five Pounds each, and such Shares shall be numbered, beginning with Number One, in regular or arithmetical Progression, and every such Share shall always be distinguished by the Number to be applied to the same; and the said Capital or Joint Stock of the said Company shall be and is hereby vested in the several Persons so raising or contributing to the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum they shall severally subscribe for and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more such Share or Shares, and who shall contribute or pay the same, or such Sum as shall be demanded in lieu thereof, for or towards carrying on and completing the said Undertaking and other the Purposes of this Act, shall be entitled to and receive, at such Time as the said Company shall direct and appoint, the entire and net Distribution of an equal proportionable Part, according to the Money so contributed, of the net Profits and Advantages of the said Undertaking that shall and may arise and accrue to, or be raised, recovered, or received by, the said Company; and every Person having or holding any such Share or Shares as aforesaid shall bear and pay a proportionable Sum towards carrying on the Purposes of this Act in manner herein directed and appointed; and every Person who shall have subscribed for or agreed to advance any Money for the Purposes of this Act, or who shall hereafter subscribe for or agree to advance any Part of any such Money, or who shall become entitled to and shall be in the actual Possession of One or more Share or Shares in the Capital or Joint Stock of the said Company, and his Executors or Administrators, shall be deemed to be a Proprietor of the Undertaking hereby authorized to be carried into effect; and the Names of such Proprietors, with the Numbers of their respective Shares, shall be registered in the Books of the said Company.

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

Subscribers to be deemed Proprietors.

VII. And be it further enacted, That no Proprietor of the said Company shall in any Case be called upon to advance any Sum of Money whatever beyond the Amount of the Share he may have in the Capital Stock of the said Company.

No Proprietor to be called upon for more than his Share.

VIII. Pro-

Shares to be
deemed
Personal
Estate.

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

Power to
raise Money
by Mortgage.

IX. Provided also, and be it further enacted, That in case the said Company shall be desirous of raising any Sum of Money which may be necessary for the Purposes of this Act by Mortgage of the said Undertaking, it shall be lawful for the said Company at any Time or from Time to Time to borrow and take up at Interest such Sum for the Use of the said Company as they shall think proper, not exceeding in the whole the Sum of Six thousand and five hundred Pounds, and either in one Sum or in several Sums, on the Credit of the said Undertaking, and the Buildings, Lands, and Tenements thereof, and the Profits and Advantages, or any Part thereof, arising or to arise to the said Company by virtue of this Act: Provided always, that the Amount of Money to be raised by Mortgage as aforesaid, and which shall be due and owing on the Credit of the said Undertaking, shall never exceed at any One Time One Third of the Amount of the paid-up Capital of the said Company; and it shall be lawful for the said Company by Writing under their Common Seal to assign all or any Part of the Property and Effects of the said Company to such Person as shall lend or advance any such Money, or to his Trustee, 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 by Deed duly stamped, in which the Consideration for such Assignment shall be truly stated and specified, and may be in the Words or to the Effect following; (that is to say,)

Form of
Assignment.

‘ WE, “The *Cardiff* Gas Light and Coke Company,” acting in pur-
‘ suance of an Act passed in the Year of the Reign of
‘ King *William* the Fourth, intituled *An Act, &c.* [*here insert 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, as the
‘ *Case may be*], his Executors, Administrators, and Assigns, such Pro-
‘ portion of the Property and Effects belonging to the said Company as
‘ the said Sum of doth or shall bear to the whole Sum
‘ which may at any Time be borrowed by virtue of the said Act, to
‘ be had and holden from the Day of the Date hereof until the said
‘ Sum of with Interest after the Rate of per
‘ *Centum per Annum* for the same, shall be fully paid and satisfied. In
‘ witness whereof we the said Company have hereunto set our Common
‘ Seal the Day of One thousand eight
‘ hundred and .’

And every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person to whom the same shall be made, his 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; and a Copy
of

of every such Security or Assignment shall be entered in the Books of the said Company.

X. And be it further enacted, That it shall and may be lawful to and for the several and respective 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 whomsoever; and every such Transfer shall be by Deed duly stamped, in which the Consideration for such Transfer shall be truly stated and specified, and may be in the Words or to the Effect following; (that is to say,)

Power of transferring Assignments.

‘ I *A. B.* being entitled to the Sum of _____ under _____ Form of
 ‘ or by virtue of an Assignment bearing Date the _____ Day Transfer,
 ‘ of _____ under the Common Seal of “The *Cardiff* Gas Light and
 ‘ Coke Company,” in pursuance of an Act passed in the _____ Year of the
 ‘ Reign of King *William* the Fourth, intituled *An Act, &c.* [*here insert the*
 ‘ *Title of this Act*], in consideration of the Sum of _____ paid by
 ‘ of _____ in the County of _____ to me at or before
 ‘ the Execution hereof, do hereby assign and transfer all my Right and
 ‘ Interest in and to the said Sum of _____ and to the Property and
 ‘ Effects assigned to me for securing the said Sum of _____ unto
 ‘ the said _____ his Executors, Administrators, or Assigns.
 ‘ Dated the _____ Day of _____ One thousand eight
 ‘ hundred and _____ .’

And every such Transfer shall be produced to the Clerk to the said Company, who shall cause an Abstract thereof to be entered in the Books of the said Company, which Abstract shall specify and contain the Date, Names of the Parties, and Sum of Money thereby transferred; and for the entering of every such Transfer the said Clerk shall be paid by the Person 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 Executors, Administrators, or Assigns, to the full Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

XI. And be it further enacted, That all Persons to whom any such Assignment shall be made shall be equally entitled one with the other to the said Undertaking and Property and Effects of the said Company, and the Profits and Advantages thereof, so to be assigned, in proportion and according to the respective Sums in such Securities mentioned to be advanced, without any Preference by reason of the Priority of any such Assignment or on any other Account; and it shall not be lawful for any Person who shall have made any such Transfer to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; but neither such Mortgagee nor his Assignee (he not being previously a Proprietor of Shares in the said Undertaking) shall be deemed a Proprietor of the said Undertaking, or be capable of acting in any respect as such.

No Priority of Mortgages.

For enforcing Payment of Subscriptions.

XII. And be it further enacted, That the several Persons who have already subscribed for or towards the said Undertaking, or who shall at any Time hereafter have or hold any Share in the Capital or Joint Stock in the said Company, shall and they are hereby respectively required to pay the Sum 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 Time and Place, to such Person, and in such Manner as shall be ordered and directed by the said Company or their Directors herein-after mentioned for the Time being; and in case any Person shall neglect or refuse to pay any such Money at such Time and in such Manner as shall be ordered and directed by the said Company or their Directors as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time of Payment, and full Costs of Suit, 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 of such Share or Shares, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

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

XIII. And be it further enacted, That the said Company shall and they are hereby required to cause the Names and Designations of the several Persons who are or shall be hereafter Subscribers to or Proprietors of Shares in the said Undertaking, with the proper Number by which every Share possessed by each of the Subscribers and Proprietors shall be distinguished, to be distinctly entered in the Books of the Company; 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 Subscriber or Proprietor, which Certificate shall be delivered to the Proprietor of such Share, or his Executors, Administrators, or Assigns, upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his Executors, Administrators, and Assigns, to the Share therein specified, and to the Profits and Advantages accruing in respect of the same, but the Want of such Certificate shall not hinder or prevent the Proprietor of any such Share from selling or disposing of the same; and in case such Certificate shall not be produced or forthcoming, the said Entry, or a true Copy thereof, certified by the Clerk of the said Company, shall be deemed *prima facie* Evidence of Title, and for which Certificate and the original Certificate respectively the said Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and which said Certificate may be in the Words or to the Effect following; (that is to say,)

Form of Certificate.

‘ *Cardiff* Gas Light and Coke Company.
 ‘ Number _____
 ‘ THESE are to certify, That _____ of
 ‘ in the County of _____ is a Proprietor of the Share,
 ‘ Number _____ of the Capital or Joint Stock of “ *The Cardiff* Gas Light
 ‘ and Coke Company,” subject to the Rules, Regulations, and Orders of
 ‘ the said Company, and that the said _____ his Executors
 ‘ or

‘ or Administrators *or* [Successors] and Assigns, is and are entitled to
 ‘ such Proportion of the Profits and Advantages arising or to arise to
 ‘ the said Company as shall belong to such Share. Given under the
 ‘ Common Seal of the said Company the Day of One
 ‘ thousand eight hundred and .’

XIV. And be it further enacted, That it shall be lawful for the Proprietor of any Share in the said Undertaking, his Executors, Administrators, Successors, and Assigns, to sell and transfer any such Share; and every such Transfer may be in the Form or to the Effect following; (that is to say,) Shares may be sold.

‘ I of in the County of Form of
 ‘ in consideration of paid to me by Transfer.
 ‘ of in the County of
 ‘ do hereby bargain, sell, and transfer to the said the
 ‘ Sum of Part of the Capital or Joint Stock of
 ‘ “The *Cardiff* Gas Light and Coke Company,” being my Share Num-
 ‘ ber in the Capital or Joint Stock and Property and Effects
 ‘ of the said Company, to hold to the said his Execu-
 ‘ tors, Administrators, and Assigns, subject to the same Rules, Orders,
 ‘ and Restrictions, and on the same Conditions, that I held the same
 ‘ immediately before the Execution hereof; and I the said
 ‘ do hereby agree to take and accept the said Share, sub-
 ‘ ject to the same Rules, Orders, Restrictions, and Conditions. As
 ‘ witness our Hands and Seals this Day of One thousand
 ‘ eight hundred and .’

Which Transfer shall be executed by all the Parties thereto; and on every such Sale the said Transfer shall be kept by the Purchaser for his Security, after the Clerk to the said Company of Proprietors shall have entered in a Book to be kept for that Purpose a Copy of such Transfer for the Use of the said Company, and have certified such Entry on such Transfer, for which Copy and Certificate the Sum of Two Shillings and Sixpence, or Four-pence for every Seventy-two Words, at the Option of the said Clerk, and no more, shall be paid to the said Clerk, who is hereby required to make such Entry accordingly; and until such Transfer shall be so entered or registered such Purchaser of any Share, his Executors, Administrators, Successors, or Assigns, shall not have any Part or Share of or in the said Undertaking, or of or in the Profits, Dividends, and Advantages thereof, nor be entitled to vote at any Meeting as a Proprietor of Shares in the said Undertaking: Provided also, that after any Call for Money shall be made by virtue of this Act no Person shall sell or transfer any Share which he shall possess in the said Undertaking, until the Money so called for in respect of his Share intended to be sold shall be paid; and until such Money so called for shall be paid any such Sale or Transfer of any Share shall not be valid; and every Person making default therein shall be subject and liable to forfeit such his Share in the said Undertaking, to and for the general Benefit of the said Company, unless he shall at the Time of such Sale or Transfer pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred, subject to the Provisions of this Act. Transfers to be registered

XV. And

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

XV. And be it further enacted, That in all Cases where the Right of Property in any Share in the said Undertaking shall pass from the original Subscriber or any Proprietor thereof to any other Person by any other legal Means than by a Transfer or Conveyance thereof in the Manner herein-before specified, a Declaration in Writing in the Form hereinafter provided or referred to shall be made and subscribed by some credible Person before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace for the District wherein such Person shall be residing at the Time, stating the Manner in which such Share hath passed to such other Person, his Executors, Administrators, Successors, or Assigns; and such Declaration shall be submitted to the Clerk to the said Company, to the Intent that he may enter and register the Name of every such Proprietor in the Books of the Company; and in all or any of the said Cases, after One Calendar Month's Notice in Writing shall have been given by the said Clerk to the Owner thereof, or Person claiming by such Declaration to be Owner thereof, or left at his last or usual Place of Abode, to pay his Proportion of Money so to be called for, and such Person, his Executors, Administrators, Successors, or Assigns, shall not have paid such his Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors, at any General or Special General Meeting after the Expiration of such Notice, to declare the same Share to be forfeited; and in such Case the same shall be and become forfeited, and shall and may be sold and disposed of in manner hereinafter directed as to other forfeited Shares.

Proofs re-
quired where
Rights accrue
by Marriage
or Death.

XVI. And be it further enacted, That when any Person shall claim any Part or Share in the Joint Stock of the said Company, or the Profits thereof, in right of Marriage, a Declaration in Writing, containing a Copy of the Register of such Marriage, or the Purport of such Register, shall be made and subscribed by some credible Person before a Master or Master Extraordinary of the High Court of Chancery, or One of His Majesty's Justices of the Peace for the District wherein such Person shall be residing at the Time, and shall be delivered to or left with the Clerk for the Time being to the said Company, who shall preserve the same and make an Entry thereof in the Books of the Company; and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence, and no more, before such Person shall be entitled to sell and assign such Share, or to claim Payment of any Dividend in respect thereof; and when any Person shall claim any Part or Share in the said 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 shall be produced and shown to the said Clerk, who shall make an Entry of such Will, or of so much thereof as shall relate to the Disposition of the Share of the Testator, or of the said Letters of Administration, in the Books of the Company; and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence, and no more, before any Person shall be entitled to sell and assign such Share, or to claim Payment of any Dividend in respect thereof: Provided nevertheless, that no Bequest or Clause in any such Will contained shall bind or affect or be construed to bind or affect the
said

said Company with Notice of any Trust or Disposition of any Share in the Joint Stock of the said Company, or the Gains and Profits thereof, but the Registry of any such Share shall be in the Name of the Executor who shall prove the Will of such Testator. or the Administrator of his Effects, whose Receipt to the said Company for the Gains and Profits thereof, and to any Purchaser for the Amount of the Purchase Money paid upon the Sale and Conveyance of such Share, 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.

XVII. And be it further enacted, That the said Company shall meet at the Guildhall in the said Town of *Cardiff*, or at some other convenient Place in the said Town, on the Third *Monday* after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon, and shall and may 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 to such other convenient Place in the said Town as the Proprietors present shall think proper; and from and after the First General Meeting of the said Company there shall be in each Year Two General Meetings of the said Company, (that is to say,) on the Second *Monday* next after the First Day of *January*, and the Second *Monday* next after the First Day of *July*, or within Ten Days next after such Days respectively; and it shall be lawful for any Six or more of the said Proprietors at any Time to call a Special General Meeting of the said Company; and Ten Days Notice at the least of such several General Meetings and Special General Meetings (except of the said First General Meeting and of any adjourned Meetings) shall be given, specifying the Place where the same shall be intended to be held, and in the Case of Notice for any Special General Meeting also specifying the Object or Business for which such Special General Meeting shall be called; and the first of the said Two General Meetings shall be holden on the Second *Monday* next after the First Day of *January* next, or within Ten Days next after the same; and 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 at all such General Meetings and Special General Meetings to be held as aforesaid the Number of Proprietors then present, not being fewer than Five, shall and may proceed to Business and act in the Execution of the several Powers by this Act given to the said Company; and if it shall at any Time happen that Five Proprietors shall not appear at any of such General Meetings or Special General Meetings between the Hours aforesaid, then and so often as the Case shall happen such Meeting or any adjourned 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 Meeting ought to have been held as aforesaid, and so from Time to Time until a sufficient Number of the said Proprietors shall attend at such or any other Meeting of the said Company to be holden for the Purposes of this Act; and no Business shall be transacted at any such Special General Meeting other than 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 previous Meeting; and at every such General and Special General Meeting one of the Proprietors present shall be elected

General Meetings of Proprietors, and Mode of proceeding.

Special General Meetings may be called.

Manner of voting.

[Local.]

5 R

to

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 to the said Company, and being so signed shall be deemed and taken to be original Orders and Proceedings.

XX. And be it further enacted, That all Notices herein directed to be given of any General or Special General Meeting, or to any of the said Proprietors upon any Occasion not herein otherwise provided for, shall be given by Advertisement in some Newspaper printed or published within the said County of *Glamorgan*; and such Notices when so given shall be deemed and considered the same as or in lieu of personal Notices.

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

XXI. And be it further enacted, That it shall be lawful for the said Company, at their First General Meeting, or at any other General or Special General Meeting, to elect and appoint a Treasurer and Clerk for transacting the Business of the said Company, and from Time to Time to remove and displace such Treasurer and Clerk or either of them, and from Time to Time to elect and appoint any other Person to act as Treasurer or Clerk 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 to allow such Salaries or other Emoluments to the said Officers or any of them as at any such General or Special General Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company for the faithful Execution of his Office before he shall enter thereupon.

Treasurer and Clerk to be appointed.

Treasurer to give Security.

XXII. Provided also, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of
Treasurer,

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

Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, 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.

Treasurer
not to issue
Money
without an
Order of
Directors.

XXIII. And be it further enacted, That no Sum of Money shall be paid by the Treasurer or other Officer to be appointed by the said Company on account of the said Company without an Order in Writing, signed at a Meeting of Directors by the Chairman, and countersigned by the Clerk for the Time being of the said Company.

Officers to
account, and
deliver up
Papers.

XXIV. And be it further enacted, That every Treasurer, Clerk, and other Officer and Person who shall be employed by virtue of this Act shall from Time to Time when thereunto required by the said Company or by the said Committee of Directors, make out and deliver to the said Company or to the said Committee, or to such Person as they shall respectively for that Purpose appoint, a true and perfect Account in Writing under his Hand of all Monies which shall have been by him received by virtue of this Act, and stating how and to whom and for what Purpose the same shall have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer and Person shall pay all such Monies as upon the Balance of such Account shall appear to be owing from him to the Treasurer of the said Company, or to such Person as the said Company or the said Committee shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Accounts, or to produce and deliver up the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof when required in manner aforesaid, or shall refuse or neglect to deliver up to the said Company or to the said Committee, or to such Person as they shall respectively appoint, within Ten Days after being thereunto required by the said Company or by the said Committee as aforesaid, all Books, Papers, Vouchers, and Writings in his Possession or Power relating to the Execution of this Act, then and in every such Case, Complaint having been made thereof by the said Company, or by the said Committee, or by any other Person on their Behalf, to any Justice of the Peace for the County or Place in which such Officer or Person shall be or reside, such Justice may and he is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing or not being to be found to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Company or the said Committee might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, or by the solemn Affirmation of any Person being a Quaker, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall

Mode of
enforcing
Payment and
Delivery.

shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Accounts in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts in his Possession or Power relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby required, by Warrant under his Hand and Seal, to commit such Officer or Person to some Common Gaol or House of Correction of or for the County or Place in which such Officer or Person shall live or reside, there to remain without Bail or Mainprize until he shall have made out and delivered such Account, and delivered up all Vouchers and Receipts in his Possession or Power relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he shall have compounded with the said Company or with the said Committee for such Money and Charges, and have paid the Composition Money to the said Company or to the said Committee, (and which Composition the said Company and the said Committee are hereby respectively empowered to make and accept,) or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings to the said Company or to the said Committee: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

XXV. And be it further enacted, That Books shall be provided and kept by the said Company for the Purpose of entering and registering the Proceedings of the said Company and of their Directors, and all Orders and Resolutions made at any of their Meetings respectively, and the Names and Designations of the Subscribers to the Undertaking, and of all Holders of Shares therein, and the Numbers of such Shares, and all Transfers of such Shares, and all the Mortgages of the Undertaking or Securities for Money borrowed, and all Transfers thereof, and all other Proceedings, Matters, and Things to be done in pursuance of the Directions of this Act; and such Books shall (subject to the Orders of the Company and their Directors) be kept by the Clerk to the said Company; and such Books, and the Entries therein, entered or signed pursuant to the Directions of this Act, shall be admitted in Evidence by and before all Judges, Justices, and others, and in all Courts and Places whatsoever, and that without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Proprietors or Directors of the said Company, or of the Signature of such Chairman, as the Case may be; and any Person interested shall at all seasonable Times be allowed to inspect such Books without Fee or Reward.

Books to be kept by the Company.

XXVI. And be it further enacted, That it shall be lawful for the Directors appointed or to be appointed as herein-after mentioned to make such Calls for Money from the several Subscribers to or Proprietors of

Directors may make Calls on Proprietors.

[*Local.*]

5 Z

Shares

Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as shall from Time to Time be found wanting and necessary for the Purposes of the said Undertaking, so that the aggregate Amount of Calls made or Money paid for or in respect of any such Shares shall not amount to more than the Sum of Twenty-five Pounds on any such Share, and so that no One such Call shall exceed the Sum of Five Pounds for or in respect of any One Share, and so that no Call shall be made but at the Distance of Three Calendar Months at least from another; and the Sums of Money so to be called for shall be paid into the Hands of the Treasurer to the said Company at such Time and Place as shall be appointed by the said Directors, of which Time and Place Fourteen Days Notice at least shall be given.

In default of Payment on Calls, Shares may be forfeited and sold.

XXVII. And be it further enacted, That if any Subscriber to or Proprietor of any Share in the said Undertaking, his Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his Portion of the Money to be called for by the said Directors as aforesaid by the Time appointed for Payment thereof, or within Twenty Days then next after, then and in such Case each such Subscriber or Proprietor so neglecting or refusing shall (whether the same shall have been then sued for in any Court of Law or Equity or not) absolutely forfeit all his Share and Interest in the said Undertaking, and all Money theretofore advanced by him on account thereof, to and for the Use and Benefit of the said Company, unless otherwise determined by a Special General Meeting; and all Shares which shall or may be so forfeited shall be vested in the said Company, and be sold by public Auction to the highest Bidder, and the Produce thereof shall be applied and disposed of in manner herein mentioned: Provided always, that no Advantage shall be taken of such Forfeiture until after Fourteen Days Notice in Writing, signed by the Chairman of a Meeting of Directors of the said Company, shall have been given to the Proprietor thereof, or left at his last or usual Place of Abode, if he shall reside within the said Town of *Cardiff*, and if not then by Letter sent by the Post; and every such Forfeiture shall be an absolute Indemnification and Discharge to and for the Proprietor, and his Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls; and every Share so sold shall be transferred to the Purchaser thereof by the said Company under their Common Seal, and the Name of the Purchaser shall be registered in the Books of the Company, and such Purchaser shall be and be deemed a Member of the said Company to all Intents and Purposes whatsoever, and shall be subject to the same Liabilities and entitled to the same Privileges and Advantages as if he had been a Subscriber to the said Undertaking.

If the Purchase Money be more than sufficient to pay the Arrears, &c. the Surplus to be paid to the Owner.

XXVIII. Provided always, and be it further enacted, That in case the Money produced by the Sale of any Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and lawful Interest thereon, with the Expences attending such Sale, the Surplus of such Money shall be paid, on Demand, to the Person to whom such Shares shall have belonged; but the said Company shall not sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter than shall be sufficient, as near as may be, at the Time of such Call, to pay the Arrears due from such Defaulter for or on account of such Calls, and

the Interest and Expences attending the same ; and from and after the Payment of all such Calls, with the Interest and Expences as aforesaid, any Shares so vested in such Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person, or his Executors or Administrators, to whom such Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

XXIX. And be it further enacted, That if any Person who shall be a Subscriber or Proprietor of any Share in the said Undertaking shall die before Payment shall have been made by him of the full Amount which under the Provisions of this Act may be called for by the said Company in respect of such Share, without having made any sufficient and effectual Provision by Will or otherwise how the future Calls in respect of such Share are to be answered and satisfied, then and in every such Case it shall be lawful for the Executors or Administrators of such deceased Subscriber or Proprietor, and the Trustee or Guardian of any Infant or other Person entitled to the Estate and Effects of such deceased Subscriber or Proprietor respectively, to pay, out of any Assets or Effects of any such deceased Subscriber or Proprietor in a due Course of Administration, any Money which shall be duly called for in respect of such Shares as aforesaid.

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

XXX. And be it further enacted, That it shall be lawful for the said Company, at any General or Special General Meeting, from Time to Time to call for and examine all or any of the Accounts of the said Company ; and at every Half-yearly General Meeting, or some Adjournment thereof, a Dividend shall be made out of the Interest, Profits, or Advantages of the said Undertaking, (unless such Meeting shall declare otherwise,) and such Dividend shall be at and after the Rate of such a Sum upon or for every Share in the said Undertaking as such Meeting shall think fit to order and determine, and the same shall be paid to the respective Proprietors by the Treasurer of the said Company ; but no Dividend shall be made whereby the Capital of the said Company shall be reduced, nor shall any Dividend be paid in respect of any Share until all Calls for Money then made in respect thereof by virtue of this Act shall have been paid.

Dividends to be declared at Half-yearly Meetings.

XXXI. And be it further enacted, That *John Bird, William Bird, David Evans, Morgan Fairclough, William Jones, Henry Morgan, Thomas Powell, Stephen Towgood, Henry Andrew Vaughan, John James Watkins, Charles Crofts Williams, and William Williams,* shall be and they are hereby constituted and appointed a Committee of Directors for managing the Affairs and Business of the said Company until others shall be chosen in their Stead, as herein-after mentioned.

Appointment of Directors.

XXXII. And be it further enacted, That after the said Period shall have arrived, and also at the Expiration of every succeeding Year, a Committee of Directors, being Proprietors of Shares in the said Undertaking, shall be elected and appointed 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 ; and the said Company

First Committee to serve until others are appointed, and subsequent Committees One Year.

pany at any General Meeting shall have Power to fix what Remuneration (if any) shall from Time to Time be allowed to the Directors of the said Company.

Disqualifica-
tion of
Directors.

XXXIII. Provided always, and be it further enacted, That if any Person appointed or who shall be elected a Member of the said Committee of Directors shall hold any Place or Office of Profit under the said Company, or shall either directly or indirectly take any Contract, or shall participate in any Manner in any Work to be done for the said Company, or shall not continue to hold Four Shares at the least in the said Undertaking, or shall refuse or neglect, unless prevented by Illness or Absence from Home, to attend any Five successive Meetings of the said Committee of Directors whereof he shall have received due Notice, every such Person shall thereby be disqualified and cease to act or vote at such Committee of Directors, and thereupon another Proprietor duly qualified shall be elected a Director in his Stead.

Election
of future
Directors.

XXXIV. And be it further enacted, That at the First General Meeting to be held next after the passing of this Act, as herein-before mentioned, or at some Adjournment thereof, and at every Half-yearly General Meeting which shall be held in subsequent Years on the Second *Monday* next after the First Day of *July*, or within Ten Days then next after, or at some Adjournment thereof, such Number of Proprietors, not exceeding Twelve, as shall at such Meeting be determined, each of such Proprietors being possessed of Four Shares (at the least) in the said Undertaking, shall be elected by Ballot to be a Committee of Directors in the Place of the former Committee; nevertheless any Members of the former Committee whose Office shall then have expired shall (if otherwise eligible) be again immediately re-eligible; and every Vacancy in the Committee of Directors, by Death, Resignation, or Disqualification, shall or may be filled up at the First General or Special General Meeting of the said Company which shall be held next after such Vacancy shall happen to be known; and the Person so to be chosen to fill such Vacancy 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.

Vacancies
how to be
filled up.

Proceedings
for removing
Directors for
Mismanage-
ment.

XXXV. And be it further enacted, That in case any Ten or more of the said Proprietors, being collectively possessed of or entitled to Eighty or more Shares in the said Undertaking, shall think that there is any Reason to complain of the Conduct of the Committee of Directors for the Time being, or of any Member thereof, and shall call a Special Meeting of the said Company, it shall be lawful for the said Company at such Meeting to remove all or any of the Members of the Committee of Directors, and by Ballot to elect other Persons duly qualified to be Directors in their Stead, and the Committee for the Time being shall produce their Accounts and report 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 who shall be entitled to vote in respect of at least One hundred and fifty Shares in the said Undertaking, the Power hereby given unto the said Company to
remove

remove all or any of the Directors, 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 stand adjourned for that particular Purpose to the same Place that Day Fortnight, and so from Time to Time until there shall be Persons present who shall be entitled to vote in respect of One hundred and fifty Shares as aforesaid.

XXXVI. And be it further enacted, That the said Committee of Directors shall or may hold their First Meeting at such Time and Place within the said Town as they shall think proper, and shall have full Power and Authority to adjourn such 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 Directors present to preside as Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Directors 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 Three); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee Three 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 Directors then present shall appoint; and any Three or more Members of the Committee may, at any Time when they shall think fit, call a Meeting of the Committee by giving Three clear Days 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.

Meetings of
Directors.

XXXVII. And be it further enacted, That the Committee of Directors for the Time being shall or may have the Custody of the Common Seal of the said Company, and shall have full Power and Authority at any Time to make Calls for Money upon the Proprietors of the said Undertaking in manner aforesaid, and to call Special General Meetings of the said Company for any Purpose they may think proper, and to direct the Affairs and Business of the said Company, (subject to the Orders and Directions of the said Company made at any General or Special General Meeting,) 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, Roads, Lanes, and other public Passages and Places, Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings as aforesaid, and in nominating, electing, appointing, placing, and displacing any Officer, Agent, or Servant of the said Company, (not being a Treasurer or Clerk to the said Company,) 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

Powers of
Directors.

[Local.]

6 A

manu-

manufactured under the Authority of this Act, and in bringing and maintaining any Action at Law or Suit in Equity in the Name of the Company for the Recovery of any Debt to become due to the said Company in respect of any such Sale 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 Rules, Orders, Bye Laws, and Regulations as shall at any Time be made by virtue of this Act by the said Company in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted; and the said Committee of Directors may require such Security to be given to the said Company from any Officer (not being a Treasurer or Clerk to the said Company) or other Person for the faithful Execution of their respective Duties as they shall think proper or reasonable.

Directors
not to be
personally
liable.

XXXVIII. And be it further enacted, That no Director for the Time being of the said Company shall be personally answerable for the Performance of any Contract or Agreement into which he shall or may have entered as one of such Directors on behalf of the said Company, but all Persons with whom any Contracts or Agreements shall from Time to Time be entered into by the said Directors on behalf of the said Company shall have full Power to resort to and proceed against the said Company, either at Law or in Equity, for the Performance of every such Contract or Agreement, or for Damages occasioned by any Breach or Nonperformance thereof.

Company
may contract
for lighting
any public
or private
Places with
Gas, and may
sell Coke, &c.

XXXIX. And be it further enacted, That it shall be lawful for the said Company or their Committee of Directors to enter into or make any Contract or Agreement with the Commissioners of any Act for paving, lighting, and improving the said Town, and also with any other Person whomsoever, for lighting with Gas the said Town, or any of the Streets, Roads, Lanes, and other public Passages and Places in the said Town, or for supplying with Gas any Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings therein, upon such Terms, or for such Rents, Payments, or Sums of Money, as shall be agreed upon by the said Company and the respective Parties and Persons desirous of being supplied with Gas; and it shall be lawful for the said Company to sell and dispose of all or any of the Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Essential Oil, and other Matters and Things produced in the Process of making the Gas.

Power to
contract for
Purchase of
Land and
Buildings.

XL. And in order to enable the said Company to carry the Purposes of this Act into execution, be it further enacted, That it shall and may be lawful to and for the said Company or their Committee of Directors 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, Buildings, Tenements, or Hereditaments within the said Town which the said Company shall deem requisite for the Purposes of this Act, with any Person, or any Tenant for Life or by the Curtesy, or in Fee Tail, General or Special, or for any Term of Years absolute or determinable on any Life, or with any Feoffee in Trust, Executors, Administrators, Husband, Guardian, or Committee of or for Lunatics or Idiots, or other Trustee whomsoever, not only for and on behalf of themselves, their
Heirs

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 whomsoever who shall be willing to sell the same, or his Estate, Right, or Interest therein, for the Use and Purposes of this Act; and it shall and may be lawful to and for the said Company to purchase and hold to them and their Successors and Assigns such Lands, Buildings, Tenements, and Hereditaments, and any Term, Right, and Interest therein so purchased, and also to sell, either by public Auction or private Contract, and dispose of, such Lands, Buildings, Tenements, and Hereditaments, or any Part thereof, and again from Time to Time to purchase and hold other Lands, Buildings, Tenements, or Hereditaments which the said Company shall deem more eligible for the Purposes aforesaid, as they shall think proper, and afterwards to sell and dispose of the same as aforesaid, 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: Provided always, that it shall not be lawful for the said Company to purchase or hold at any One Time a larger Quantity of Land than Five Statute Acres.

XLI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life or by the Curtesy, or in Fee Tail, General or Special, or for any Term of Years absolute or determinable on any Life, and all Feoffees, Trustees, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all other Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Buildings, Tenements, or Hereditaments, of what Nature or Tenure soever, or any Part thereof, which shall be thought necessary by the said Company or their Committee of Directors to be purchased for the Uses and Purposes of this Act, such Lands not exceeding Five Statute Acres, to contract and agree with the said Company for the Sale thereof or of any Part thereof, and to sell and convey the same or any Part thereof to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be made by virtue of this Act shall, without any other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Body Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or other Person conveying, but also to convey all Estate, Right, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate; and the same shall be deemed and considered to bar the Dower of the Wives of such Persons, and all Estates Tail and other Estates in Possession, Remainder, Reversion, or Expectancy, and the Issue of such Person claiming under them, as effectually as Fines or Common Recoveires

Bodies Politic, &c. empowered to sell.

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

Company not to purchase more than Five Acres from incapacitated Persons.

XLII. Provided always, and be it further enacted, That in case the said Company shall by virtue of the Powers and Provisions of this Act purchase the aforesaid Five Statute Acres of Land or any Part thereof of or from any Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees or Trustees for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femmes Coverts, Cestuique Trusts, Tenants for Life or by the Curtesy or in Tail, or Persons to whom or for whose Benefit Lands are limited in strict Settlement, or any other Persons being under legal Disability or Incapacity, and in case the said Company shall afterwards sell or convey the Whole or any Part of such Land, then it shall not be lawful for the same or any other Body 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, Femmes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, or other Persons, being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or instead of those so sold or disposed of by the said Company, or any Part thereof.

Application of Compensation Money amounting to 200*l*.

XLIII. And be it further enacted, That if any Money shall be agreed to be paid for the Purchase of any Lands, Buildings, Tenements, or Hereditaments to be taken or used by virtue of this Act, or for any Compensation or Satisfaction for Damage in respect of any Lands, Buildings, Tenements, or Hereditaments, which any Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Femme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto, interested in, or otherwise capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* "The *Cardiff* Gas Light and Coke Company," pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster*

minster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands, Buildings, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Buildings, Tenements, or Hereditaments, or Part thereof, or affecting other Lands, Buildings, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Buildings, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Buildings, Tenements, and Hereditaments which shall be purchased for the Purposes of this Act, or in respect of which Compensation or Satisfaction shall be payable as aforesaid, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application being made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities 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, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Body or Person who would for the Time being have been entitled to the Rents and Profits of the said Lands, Buildings, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were then actually made.

be paid by
the Com-
pany.

XLIV. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Buildings, Tenements, or Hereditaments, or any Estate or Interest therein, purchased for the Purposes of this Act, belonging to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Lands, Buildings, Tenements, and Hereditaments, or Parts, Estates, or Interests so purchased, or of his Guardian or Committee in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, the be paid into the Bank of *England* in the Name and with Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be

If under
200l. and
above 20l.

[Local.]

6 B

applied

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 making such Option, and approved of by Three or more of the Directors of the said Company, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends to arise thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

If 20^{l.} and under.

XLV. Provided also, and be it further enacted, That where such Money so to be paid as last beforementioned shall not exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Buildings, Tenements, or Hereditaments, Parts, Estates, and Interests, so to be purchased for the Purposes of this Act, in such Manner as the Directors of the said Company, or any Three or more of them, shall think fit ; or in case of Infancy, Idiotcy, or Lunacy, then to his or their Guardian or Committee to and for the Use and Benefit of such Persons so entitled respectively.

Persons in Possession presumptively entitled.

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

Court of Exchequer may order reasonable Expences of Purchases to be paid by the Company.

XLVII. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person entitled to any Lands, Buildings, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause, the Purchase Money for any Lands, Buildings, Tenements, or Hereditaments, or any Money to be paid by way of Compensation or Satisfaction for any Damage done to

to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Reinvestment of the same, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, Buildings, Tenements, or Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders, and of all other Proceedings for such Purposes, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said Company; and the said Company shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

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

On Payment of Purchase Money, Premises to vest in the Company.

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

Form of Conveyance.

‘ I of _____ in consideration of the Sum
 ‘ of _____ paid to me [or into the Bank of *England*, as the
 ‘ Case may be,] by “The *Cardiff* Gas Light and Coke Company,” estab-
 ‘ lished under or by virtue of an Act passed in the _____ Year of the
 ‘ Reign of King *William* 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 and their Successors all [here describe the Premises to
 ‘ be conveyed], and all my Right, Title, and Interest in and to the same,
 ‘ and every Part thereof, to hold to the said Company and their Succes-
 ‘ sors and Assigns for ever [or, as the Case may be, during all the
 ‘ Remainder of my Term, Estate, or Interest in the said Premises]. In
 ‘ witness whereof I have hereunto set my Hand and Seal [or our Com-
 ‘ mon Seal, as the Case may be,] this _____ Day of _____ One
 ‘ thousand eight hundred and _____.’

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual, to all Intents and Purposes whatsoever, as to and against

7° GULIELMI IV. *Cap. xix.*

against the Person making the same, and his Cestuique Trusts, and all other Persons claiming or to claim by, from, under, or in Trust for him; and the same shall be deemed and construed to merge all Terms of Years, and to bar the Dower of the Wife of such Person, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue of such Person claiming under him, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever.

Sale of Land
not wanted.

L. And be it further enacted, That it shall be lawful for the said Company and they are hereby required from Time to Time to sell and dispose of, either by public Auction or private Contract, and by Indenture under their Common Seal to grant and convey, or direct to be granted and conveyed, by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part of any Lands, Buildings, Tenements, or Hereditaments purchased by or belonging to the said Company, and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale of such Lands, Buildings, Tenements, or Hereditaments, or of any Part thereof, it shall be lawful for the Treasurer for the Time being to the said Company to sign and give a Receipt for the Money for which the same shall be sold, which Receipt shall be a sufficient Discharge to any Person for the Money therein and thereby expressed or acknowledged to be received; and such Person, having *bonâ 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: Provided always, that every such Sale as aforesaid shall be so made within the Period of Ten Years from the Time that such Land shall cease to be so wanted; and in case such Sale shall not be made within the said Period of Ten Years such Land shall go and belong to the Owner of the next adjoining Land, not being the said Company.

Company
may make
Works and
lay Pipes, &c.

LI. And be it further enacted, That it shall be lawful for the said Company and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, or other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices, and to sink and lay Pipes of such Construction and in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into execution; and also to break up the Soil and Pavements of any Streets, Roads, Lanes, and other Passages and Places, or any Part thereof, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along 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 Pipes, Stopcocks, Syphons, and Plugs or Branches; also to carry, fit up, and furnish any Pipes, Cocks, or Branches or other necessary Apparatus from any Main or Pipe belonging to the said Company, in any Street, Road, Lane, Pas-
sage,

sage, or Place in the said Town, into or through any Dwelling House or Houses, Manufactories, public or private Buildings, Land, Ground, or Premises, for the Purpose of lighting such Houses, Manufactories, Buildings, or Premises, 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 and ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Work which shall have been placed or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do all such other Acts, Matters, and Things as the said Company shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, supplying, and using the same.

LII. Provided always, and be it further enacted, That no Part of the Soil or Pavement of any of the said Streets, Roads, Lanes, Passages, Places, Land, or Ground shall be broken up or opened, nor the Passage upon or over the same in any Manner be obstructed, for any of the Purposes aforesaid, until the said Company, or their Clerk, Surveyor, or other Officer employed by them and acting under their Authority, shall have first given Twelve Hours Notice thereof at the least, and not more than Three Days next before such breaking up or opening shall commence, by Writing under their or his Hands or Hand to the Surveyor of the Highways of the said Town, and also to the Clerk for the Time being of the Commissioners for paving, lighting, and improving the said Town, either by giving such Notice personally to such Surveyor and Clerk, or leaving the same at their respective Dwelling Houses or usual Places of Abode, and in such Notice there shall be specified the particular Place or Places wherein and the Day when such Soil or Pavement is intended to be broken and opened; and such Soil or Pavement shall be broken or opened under the Direction or Superintendence of the said Surveyor of the Highways, or of the Surveyor of the said Commissioners under whose Jurisdiction the same may be, in such Manner as they shall direct; and in case such Soil or Pavement shall be broken or opened by the said Company, or their Officer or Servant, or other Person acting under their Authority, without having first given such Notice as aforesaid, the said Company shall for every such Neglect and Default therein forfeit and pay any Sum not exceeding the Sum of Forty Shillings, save and except in Cases of sudden Escape of Gas or other emergent Cause, in which Cases the said Company shall give the earliest possible Notice thereof in manner aforesaid, and in default thereof shall be subject to such Penalty as aforesaid.

Pavement not to be broken up without Notice.

LIII. And be it further enacted, That when and as often as the said Company shall have broken up or removed the Stones, Pavement, Ground, or Soil in or of any Street, Road, Lane, Passage, Place, Land, or Ground, or any Part thereof, the said Company shall and they are hereby required, immediately thereafter, at their own Costs and Charges, to relay, reinstate, and make good such Pavement, Ground, or Soil, to the Satisfaction of the respective Surveyors or other Person having the Control, Direction, or Superintendence, or being the Owner or Occupier of such

Company to reinstate Pavements after laying or altering Pipes.

[*Local.*]

6 G

Pavement,

Pavement, Ground, or Soil respectively, as well when the same shall have been broken up or removed for the Purpose of first laying down as for the Purpose of examining, searching, repairing, relaying, or amending any Mains, Pipes, Cocks, or Plugs, in pursuance of this Act, and the said Company shall at their own Costs and Charges also forthwith carry or cause to be carried away all surplus Earth, Filth, and Rubbish occasioned thereby, and during the Time that such Works are carrying on, and until such Pavement, Ground, or Soil shall be reinstated and repaired as aforesaid, the said Company shall provide, set up, and continue necessary Lights between Sunset and Sunrise, and otherwise guard the said Works, so as to prevent any Accident, Damage, or Inconvenience happening to Passengers, Cattle, or Carriages; and if after such Pavements, Streets, Roads, Places, Land, or Ground, or any of them, shall have been repaired or made good by the said Company, (or in case of their Default by the said Surveyors or other Person herein-after mentioned,) the same shall afterwards within Six Calendar Months give way, settle, or lower, or require relaying or repairing, in consequence of such Pavements, Streets, or Roads, Places, Land, or Ground having been broken up for the Purpose of carrying this Act into execution, then and in that Case the same shall again from Time to Time, as often as may be necessary, during the said Six Calendar Months, be forthwith repaired and relaid by and at the Expence of the said Company; and in case the said Company shall neglect or make default in reinstating and making good such Pavement, Ground, or Soil as aforesaid, or removing any Rubbish to be occasioned as aforesaid, or in placing, setting up, and continuing such Lights, and otherwise guarding the said Works, so as to prevent Accidents, Damage, and Inconvenience to Passengers, Cattle, and Carriages as aforesaid, then and in every such Case the said Company shall forfeit and pay for every such Offence the Sum of Two Pounds for every Day the same shall so continue; and it shall be lawful for such Surveyor or other Person respectively having such Control, Direction, or Superintendence, or being such Owner or Occupier as aforesaid, to reinstate, repair, and make good such Pavement, Ground, or Soil, and carry away all Rubbish to be occasioned as aforesaid, and during the Time that such Works are carried on to provide and continue such necessary Lights and Guards as aforesaid, and the Expences thereof shall be paid by the said Company or their Treasurer to such Surveyors or other Person or Party so doing or performing any such Matter or Thing as aforesaid, and in default of Payment thereof within Twenty-one Days next after Demand thereof in Writing shall have been made by or on the Behalf of such Surveyors or such other Person as aforesaid, (Proof being made thereof by the Oath of One credible Witness before any Justice of the Peace,) all such Expences so to be occasioned as aforesaid shall and may be levied and recovered for the Use of such Surveyors, Person, or Party, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of any such Justice, who is hereby empowered to grant the same.

Commiss-
sioners of
Pavement
empowered.

LIV. And be it further enacted, That if, for the Purposes of any Act in force for the Time being for paving, lighting, or improving the said Town, it shall at any Time be deemed necessary or expedient by the

Commissioners for paving, lighting, and improving the said Town to require the said Company to raise, sink, or otherwise alter the Situation of any of the Main Pipes, Stopcocks, Plugs, Syphons, or Branches which shall be laid down for the Purposes aforesaid, the said Company 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 any Three of them or 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 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 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 shall not be paid within Thirty Days next after Demand shall be made by or on behalf of such Commissioners (Proof of such Demand being made by the Oath of One credible Witness before any Justice of the Peace), 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 of any such Justice as aforesaid, and which Warrant such Justice is hereby empowered to grant; and such Costs and Charges shall be paid to such Commissioners or their Treasurer.

to require
Pipes to be
altered.

LV. 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 such Commissioners, or their Servants or Workmen, then and in every such Case Notice thereof shall be given by the said Company to the Commissioners, or their Clerk, within Twenty-one Days next afterwards, and before any Reparation thereof shall begin to be made by the said Company; and from and after such Notice the said 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 shall be paid by such Commissioners or their Treasurer 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, 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 such 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 Imparlance, shall be allowed, or by Information before any Two Justices of the Peace: Provided also, that no Action at Law shall be brought unless such Damages and Expences shall amount to the Sum of Twenty Pounds.

Damage to
be made
good to the
Company.

LVI. Pro.

Company
to remove
Branch Pipes
on private
Property after
Notice given.

LVI. Provided also, and be it further enacted, That in case any Pipe, Cock, or Branch shall by the said Company be fixed, carried, or laid from any Main or Pipe of the said Company into or through or against any Dwelling House or Houses or other Buildings for the Purpose of lighting the same, or any other Dwelling House or Houses or other Buildings, in pursuance of this Act, and the Owner or Occupier of any such Dwelling House or Houses or 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 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 requiring the same, within Eight 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 Occupier, or any other Person acting under his Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require.

Pipes not to
be carried
through
Dwelling
Houses with-
out Consent
of Owners.

LVII. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe into or through any Dwelling House or Manufactory, or public or private Building, for the Purpose of lighting any other Dwelling House, Manufactory, or public or private Buildings, or so to continue the same, without the Consent of the Owner or Occupier of every Dwelling House, Manufactory, public or private Building through which any such Pipe may be carried or laid for the Purposes aforesaid.

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

LVIII. Provided also, and be it further enacted, That on the Expiration or Determination of the Tenancy of any Occupier of any Dwelling House or Building in which any Gas Pipe or Branch Pipe shall be laid, placed, or fixed by the said Company, or within Eight Days after receiving Notice in Writing from or on behalf of the Owner or Occupier, or the succeeding Owner or Occupier of any such Dwelling House or Houses or other Buildings, that such Tenancy will expire and determine, or is expired and determined, and requiring the said Company to remove any such Pipes, Cocks, or Branches, the said Company shall at their own Expence remove, take, and carry away, or cause to be removed, taken, and carried away, any Pipe, Cocks, or Branches from any Main Pipe which shall have been introduced or laid by the said Company in or through any such Dwelling House or other Buildings as aforesaid, and also repair and make good such Dwelling House or Houses or other Buildings where the same shall have been so introduced, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall be lawful for such Owner or Occupier, or such new Owner or Occupier, as the Case may require, or any other Person acting under their respective Authorities, to cause such Pipes, Cocks, or Branches to be removed, taken and carried away, and the Dwelling House or Houses or other Buildings where the same shall have been introduced

introduced to be repaired and made good, the reasonable Costs and Charges attending which shall be immediately paid by the said Company or their Treasurer to such Owner or Occupier, as the Case may require; and if the same Costs and Charges be not paid within Twenty-eight Days next after Demand shall be made by such Owner or Occupier (Proof of such Demand being made by the Oath of One credible Witness before any Justice of the Peace), such Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, and which Warrant such Justice is hereby empowered to grant.

LIX. And be it further enacted, That all and every the Pipes or other Conduits which may at any Time hereafter be laid or used for the Conveyance of Gas, under the Powers of this Act, in, through, under, along, across, or round any Street, Road, Lane, or other public Passage or Place within the said Town, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Road, Lane, Passage, or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of any Water in, under, through, along, across, or round any of the said Streets, Roads, Lanes, Passages, or Places, excepting in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any such Water Pipes, 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 as near as possible a Right Angle, and in such Cases the said Gas Pipes so crossing any such Water Pipes shall be at least Nine 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 Four Feet at least; and in laying down the said Gas Pipes the said Company shall in no Case join Two 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 form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, Air-tight, and in every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence (if the said Company shall neglect or refuse to make such Gas Pipes Air-tight within Twenty-four Hours after Notice thereof given to them in Writing,) the Sum of Five Pounds.

For the
Protection
of Water
Pipes.

LX. And be it further enacted, That whenever the Water of any Company of Proprietors for supplying the Inhabitants of any Houses within the said Town with Water shall be contaminated or affected by the Gas of the said Gas Company, they the said last-mentioned Company shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered and to be applied to and for the Use of the said Company supplying Water as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the

For prevent-
ing Contami-
nation of
Water.

[Local.]

6 D

said

said Gas Company shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Treasurer or other Officer of and for such Water Company as aforesaid, or by any Person making use of such Water, to be left at the usual Office or Place of transacting Business of the said Gas Company, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said Gas Company shall not within Twenty-four Hours next after such Notice so left as aforesaid effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then the said Company shall on each and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company as aforesaid, for the Use and Benefit of the same Company, 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 or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of such Water Company as aforesaid, or by and in the Name of any One or more of the Directors of the said Company, at the Option of the Party prosecuting such Information against the said Gas Company, before any Two Justices of the Peace, with Costs, to be assessed by such Justices, and to be levied by Distress and Sale of the Goods and Chattels of the said Gas Company, together with the Charges of such Distress and Sale, by Warrant under the Hands and Seals of such Justices, which Warrant such Justices are hereby empowered to grant; and such Penalty, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, for the Use of such Company,

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

LXI. And whereas it may be or become a Question upon such Complaint as aforesaid whether any such Water be contaminated or affected by the Gas of the said Company; be it therefore enacted, That in every such Case it shall be lawful to and for the Company of Proprietors of any Waterworks, after giving Twenty-four Hours Notice in Writing to the Commissioners, Surveyors, or other Persons under whose Control or Superintendence any Streets, Roads, Lanes, and other public Passages and Places within the said Town may be, or to the Person having the Property of or in any Ground, Stones, Soil, or Pavement, as the Case may be, to dig to and about and search and examine the Mains, Pipes, Conduits and Apparatus of the said Gas Company, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Company; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Company the Costs and Expences of the said Digging, Search, and Repair of the Pavement of the Street or other public Place which shall be 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 any Justice of the Peace, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall

appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Company, then and in such Case the said Company of Proprietors of such Waterworks shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the Commissioners, Surveyors, or other Persons respectively as aforesaid, or to the Person having the Property of or in the Ground, Stones, Soil, or Pavement (as the Case may be) which shall or may have been so broken up for the Purpose aforesaid, all Costs, Charges, and Expences which shall or may be incurred by such Commissioners, Surveyors, or Persons respectively in repairing, restoring, and making good any Street, Road, Lane, or other public Passage or Place which may have been so broken up, and shall also, in the Case aforesaid, make good to the said Gas 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 any such Justice of the Peace as aforesaid.

LXII. 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, the said Company shall, at their own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas from any Person whomsoever, cause the most speedy and effectual Measures to be taken to stop or 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 any Sum not exceeding Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way on the Oath or Affirmation of One credible Witness before any Two Justices of the Peace, 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 Justices.

For stopping
the Escape
of Gas.

LXIII. And be it further enacted, That it shall be lawful for the said Company, with the Consent of the said Commissioners or their Surveyor, or of the Surveyor or other Person having the Control, Direction, or Superintendence of the Pavement, Ground, or Soil of any Street, Road, Lane, Passage, or Place, Land or Ground, to lay Iron Pipes of such Dimensions and in such Manner as they shall think expedient under the said Streets, Roads, Lanes, Passages, Places, Lands, and Ground, for the Purpose of carrying off to Cesspools or otherwise the Washings or other waste Liquids which shall arise or be produced in the Prosecution of the said Gasworks, or in the Manufacture or Process of making or procuring Gas.

Power to
convey
Washings

LXIV. And

Penalty for
conveying
Washings
into any
River.

LXIV. 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, or any noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the said Gasworks, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Moat, Pond, Springhead, 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 of them, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, then 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 or on the Case, or by Bill, Plaint, Suit, or Information, and the whole thereof shall be paid to the Person who shall inform or sue for the same: Provided always, that no such Penalty shall be recoverable unless the same be sued for within Six Calendar Months from the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall have been sued for or recovered or not,) in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Moat, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Nuisance, Injury, Damage, 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 to whom the same shall belong, or by any other Person 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, and prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company 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, Nuisance, Injury, Damage, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person who in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

LXV. Pro-

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

Service Pipes to be kept fully charged with Gas.

LXVI. And be it further enacted, That if any Person shall lay any Pipe to communicate with any Pipe belonging to the said Company, or fit or alter any of the Fittings of any Pipes or Lamps belonging to the said Company, without the Consent of the said Company first duly had and obtained, or use Burners of larger Dimensions or in any other Manner than he shall contract to pay for, or supply any Inhabitant or other Person with any Part of such Gas, every Person so offending in any of the respective Premises, and being thereof convicted on the Oath of One credible Witness before any Justice of the Peace, shall for every separate Act or Offence forfeit and pay to the said Company the Sum of Forty Shillings *per* Day for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished.

Penalty on laying Pipes of Communication without Consent of Company.

LXVII. And be it further enacted, That if any Person shall wilfully, maliciously, or negligently do or commit, or cause to be done or committed, any Injury or Damage to any of the Mains or Service Pipes of the said Company, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression or subsequent settling or lowering of the same at any Time afterwards, or by any other Means whatsoever, or if any Person whomsoever shall wilfully or maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Post, Plug, Lamp Glass, Burner, or other Apparatus, Matter, or Thing, Buildings, Works, or Appurtenances, of or belonging to the said Company, or shall wilfully or maliciously waste or improperly use any of the Inflammable Air or Gas supplied by the said Company, or shall alter, exchange, or remove the Burners from the Pipes of Supply, or shall use such Burners or consume such Gas beyond the Time stipulated and agreed to, every Person so offending in any of the respective Premises, and being thereof convicted on the Oath of One credible Witness before any Justice of the Peace, shall for every separate Act or Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, and Three Times the Amount of the Damage to be done.

Penalty for wilfully damaging Pipes.

LXVIII. And be it further enacted, That if any Person 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 and set up by him at his private Expence, or waste any of the Inflammable Air or Gas supplied by the said Company, and shall not immediately upon Demand by the said Company, or their Directors or Superintendent, or other Person authorized by the said Company or their Directors, make Satisfaction

Damage for accidentally injuring Pipes, &c.

[*Local.*]

6 E

for

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

Penalty for interrupting Company's Workmen.

LXIX. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing and performing any of the Works or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption.

Recovery of Rents for Gas.

LXX. And be it further enacted, That in case any Body, Commissioners, Surveyor, or any other Person who shall contract with the said Company, or agree to take or shall use or enjoy the said Gas, either in their or his private Dwelling, Shop, Inn, Tavern, Warehouse, or other Building, Grounds, or Premises, or otherwise, shall refuse or neglect for the Space of Ten Days after the Demand to pay the Sum of Money then due under their or his Contract for the same to the said Company, according to the Terms and Stipulations of the said respective Parties with the said Company, it shall be lawful for the said Company or Directors, or any other Person acting by or under their Authority, to levy the said Sum of Money in respect whereof such Refusal or Neglect shall happen, together with Costs, by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to pay the same or any Part thereof, wherever such Goods and Chattels may be found, in the same Manner as Rents in arrear upon common Demises may by Law be recovered, rendering the Overplus (if any) to such Person refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; or if such Sum of Money shall exceed the Sum of Twenty Pounds, then 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, or by Bill, Plaint, or Information; and it shall also be lawful for the said Company to cut off and take away the Supply of Gas from the House, Inn, Tavern, Shop, Warehouse, or other Building, Grounds, or Premises of every such Person so making default in payment of such Sum of Money then due by his Contract to the said Company for the

Space of Ten Days after such Demand as aforesaid, and thenceforth to discontinue the Supply of Gas contracted for with the said Company by such Person.

LXXI. And be it further enacted, That in case any Fiat of Bankruptcy shall be awarded against any Person who shall be indebted to the said Company, or against whom the said Company shall have any Claim or Demand, it shall be lawful for any Person who shall from Time to Time in that Behalf be appointed by Writing under the Hand of any Two or more of the Directors of the said Company for the Time being, to appear and he is hereby authorized to appear and act on behalf of the said Company in respect of any such Claim, Debt, or Demand before the Commissioners under any such Fiat of Bankruptcy, either personally or by his Affidavit, to be sworn and exhibited in the usual Manner, in order to prove and establish any such Debt, Claim, or Demand under such Fiat; and such Person so to be appointed shall in all such Cases be admitted and allowed to make Proof or tender a Claim under any such Fiat on behalf of the said Company in respect of such Debt, Claim, or Demand, and shall have such and the same Powers and Privileges as to voting in the Choice of Assignees and signing Certificates, and otherwise, in respect of any Debt admitted to be proved on behalf of the said Company, as any other Person being a Creditor of such Bankrupt in his own Right would have in respect of the Debt proved by him under such Fiat.

How Debts may be proved in case of Bankruptcy.

LXXII. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice of the Peace to be paid in pursuance of the Directions of this Act as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Company, or by any Person acting by or under their Authority, and such Sum of Money shall not be paid by the said Company to the Party entitled to receive the same within Fourteen Days after Demand in Writing shall have been made stating the Order of such Justice, and delivered to the said Company or to their Treasurer, in pursuance of the Direction or Order made by such Justice, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Action at Law against the said Company or their Treasurer, or by Distress and Sale of the Goods and Chattels of the said Company or of their Treasurer for the Time being, or of the Goods and Chattels of the Person required to pay the same Sum of Money (as the Case may be), under a Warrant to be issued for that Purpose by such Justice of the Peace, which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal on Application made to him for that Purpose by the Party entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Surplus shall be returned, on Demand,

Recovery of Compensation for Materials, or for Damages done by the Company.

mand, to the said Company or their Treasurer for the Time being, or to such Party or Person (as the Case may be).

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

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

Justices may
proceed by
Summons
in the Reco-
very of
Penalties.

LXXIV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons, without Information, shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

For securing
Offenders
unknown.

LXXV. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Company, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent who shall commit any Offence against this Act, and to convey him before some Justice of the Peace, without any other Warrant or Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Recovery
and Appli-
cation of
Penalties.

LXXVI. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned (the Manner of levying and recovering and the Application whereof, and the Manner of convicting the Offenders, is not particularly mentioned or directed,) shall be adjudged by and recovered before any Justice of the Peace by the Oath of One Person or on the Confession of the Party offending; and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus of the Money arising from such Sale (if any), on Demand, to the Party whose Goods and Chattels shall be distrained, the reasonable Charges of such Distress and Sale being first deducted; and One Moiety of the Penalties and Forfeitures, when recovered, shall be paid to the Informer, and the Remainder thereof to and for the Use of such public Charity in
the

the said Town as the said Justice shall direct; and in case such sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before him on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Ten Days from the Time of taking any such Security, and which Security such Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no such Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender to the House of Correction for the said County of *Glamorgan* for any Time not exceeding Three Calendar Months.

LXXVII. And be it further enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the Affirmation of any Person before he shall be examined by or before such Justice. Power of Justices to administer Oaths.

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

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

LXXIX. Provided always, and be it further enacted, That any Person thinking himself aggrieved by the Order or Determination of any Justice of the Peace in pursuance of this Act may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the said County of *Glamorgan* within Four Calendar Months after the Appeals may be made to the Quarter Sessions.

[Local.] 6 F Cause

Cause of Appeal shall have arisen, the Person appealing having first given at least Ten Days Notice in Writing of such Appeal, and the particular Nature and the Matter thereof, to the Person appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or, if they think proper, may adjourn the hearing thereof to the next General or Quarter Sessions of the Peace, and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall think reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be binding, final, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Proceedings to be within Six Calendar Months.

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

No Action to be brought against the Company after Tender of Amends, or after Six Months from the Cause of Action.

LXXXI. And be it further enacted, That no Action or Suit shall be commenced or brought against the said Company hereby incorporated, or any Person, for any thing done in pursuance of this Act or of the Powers hereby given, or in anywise relating to the Premises, after sufficient Satisfaction or Tender of Amends shall have been made to the Party aggrieved, or after the Expiration of Six Calendar Months next after the Cause of Action shall have arisen; and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant in any such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall be brought after such sufficient Satisfaction or Tender of Amends shall have been made as aforesaid, or after the Time herein-before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff shall become nonsuited, or shall discontinue his Action or Suit after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff, then the Defendant shall recover his Costs, and have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases at Law.

Compelling Attendance of Witnesses.

LXXXII. And be it further enacted, That if any Person shall be summoned as a Witness before any Justice of the Peace touching any Matter contained

contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person accused, and shall refuse or neglect (without a reasonable Excuse) 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 of Money for his Costs and Expences, or appearing shall refuse to be examined upon Oath, or in case of a Quaker on solemn Affirmation, and to give Evidence before such Justice, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

LXXXIII. And be it further enacted, That where in this Act a Declaration shall be used for the Purpose of Confirmation of written Instruments or Allegations, or of the Execution of Deeds or other Matters, the same shall be made in the Form prescribed in the Schedule to an Act passed in the Fifth and Sixth Years of the Reign of His present Majesty, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits;'* and to make other Provisions for the Abolition of unnecessary Oaths, or as near thereto as the Circumstances of the Case will admit, and shall be of the like Force and Effect as if an Affidavit or Affirmation in Writing had been made; and if any Declaration so made shall be false or untrue in any material Particular the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

Person making false Declaration to be guilty of Misdemeanor.
5 & 6 W. 4. c. 62.

LXXXIV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied under the Authority of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in any Proceeding relating thereto, nor a Trespasser *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person aggrieved by such Irregularity may recover Satisfaction for special Damages by an Action on the Case.

Distress not unlawful for Want of Form.

LXXXV. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender against this Act, or 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.

LXXXVI. And be it further enacted, That in all Cases wherein it may be requisite to serve any Notice upon the said Company, or any Writ or Summons, or any Proceedings at Law or in Equity, the Service of a

Directions as to Service of Notices, &c.

Copy

Copy thereof upon the Clerk to the said Company, or left at his last or usual Place of Abode, or in case the same shall not be found or known, then upon any One of the said Directors, shall be deemed good and sufficient Service of the same respectively on the said Company.

Nothing in this Act to prevent Proceedings against the Company for a Nuisance.

LXXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against the said Company, or any of their Officers, Servants, or Workmen, in respect of any Gas Works, or the Means which shall be employed in making or producing any Gas, or using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or 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 their Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Proprietors not disqualified from being Commissioners under Paving and Lighting Acts, but not to vote on Questions in which Company are interested.

LXXXVIII. And be it further enacted, That no Person, being a Proprietor or holding any Share or having any personal Interest whatsoever in the said Company, shall be disqualified from being a Commissioner for carrying into execution any Act for paving, cleansing, lighting, or otherwise improving the said Town: Provided always, that no such Commissioner, being a Proprietor or holding any Share or having any personal Interest whatsoever in the said Company, shall have any Vote upon any Question, Matter, or Thing which shall arise at any Meeting of the said Commissioners touching or concerning the lighting of any Street, Road, Lane, Way, public Passage or Place within the said Town, or touching or concerning any Contract, or the breaking up of any Pavement, or the laying down any Main or other Pipes for the lighting thereof, or any other Matter or Thing whatsoever as between the said Commissioners and the said Company.

Saving the Rights of Commissioners of Paving.

LXXXIX. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect of depriving any Commissioners who for the Time being shall have the Control, Direction, or Management of the paving, cleansing, and lighting, or otherwise improving the said Town or any Part thereof, under the Authority of any Act of Parliament which now is or which at any Time hereafter shall be in force for that Purpose, of any Right, Power, or Authority which they or any of them may have or hereafter acquire of lighting the Streets, Ways, Lanes, Passages, Roads, and other public Places within the said Town in any Manner they or any of them shall think proper, or to defeat, abridge, alter, or obstruct or in any other Manner interfere with the Rights, Powers, and Authorities of the said Commissioners, or to remove any of the Disabilities or Restrictions or to take away any of the Penalties or Forfeitures contained in the said Acts of Parliament or imposed thereby, but that the said Acts, and all and every the Matters, Powers, Authorities, Privileges,

Privileges, Disabilities, Restrictions, Provisions, Articles, Rules, Enactments, Penalties, Forfeitures, and Clauses therein contained shall be and continue in full Force and Effect to all Intents and Purposes whatsoever (so far as the same are not expressly varied, altered, or affected by the Provisions herein contained), in such and the like Manner as if this Act had not been passed.

XC. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to take away, prejudice, alter, or interfere with any Rights, Powers, Privileges, or Advantages vested in the Most Honourable *John Crichton Stuart* Marquis of *Bute*, his Heirs or Assigns, by virtue of Two several Acts, one passed in the First Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for empowering the Marquis of Bute to make and maintain a Ship Canal, commencing near the Mouth of the River Taff in the County of Glamorgan, and terminating near the Town of Cardiff, with other Works to communicate therewith*, and the other passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to alter, amend, and enlarge the Powers of an Act passed in the First Year of the Reign of His present Majesty King William the Fourth, intituled 'An Act for empowering the Marquis of Bute to make and maintain a Ship Canal, commencing near the Mouth of the River Taff in the County of Glamorgan, and terminating near the Town of Cardiff, with other Works to communicate therewith,'* but all such Rights, Powers, Privileges, and Advantages shall remain as good, valid, and effectual as if this Act had not been passed.

Saving the Rights of the Marquis of Bute.

1 W. 4. c. 133.

4 W. 4. c. 19.

XCI. Provided also, and be it further enacted, That nothing herein contained shall be construed in any Manner to interfere with, lessen, abridge, or disturb the Rights, Powers, or Privileges of the several Persons claiming under an Agreement bearing Date the Twenty-second Day of *August* One thousand eight hundred and twenty-one, made between *Benjamin Broadmeadow* and *Simeon Broadmeadow*, Engineers, of the one Part, and Eighteen of the Commissioners under an Act passed in the Fourteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, cleansing, and lighting the Streets, Lanes, and public Passages in the Town of Cardiff and Liberties thereof in the County of Glamorgan, and for removing and preventing Nuisances and Annoyances therein*, of the other Part (except so far as the same may be affected by the Provisions herein contained).

Act not to interfere with Rights under a certain Agreement.

14 G. 3. c. 7.

XCII. And be it further enacted, That for all and every the Purposes of this Act the Town of *Cardiff* shall comprise and be deemed to be co-extensive with the several Parishes of *Saint John the Baptist* and *Saint Mary* in the said Town.

Limits of the Town defined for the Purposes of this Act.

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

Expences of this Act.

[Local.]

[6 G]

XCIV. And

Public Act.

XCIV. 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.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1837.