



ANNO QUINQUAGESIMO NONO

# GEORGI III. REGIS.

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*Cap. cvii.*

An Act to establish a Company for lighting the  
Borough of *Newcastle-under-Lyme* with Gas.

[21st June 1819.]

**W**HEREAS the Borough of *Newcastle-under-Lyme*, in the County of *Stafford*, is very populous, and a Place of considerable Trade, and also a great Thoroughfare for Travellers: And whereas the Mayor, Bailiffs, and Burgeses of the said Borough are the Lords of the Soil in the principal Streets, Lanes, and other public Places within the said Borough: And whereas the Streets, Lanes, and other public Places within the said Borough are not lighted; and it would tend greatly to the Safety, Convenience, and Advantage, not only of the Inhabitants of the said Borough, but of all other Persons resorting to and travelling through the same, if the said Streets, Lanes, and other public Places were effectually lighted: And whereas it has been ascertained that Gas, or inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil may be procured from Coal, and that such Gas or inflammable Air may also be procured from other Substances: And whereas the same Gas, being conveyed by means of Pipes, may be safely and beneficially used, as well for lighting the several Streets, Lanes, and other public Places within the said Borough, as also for lighting Dwelling Houses, Shops, Manufactories, and other Buildings therein; and the said Coke may be usefully employed as Fuel; and the said Oil, Tar, Pitch,

[*Local.*]

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Asphaltum,



Asphaltum, Ammoniacal Liquor, and Essential Oil, may be used and applied in various Ways, with great Advantage: And whereas the Persons herein-after named are willing, at their own Charges, to erect Works for the Preparation of such Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and to extract and make the said several Articles from Coal or other Substances, and to apply the same to the Purposes aforesaid; but such beneficial Purposes cannot be carried fully and completely into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Proprietors.

That the Most Noble *George Granville* Marquis of the County of *Stafford*, *John Acton*, *Frances Babington*, *John Ball*, *William Bent*, *Thomas Phillips Birks*, *Hugh Booth*, *Peter Boulton*, *Andrew Bristol*, *Brian Broughton*, *James Caldwell*, *Charles Chester*, *Margaret Child*, *Elizabeth Clews*, *John Cook*, *Robert Cook*, *James Cooper*, *John Cork*, *George Wood Eaton*, *Marmaduke Foster*, *John Glover*, *Elizabeth Griffin*, *George Hall*, *John Hargreaves*, *Charles Hassells*, *Mary Hatton*, *John Hatton*, *Samuel Henshall*, *Thomas Kinnersley* the younger, *Joseph Lucas*, *Thomas Mason*, *Samuel Mayer*, *Thomas Mayer* the younger, *Lucy Mayer*, *John Drewry Mort*, *William Nickisson*, *Levi Parker*, *Hannah Parker*, *Nathaniel Parr*, *Edward Peake*, *John Eldersbaw Phillips*, *Ralph Robinson*, *William Rutland*, *Thomas Scott*, *Samuel Shaw*, *Charles Shaw*, *James Smith*, *Josiah Spode*, *John Turner*, *Thomas Turner*, *Peter Walthall*, *Matthew White*, *John Wilson*, and *Charles Winks*,

Incorporated.

and all and every such other Person or Persons as from Time to Time shall become a Subscriber or Subscribers, and be duly admitted a Proprietor or Proprietors, as herein-after mentioned, and their respective Executors, Administrators, Successors, and Assigns, shall be and they are hereby declared to be one Body Politic and Corporate, by the Name of 'The *Newcastle-under-Lyme* Gas Light Company,' and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence, indictable by the Laws of this Realm; and that the said Company shall be established for the Purpose of producing Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Essential Oil, and other Products from Coal and other Substances, and for lighting the said Borough of *Newcastle-under-Lyme* with Gas; and shall have full Power, from Time to Time, to make Contracts or agree with the Commissioners acting under the Authority of an Act passed in this present Session of Parliament, or any other Act which shall hereafter be in force, for paving, lighting, watching, cleansing, regulating, and improving the said Borough, or with any other Persons who shall for the Time being have the Controul, Direction, or Management of the public lighting of the said Borough, or any Part or Parts thereof, or with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, who may be willing and desirous to contract or agree with the said Company (and who are hereby respectively empowered to enter into Contracts with the said Company), for the lighting with Gas of the said Borough, or any Streets, Squares, Lanes, Roads, Passages, or other public

Purposes of the Company.

Places



Places therein, or any Churches or Chapels, or any Theatres or other Places of public Exhibition, Manufactories, Shops, Inns, Taverns, Dwelling Houses or other Buildings within the said Borough; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Essential Oil, and other Products as aforesaid, under such Conditions nevertheless as herein-after are expressed.

II. And be it further enacted, That in order to enable the said Company to erect and construct the Gasometers, Manufactories, and other Works necessary for the Purposes of this Act, it shall be lawful for the said Company, or their Committee of Management to be appointed in pursuance of this Act for the Time being, and they are hereby respectively empowered to contract and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments, not exceeding the Quantity of Two Statute Acres in the whole, and to be situate within the said Borough, with any Body or Bodies Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail general or special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics or Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves and their respective Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, or Issue unborn, Lunatics, Idiots, or Femmes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Rights, or with any other Person or Persons whomsoever, who shall be willing to sell the same, or his, her, or their Right and Interest in the same, for the Uses and Purposes of this Act; and that upon Payment of the Purchase Money contracted to be paid for any such Lands, Tenements, or Hereditaments to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England*, in the Manner by this Act directed (as the Case may require), the same Lands, Tenements, or Hereditaments shall and may be taken and used for the Purposes of this Act; and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title, Claim or Reversion, to such Lands, Tenements or Hereditaments; and the same Lands, Tenements, and Hereditaments shall vest in the *Newcastle-under-Lyme Gas Light Company* and their Successors; and it shall be lawful for the said Company and their Successors to hold the same Lands, Tenements, and Hereditaments, or any Estate, Right, or Interest therein, so purchased as aforesaid, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and in all Actions, Suits, Prosecutions, Indictments, Informations, or other Proceedings to be commenced or prosecuted by or against the said Company or their Successors, it shall be sufficient to state that the same Lands, Tenements, or Hereditaments are the Property of the *Newcastle-under-Lyme Gas Light Company*, without stating the Names of the individual Members of the said Company.

Power to purchase Lands.

III. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail general or special, or for any Term or Terms of Years absolute, or determinable on any Life or Lives (by and with

Disabled Persons, &c. empowered to sell.



with the Consent of their Lessor or Lessors, but not otherwise), and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, and their respective Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Rights, and for all and every other Person and Persons whomsoever, who are or shall be seised or possessed of or interested in any Lands, Tenements, or Hereditaments, which the said Company are hereby enabled to purchase for the Uses and Purposes of this Act, to contract and agree with the said Company, or their said Committee of Management, for the absolute Sale thereof, or of any Part thereof, and to sell and convey the same, or any Part thereof, and all the Estate, Right, Title, and Interest whatsoever, of, in, and to the same, unto the said Company and their Successors for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Assurances in the Law whatsoever, and without Inrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all Right, Estate, Interest, Use, Trust, Property, Claim, and Demand whatsoever, of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them, and of all Persons entitled in Remainder or Reversion expectant on any particular Estates; and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party and Parties, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Party or Parties claiming under them or any of them respectively; any Law, Statute, Usage, Custom, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail general or special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, and Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Application of Purchase Monies belonging to Persons, &c. under Disabilities, if amounting to 200l.

IV. And be it further enacted, That if any Money shall be contracted or agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* 'The *Newcastle-under-Lyme* Gas Light Company,' to the Intent that such Monies 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



preferred in a summary Way by the Party or Parties who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be purchased for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid by Order of the said Court to the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

V. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased for the Purposes of this Act, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Party or Parties who would have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased for the Purposes of this Act, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Lunacy, or Idiocy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Party or Parties making such Option, and approved by Three or more Members of the said Committee of Management for the Time being (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in the Manner herein-before directed, so far as the Case shall be applicable,

If exceeding  
20l. and  
under 200l.

[*Local.*]

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without



without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Where not exceeding 20l.

VI. Provided also, and be it further enacted, That where such Money so contracted or agreed to be paid as aforesaid, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased for the Purposes of this Act, in such Manner as the said Committee of Management for the Time being, or any Three or more of them, shall think fit; or in Cases of Infancy, Lunacy, or Idiocy, then to the Guardian or Guardians, Committee or Committees, of the Infants, Lunatics, or Idiots entitled to such Rents and Profits, to and for the Use and Benefit of such Infants, Lunatics, or Idiots respectively.

In Cases of doubtful Titles, the Party in Possession to be deemed the Owners.

VII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Party or Parties to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased by the said Company in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Party or Parties who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase by the said Company, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends of the said Bank Annuities, and also the Capital of the same Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Party or Parties was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Costs of Purchases to be made in lieu of settled Estates, to be defrayed by the Company.

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

On Payment of Purchase Money

IX. And be it further enacted, That upon Payment of the Monies so contracted or agreed to be paid for the Purchase of such Lands, Tenements,



ments, or Hereditaments, by the said Company, to the Party or Parties respectively entitled to receive the same, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in the Manner herein-before directed, as the Case may require, and upon Conveyance being made of the same Lands, Tenements, or Hereditaments, in the Manner herein-after directed, which is hereby declared to be valid and effectual to all Intents and Purposes whatsoever, all the Owners and Occupiers, and other Persons interested of and in the same Lands, Tenements, or Hereditaments, for or in respect of which such Monies shall be so paid as afore-said, shall be divested of all Estate, Right, Title, Interest, Property, Claim, and Demand, at Law or in Equity, of, in, and to the same Lands, Tenements, or Hereditaments; and the Fee Simple or absolute Interest of and in the same shall thenceforth become and be vested in the said Company and their Successors for ever, for effecting the Uses and Purposes of this Act.

Lands to  
vest in the  
Company.

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

‘ I, [*or We, as the Case may be*] of  
 ‘ in Consideration of the Sum of  
 ‘ paid to me [*or to us, or into the Bank*  
 ‘ of *England, as the Case may be*] by the *Newcastle-under-Lyme Gas*  
 ‘ Light Company, do hereby grant and convey to the said Company and  
 ‘ their Successors, all [*here describe the Premises to be conveyed*] and all  
 ‘ my [*or, our*] Right, Title, or Interest, in and to the same, and every  
 ‘ Part thereof; to hold the same to the said Company and their Succes-  
 ‘ sors for ever [*or, as the Case may be, during all the Remainder of my,*  
 ‘ *or our Estate and Interest in the said Premises*]: In Witness whereof,  
 ‘ I [*or, we*] have hereunto set my Hand and Seal, [*or, our Hands and*  
 ‘ Seals, *or our Common Seal, as the Case may be*] this  
 ‘ Day of in the Year of our Lord

Form of  
Conveyance  
to the Com-  
pany.

XI. And whereas the said Company, under the Provisions of this Act, may purchase Lands, Tenements, or Hereditaments, which may be found unnecessary or inconvenient for the Purposes thereof; be it therefore further enacted, That it shall be lawful for the said Company to sell and dispose of all or any Part or Parts of the said Lands, Tenements, or Hereditaments, which may have been so purchased, and which shall be found unnecessary or inconvenient for the Purposes of this Act, and all their Estate and Interest (whether of Fee or otherwise) of and in the same; and by any Indenture or Indentures under their Common Seal, to grant and convey all the said Lands, Tenements, or Hereditaments, so to be sold to the Purchaser or Purchasers thereof; and upon Payment of the Monies which shall arise from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall be lawful for the Treasurer of the said Company, to be appointed in pursuance of this Act for the Time being, to sign and give a Receipt or Receipts for the Monies for which the same shall be sold, which Receipt or Receipts shall be a sufficient Discharge to any Purchaser or Purchasers for the Monies therein expressed or acknowledged to be received; and such Purchaser

Power to  
resell Lands  
not wanted.

or

or Purchasers having *bona fide* paid the said Purchase Monies, and obtained such Receipt or Receipts for the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of the same, or any Part thereof: Provided nevertheless, that the Person or Persons who was or were the Owner or Owners of the Hereditaments so to be resold, at the Time when the same were purchased by the said Company for the Purposes of this Act, shall have the first Preference of purchasing such Part or Parts of the said Premises as shall be found unnecessary or inconvenient as aforesaid; but in case any such former Owner or Owners shall, upon the same being offered to him or them by or on the behalf of the said Company, decline or refuse to purchase the same; then and in every such case an Affidavit being made and sworn before a Master or Master Extraordinary of the High Court of Chancery, by some Person or Persons not interested in the Premises, stating that such Offer was made by or on the behalf of the said Company, and that such former Owner or Owners declined or refused to purchase the same Premises, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was declined or refused by such former Owner or Owners.

Joint Stock  
to be 5,000l.

XII. And be it further enacted, That the Capital or Joint Stock of the said Company of Proprietors, to be applied and used in establishing and carrying on the Undertaking and Purposes aforesaid, shall be the Sum of Five thousand Pounds Sterling; and that the said Company shall not be authorized to enter upon the Execution of any of the Works for which Powers are hereby given, until the whole of the said Sum of Five thousand Pounds shall have been subscribed for that Purpose.

Proprietors  
to be inter-  
ested in  
proportion  
to their Sub-  
scriptions.

XIII. And be it further enacted, That all and every Person and Persons by or for whom any Subscription shall have been made or accepted, or any Payment shall have been made pursuant to the Orders of any General Assembly of the said Company for that Purpose, for or towards the raising of the said Capital Sum of Five thousand Pounds, and his, her, or their Executors, Administrators, and Assigns respectively, (no such Subscription being less than the Sum of Twenty-five Pounds) shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Company, in proportion to the Monies which he, she, or they shall have so contributed towards the same, and shall have and be entitled to a proportionable Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors of and in the same.

The Com-  
pany's Works  
and Stock to  
be answer-  
able for their  
Debts.

XIV. And be it further enacted, That the Lands, Tenements, and Hereditaments, Gasometers, Maufactories, Machinery, Apparatus, and Works of the said Company, shall be liable and answerable to and for the just Debts and Demands of the Creditors of the said Company; and the several Persons composing the said Company shall respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company, to the full Amount of their respective Shares in the Capital of the said Joint Stock; but no Person shall be any further or otherwise liable, either personally or in his or her Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, for any Undertakings, Engagements,



Engagements, Contracts, or Agreements, entered into by the said Company: Provided always, that where Two or more Persons shall have jointly subscribed for, or shall be jointly possessed of any One or more Share or Shares in the said Undertaking, the same Persons shall severally be answerable to the whole Amount of the same Share or Shares, but not further or otherwise as aforesaid.

XV. And be it further enacted, That the said Sum of Five thousand Pounds shall be divided into Shares of Twenty-five Pounds each, and that no Person shall be a Subscriber for a less Sum than Twenty-five Pounds; and that all Shares in the said Undertaking, and in the Net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and shall be transmissible as Personal Estate accordingly.

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

XVI. And be it further enacted, That in case the aforesaid Sum of Five thousand Pounds shall be found insufficient for the Purposes of this Act, then and in such Case it shall be lawful for the said Company, from Time to Time, to raise any further Sum or Sums of Money, for completing their said Undertaking, not exceeding in the whole the Sum of Three thousand Pounds, either by way of Loan, on Security of the Property and Effects belonging to the said Company, or by raising and creating new and additional Shares in the said Concern, or by both of the said Ways and Methods; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Three thousand Pounds by way of Loan, then it shall be lawful for the said Company, or their said Committee of Management for the Time being, by and with the Advice and Direction of any General Assembly of the said Company, to borrow and take up the same at Interest, for the Use of the said Company, and thereupon to grant, execute, and deliver to or in favour of the Lenders thereof, such Mortgages, Bonds, Obligations, or other Securities in Writing, as may be required, thereby binding the said Company, and the Estates, Stock, and Trade thereof, for the Repayment of the Sum or Sums so borrowed, with Interest for the same; and in case it shall at any Time or Times be deemed advisable by the said Company, to raise any Part or Parts of the said further Sum of Three thousand Pounds, by the Creation of new and additional Shares in the said Concern, then it shall be lawful for the said Company to raise the same, either amongst themselves, in such Proportions as to them shall seem meet, or by the Admission of new Subscribers into the said Concern, and for such Purpose to create such Number of new and additional Shares of Twenty-five Pounds each, as may be deemed expedient; and every Subscriber towards raising such further Sum by Shares shall be a Proprietor in the said Undertaking, and stand interested in all the Profits, Privileges, and Advantages of the said Undertaking, and shall be liable to the like Burthens in proportion to the Amount of his or her Subscription, as generally and extensively, to all Intents and Purposes, as if the same had been originally Part of the said Capital Stock of Five thousand Pounds; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding: Provided nevertheless, that no further or greater Sum than Three thousand Pounds in the whole shall be allowed to be raised in addition to the said Capital Stock of Five thousand Pounds, either by way of Loan or by the

Power to raise 3,000l. more, if required, by Loan, or new Shares.



Creation of new and additional Shares, or by both those Methods collectively.

For enforcing Payment of the Sums subscribed.

XVII. And be it further enacted, That the several Persons who have already subscribed for and towards the said Undertaking, and who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed, and to be subscribed for, or such Parts or Portions thereof, as shall from Time to Time be called for pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the said Company or their Committee of Management for the Time being; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Time or Times, and in such Manner as shall be ordered and directed by the said Company or their Committee of Management as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise, in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same, from the appointed Time or Times of Payment, and full Costs of Suit, from such Person or Persons respectively; or in Cases where Two or more Persons shall have jointly subscribed for, or be jointly possessed of any One or more Share or Shares in the said Undertaking, then from all or any of such joint Subscribers.

Tickets or Shares to be delivered to the Proprietors.

XVIII. And be it further enacted, That the said Company of Proprietors, or their said Committee of Management for the Time being, shall cause the Names and Designations of the several Persons who are at present, and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the Number of Shares possessed by each of the Subscribers and Proprietors, and also the proper Number by which every Share is to be distinguished, to be distinctly entered in a Register Book, to be kept by the Clerk of the said Company, to be appointed as herein-after mentioned; and after the making of such Entry, a Certificate under the Common Seal of the said Company, and also signed by the Chairman at some Committee Meeting, and by the Clerk of the said Company, shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Proprietor thereof; which Certificate shall be delivered to the Proprietor of such Share upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share therein specified; but the want of such Certificate shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof.

First and other General Assemblies of Proprietors.

XIX. And be it further enacted, That the said Company of Proprietors shall assemble together at *The Roebuck Inn* in the Borough of *Newcastle-under-Lyme* aforesaid, on the Second *Thursday* next after the passing of this Act, at the Hour of Eleven in the Forenoon, and shall then and there proceed in the Execution of this Act; and shall and may adjourn such General Assembly from Time to Time, either to the same Place, or to any other convenient Place in the said Borough, as shall appear most proper and expedient; and that from and after the said First General Assembly  
of



of the said Company, there shall be holden in each year, Four Quarterly General Assemblies of the said Company; (that is to say), on the First *Thursday* in the Month of *January*, the First *Thursday* in the Month of *April*, the First *Thursday* in the Month of *July*, and the First *Thursday* in the Month of *October*, or within Fourteen Days next after each of the same Days respectively, of which several Quarterly General Assemblies Ten Days Public Notice at the least shall be given by Advertisement in some Newspaper published or circulated in the said Borough; and that the First Quarterly General Assembly to be holden by virtue of this Act, shall be holden on the First *Thursday* in *July* next, or within Fourteen Days next after the same; and that all such Quarterly General Assemblies may be adjourned from Time to Time, and from Place to Place, as shall be found expedient; and that at all such Assemblies of the said Proprietors, to be held as aforesaid, the Proprietors then present, not being fewer in Number than Five, shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company of Proprietors; and if it shall happen that there shall not appear at any of the aforesaid Assemblies of the said Proprietors a sufficient Number of Proprietors to act or to adjourn, (Five Proprietors being hereby declared sufficient in all Cases to proceed to Business, and Two Proprietors being hereby declared sufficient for the Purpose of Adjournment only,) then and so often as the Case may happen, such Assembly 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 and in which the same Assembly ought to have been held as aforesaid.

XX. And be it further enacted, That the said Company of Proprietors shall have full Power and Authority from Time to Time, at any of their General Assemblies to be holden as aforesaid, to make such Orders, Bye Laws, Rules, and Regulations as to them shall seem proper for the good Government of the said Undertaking, and for regulating the Proceedings of their Committee of Management for the Time being, and also for the Regulation of all Officers, Workmen, and Servants to be employed in or about the Affairs and Business of the said Company, and for the Superintendence and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Orders, Bye Laws, Rules, and Regulations, or any of them, and to make others; and to impose and inflict such reasonable Fines and Forfeitures upon all Officers, Workmen, and Servants of the said Company, and other Persons employed in the Affairs of the said Company, or in the Superintendence and Management of the said Undertaking, or otherwise concerned or interested therein, who shall offend against such Orders, Bye Laws, Rules, and Regulations, or any of them, not exceeding the Sum of Five Pounds for any One Offence, as to the said Proprietors at any of their General Assemblies shall seem expedient; and all Orders, Bye Laws, Rules, and Regulations so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, shall be binding upon all such Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Orders, Bye Laws, Rules, and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to any of the express Directions or Provisions of this Act: And provided also, that the same shall be printed, and that a printed Copy thereof shall be fixed and kept up in the

General  
Assemblies  
may make  
Bye Laws.

Office



Office of the Clerk of the said Company; and that another printed Copy thereof shall be delivered to the Town Clerk of the said Borough; and that all such Orders, Bye Laws, Rules, and Regulations shall be subject to appeal in the Manner by this Act directed.

Special Assemblies of Proprietors may be held.

XXI. And be it further enacted, That if at any Time it shall appear to the Committee of Management for the said Company for the Time being, or to any Five or more of the said Proprietors, who shall together be Holders of Forty Shares at the least in the said Undertaking, that it will be expedient to call a Special Assembly of the said Proprietors, for the Purpose of taking their Opinion and Determination upon any Matter or Thing relating to the said Company, then and in every such Case it shall be lawful for such Committee of Management, or for any Five or more Proprietors, being Holders of at least Forty Shares in the said Undertaking (although not assembled at any Meeting of the said Proprietors), to convene a Special Assembly of the Proprietors, by Public Notice, which shall be given by Advertisement in some Newspaper published or circulated in the said Borough; specifying some convenient Place within the said Borough where, and the Time when such Assembly is to be held (the Time not being earlier than Ten Days after such Notice,) and likewise specifying the Cause and Object of calling such Special Assembly; and the said Company of Proprietors are hereby authorized to assemble pursuant to such Notice, and to take into Consideration and determine as to the Matter or Matters specified in such Notice, and the Decision and Determination of the Proprietors present at such Assembly, in regard to such Matter or Matters as aforesaid, shall be as valid to all Intents and Purposes as if the same had been made at any General Assembly of the said Company of Proprietors.

General Assembly may appoint a Treasurer and Clerk.

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

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

XXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer,



Treasurer, or the Partner of any such Treasurer, the Clerk of the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Effoign, Protection, or Wager of Law, nor more than One Impar lance shall be allowed.

XXIV. And be it further enacted, That at every General or Special Assembly of the Proprietors of the said Undertaking, One of the Proprietors then present shall be elected to preside as Chairman; and all Questions shall be decided by a Majority of Votes of the Proprietors present in Person, or by their respective Proxies appointed as herein-after mentioned, and not declining to vote, according to their respective Number of Shares, that is to say; One Vote may be given for and in respect of every Share, and the Chairman of every such Assembly shall not only be entitled to vote in respect of his Shares, but in case of an equality of Votes, shall also have an additional or casting Vote; but nevertheless it is hereby provided, that no Proprietor shall be entitled to vote at any Assembly of the said Company in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid all Arrears due in pursuance of any Call or Calls which shall have been made upon or in respect of such Share or Shares by the said Committee of Management for the Time being; nor shall any Person vote at any Assembly of the said Company upon any Question in which such Person shall be interested in any other way than as being a Proprietor in the said Undertaking.

Regulations  
as to Assem-  
blies and  
Manner of  
voting.

XXV. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as one of the Joint Proprietors of such Share or Shares, shall be deemed to be the Proprietor of such Share or Shares, for the Purposes next herein-after mentioned, that is to say, such Person shall have the sole and entire Right of voting at all Assemblies of the said Company in respect of such Joint Share or Shares; and when any Notice in pursuance of this Act shall be given to such Person, the same shall be considered as a Notice given to all the Proprietors of such Joint Share or Shares.

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

XXVI. And be it further enacted, That every Proprietor entitled to vote in respect of any Share or Shares in the said Undertaking, at any Assembly of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such Assemblies, or any of them, either in Person or by Proxy; and the Appointment of such Proxy may be made in the Form or to the Effect following; (that is to say,)

Votes may  
be given by  
Proxy.

I *A. B.* of \_\_\_\_\_ one of the Proprietors of and  
in 'The *Newcastle-under-Lyme* Gas Light Company,' do hereby  
[Local.] \_\_\_\_\_ 32 D \_\_\_\_\_ nominate,

Form of  
Proxy.



‘ nominate, constitute, and appoint C. D. of \_\_\_\_\_ to be my  
 ‘ Proxy, in my Name and in my Absence to vote as well in the Election  
 ‘ of the Members of the Committee of Management and the other Officers  
 ‘ of the said Company, as in or about any other Business, Matter, or  
 ‘ Thing relating to the said Undertaking, that shall be mentioned or pro-  
 ‘ posed at any General or Special Assembly of the said Proprietors, and  
 ‘ to give my Assent to or Dissent from the same, in such manner as the said  
 ‘ C. D. shall think proper, according to his Opinion and Judgment, for  
 ‘ the Benefit of the said Undertaking, or any Thing relating thereto: In  
 ‘ Witness whereof, I have hereunto set my Hand, the \_\_\_\_\_ Day  
 ‘ of \_\_\_\_\_ in the Year of our Lord One thousand eight hundred  
 ‘ and \_\_\_\_\_

Regulation  
 for ascertain-  
 ing the Pro-  
 prietors in  
 certain Cases.

XXVII. And whereas it may happen that some of the Original Sub-  
 scribers or other Proprietors of Shares in the said Undertaking may die,  
 or become Insolvent or Bankrupt, or may transfer their Rights and In-  
 terests to other Persons, without any Registry having been made of the  
 Transfer thereof with the Clerk of the said Company, and thereupon it  
 may not be in the Power of the proper Officers acting for the said Com-  
 pany to learn who are the actual Proprietors of such Shares, so as to give  
 due Notice to them, or their respective Executors, Administrators, or  
 Assigns, of Calls to be made upon or in respect of such Shares, or to  
 maintain any Actions or other Proceedings against them for Recovery of  
 the same, or to pay the Dividends in respect of such Shares; be it there-  
 fore further enacted, That in all Cases where the Right and Property in  
 any Share or Shares in the said Undertaking shall pass from the Original  
 Subscribers or Proprietors thereof, to any other Person or Persons, by any  
 other legal means than by a Transfer or Conveyance thereof in the Form  
 and Manner herein-after specified, an Affidavit shall be made and sworn  
 by Two credible Persons before a Master or Master Extraordinary of the  
 High Court of Chancery, or one of His Majesty's Justices of the Peace,  
 stating the Mode in which such Share or Shares shall have passed to such  
 other Person or Persons; and that such Affidavit shall be deposited with  
 the Clerk of the said Company, who shall thereupon make an Entry of  
 the Name or Names of such derivative Proprietor or Proprietors in the  
 Register Book of the said Company; and which Entry the said Clerk is  
 hereby directed to make accordingly, being paid for the same the Sum of  
 Three Shillings and no more.

Shares may  
 be transferred.

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

Form of  
 Transfer.

‘ I [or We] \_\_\_\_\_ of \_\_\_\_\_ in Consideration of  
 ‘ \_\_\_\_\_ paid to me [or us] by \_\_\_\_\_ of \_\_\_\_\_  
 ‘ do hereby bargain, sell, assign, and transfer to the said  
 ‘ the Sum of \_\_\_\_\_ Capital Stock of and in the Undertaking  
 ‘ called ‘ The Newcastle-under-Lyme Gas Light Company,’ being my [or  
 ‘ our] Share [or Shares] therein numbered \_\_\_\_\_ to hold the  
 ‘ same to the said \_\_\_\_\_ Executors, Administrators, and  
 ‘ \_\_\_\_\_ Assigns,







Interest for the same from such appointed Time of Payment, then and in every such Case such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, or Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on Account thereof, to and for the Use and Benefit of the rest of the said Company; and that all Shares which shall be so forfeited shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Company; but nevertheless no Advantage shall be taken of any such Forfeiture of any Share or Shares until after Ten Days Notice in Writing shall have been given by the Clerk of the said Company to the Proprietor or Proprietors thereof, or left at his, her, or their last or usual Place of Abode; nor unless the same Share or Shares shall be declared to be forfeited at some General or Special Assembly of the said Proprietors, held not sooner than Two Calendar Months after such Forfeiture shall take place; and every such Forfeiture, when so declared, shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors who shall have incurred such Forfeiture, and his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Proceedings whatsoever, at Law or in Equity, for any Breach of Contract between such Proprietor or Proprietors so forfeiting and the said Company, in regard to the future Prosecution of the said Undertaking.

Executors,  
&c. of de-  
ceased Pro-  
prietors, in-  
demnified  
for paying  
Calls.

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

Dividends to  
be made  
Half-yearly.

XXXII. And be it further enacted, That the Proprietors assembled at each of the said Quarterly General Assemblies, or at any Adjournment thereof, shall have full Power to call for and to examine and settle the Accounts of the said Company and of their Committee of Management; and that at each of the said Quarterly General Assemblies to be held in the Months of *January* and *July* in every Year, or at some Adjournment thereof, a Half-yearly Dividend shall be made and declared out of the Interest, Profits, or Advantages of the said Undertaking, unless such General Assembly shall declare otherwise; and such Dividend shall be at and after the Rate of so much for every One hundred Pounds upon all and every the Sum and Sums of Money paid to the said Company by the said Subscribers or Proprietors, their Executors, Administrators, Successors, or Assigns, as the Proprietors at such General Assembly shall think fit to

appoint



appoint and determine: Provided always, that no Dividend shall be made whereby the Capital Stock advanced into the said Concern shall in any Degree be reduced or impaired; nor shall any Dividend be made within Two Years next after the passing of this Act, nor shall any Dividend be paid upon or in respect of any Share or Shares after the Time appointed for Payment of any Call for Money until such Call shall have been fully paid upon or in respect of the same Share or Shares.

XXXIII. And be it further enacted, That a Committee of Management for transacting the Affairs of the said Company, shall from Time to Time be elected out of the Proprietors or Subscribers of Shares in the said Undertaking; and that such Committee shall consist of not more than Nine, nor fewer than Five Proprietors or Subscribers; and that at the First General Assembly of the Proprietors to be holden next after the passing of this Act, or at some Adjournment thereof, such Committee shall be elected for the First Time, and when so elected, shall be the Committee of Management for transacting the Affairs of the said Company, until another Committee shall be chosen in their stead, as herein-after mentioned.

Committee of Management to be appointed.

XXXIV. And be it further enacted, That the Persons who may first be elected Members of the said Committee of Management, in pursuance of the Directions herein-before contained, shall continue in Office, and be Members of the said Committee until the Quarterly General Assembly of the said Company to be held in the Month of *July* One thousand eight hundred and twenty, and that at the said last mentioned Assembly, and also Once in every subsequent Year, at the like Assembly to be held in the Month of *July* annually, a new Committee of Management shall be chosen, consisting of not more than Nine, nor fewer than Five Proprietors of Shares in the said Undertaking, who shall respectively serve for One Year after their Election, or until others shall be appointed in their Places, as the Committee of Management of the said Undertaking: Provided nevertheless, that any Person who may have previously served as a Member of the said Committee shall, if otherwise qualified, be eligible to be re-elected to the same Office for the ensuing Year.

Future Appointments of Committee.

XXXV. Provided always, and be it further enacted, That no Person shall at any Time be eligible to be elected as a Member of the said Committee of Management, unless at the Time of his Election he shall be possessed of at least Four Shares in the said Undertaking, nor unless the same shall be entered and continue in the Name of such Person in the Books of the said Company; nor shall any Person be qualified to serve or act as a Member of the said Committee of Management, who shall hold any Place of Profit under the said Company, or shall be a Dealer, either directly or indirectly, in any one of the Articles to be made or manufactured by the said Company; or who shall be individually concerned or interested in any Contract or Contracts to be made, for furnishing the said Company with any Articles whatsoever, or performing any Work for the said Company; or who shall in any Manner participate in the furnishing of any such Articles, or performing any such Work for the said Company, whether by Contract or otherwise; or who shall have refused to attend the Meetings of any previous Committee of the said Company for the Space of Three Calendar Months.

Qualification of Members of the Committee.



For supplying  
Vacancies in  
the Commit-  
tee.

XXXVI. And be it further enacted, That when and so often as any Member of the said Committee of Management shall die, or shall become the Holder of any Place of Profit under the said Company, or shall become such Dealer, or be concerned or interested in any such Contract, or in the furnishing of any such Articles, or performing any such Work as aforesaid, or shall become otherwise disqualified, or refuse to act, it shall be lawful for the said Company, at any General or Special Assembly holden pursuant to the Directions of this Act, to elect in his Place and Stead, some other of the said Proprietors, duly qualified, to be a Member of the said Committee of Management; and every such Proprietor so elected to fill such Vacancy, and being duly qualified, shall continue in Office as a Member of the said Committee for the same Period as the Person in whose Place or Stead he may have been elected would have been entitled to continue in Office, under the Provisions of this Act, if such Death, Disqualification, or other Cause of Vacancy had not happened.

Regulations  
as to the  
Committee  
Meetings.

XXXVII. And be it further enacted, That the said Committee of Management for the Time being shall or may hold their First Meeting within Thirty Days after their being appointed, at such Time and Place within the said Borough as they shall think proper, and shall have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time and from Place to Place within the said Borough, as they shall think fit; and that the said Committee shall yearly, at the First Meeting which they shall hold after being appointed to their Office, nominate One of their own Members to act as their Chairman for the Year then ensuing; and that such Chairman shall during such ensuing Year preside at all Meetings of the Committee where he shall be present, and in case of his Absence, the Members present shall appoint some other of their Members to preside *pro tempore* as Chairman; and that all the Powers hereby vested in the said Committee may be exercised by the major Part in Number of the Members of the said Committee present at any of their Meetings, and qualified to act on such Committee, (such Number not being less than Three); and that all Questions, which shall be discussed at any of their Meetings, shall be decided by a Majority of the Members present; and in case of there being an equal Number of Votes upon any Question, including the Vote of the acting Chairman, then such Chairman shall have the decisive and casting Vote; and that if on the Day appointed for any Meeting of the said Committee, Three Members qualified to act shall not attend, then and in every such Case the Meeting shall be adjourned till such Time as the Members or Member then present, or if none be present, as the Clerk of the said Company shall appoint for the Purpose; and that the Chairman for the Time being, or any Three Members of the said Committee, may at any Time when they shall think fit, call a Meeting of the Committee, by Notice in Writing, signed by such Chairman, or such Three Members, and to be sent by the Post or otherwise, to the Residence or Address of every Member of such Committee.

Powers and  
Duties of the  
Committee.

XXXVIII. And be it further enacted, That the said Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to call Special General Assemblies of the said Company, for any Purposes which they may think proper, and to appoint the Times and Places of holding the General Quarterly Assemblies, subject to the Directions herein-before contained;



contained; and generally to direct the Affairs and Business of the said Undertaking, as well in receiving, issuing, laying out and disposing of all Sums of Money to be received, issued, laid out, or disposed of, for the Purposes of the said Undertaking, as in contracting for and purchasing Lands, Tenements, Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking; and in making and entering into Contracts and Agreements for the lighting of the said Borough, or any of the Streets, Squares, Lanes, Roads, Passages, Public Places, Churches, Chapels, Dwelling Houses, Shops, Manufactories, Theatres, or other Places of Public Exhibition, Inns, Taverns, or other Buildings or Places whatsoever, within the said Borough, or any Part thereof; and in ordering, directing, and employing the Works and Workmen of the said Company; and in selling and disposing of all Articles produced at or from the Works of the said Company; and in nominating or placing and displacing any Surveyors, Engineers, Agents, Servants, Collectors, or other Officers of the said Company, (except the Treasurer and Clerk) and in appointing to the Officers so to be nominated by such Committee, such Salaries, Gratuities, or other Recompence as to such Committee shall from Time to Time seem expedient; and in making and enforcing all Contracts and Bargains touching or in anywise concerning the said Undertaking, or in compounding or rescinding such Contracts and Bargains, or any of them; subject nevertheless to such Orders, Bye Laws, Rules, and Regulations as shall at any Time be duly made by the said Company at their General or Special Assemblies, in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted to such Committee.

XXXIX. And be it further enacted, That no Sum or Sums of Money shall be paid by the Treasurer of the said Company, on the Behalf or Account of the said Company, without an Order in Writing signed by the Chairman at some General Assembly of the Proprietors, or by the Chairman and some Two other Members of their Committee of Management, present at some Meeting of the said Committee. Treasurer to pay Money only by Order.

XL. And be it further enacted, That the Orders and Proceedings, as well of every Assembly of the said Company as of every Meeting of the said Committee of Management, shall be entered by the Clerk of the said Company in proper Books to be kept for that Purpose; and such Orders and Proceedings so entered and signed by the Chairman of each respective Assembly or Meeting shall be deemed and taken to be Original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others. Proceedings to be entered in Books.

XLI. And be it further enacted, That it shall be lawful for the said Company and their Successors, or their Committee of Management for the Time being, and they are hereby fully authorized and empowered by their Engineers, Agents, Servants, and Workmen, from Time to Time to make and erect such Buildings, Gasometers, Retorts, Receivers, Cisterns, Engines, Machines, and other Works and Apparatus upon any of the Lands, Tenements, or Hereditaments which may be purchased for that Purpose as aforesaid, as the said Company or their Committee of Management for the Time being shall from Time to Time deem expedient or proper for carrying the Purposes of this Act into Execution; and also, under the Direction of the Commissioners or other Persons who shall for the Power to erect Buildings, Gasometers, &c. and to break up the Soil of Streets for laying Pipes, &c. under the Direction of Commissioners.



the Time being act under the Authority of the said Act so passed in this present Session of Parliament, or any other Act which shall hereafter be in force, for the Regulation and Improvement of the said Borough, and under the Inspection of the Surveyor or Surveyors of the same Commissioners or other Persons so acting as aforesaid for the Time being, to break up the Soil and Pavements of any Streets, Squares, Lanes, Roads, Passages, and other public Places within the said Borough, and there to dig and sink Trenches, and to lay Mains, Pipes, or Siphons therein, communicating with the Works of the said Company; and to affix and lay Stop Cocks, Plugs, and Branches to and from the same Mains, Pipes, or Siphons in, under, and along any such Streets, Squares, Lanes, Roads, Passages, and other public Places as aforesaid; and from Time to Time to repair, renew, and maintain, or alter the Position of such Mains, Pipes, Siphons, Stop-Cocks, Plugs, and Branches; and also to erect, set up, place, and affix Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in any of the said Streets, Squares, Lanes, Roads, Passages, and public Places, or upon or against the Walls of any Dwelling Houses or other Buildings therein, either public or private; and under the Direction and Inspection aforesaid, from Time to Time, to do and execute all such other Acts, Matters, and Things, in and about the said Streets, Squares, Lanes, Roads, Passages, and public Places, or any of them, as shall be found necessary or expedient for carrying the Purposes of this Act into Execution: Provided always, nevertheless, and it is hereby declared, that for the Privilege of breaking up the Soil and Pavements and executing the other Works before mentioned in the said Streets, Squares, Lanes, Roads, Passages, and other public Places within the said Borough, the said Company shall yearly and on the Twenty-ninth Day of *September* in every Year, pay unto the Mayor, Bailiffs, and Burgeſſes of the said Borough of *Newcastle-under-Lyme*, the Sum of One Shilling as an Acknowledgment of their Right of Soil within the same.

Consents to  
be had by  
the Company  
in certain  
Cases.

XLII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or allow the said Company to break up the Soil or Pavements of all or any Part of any of the Streets, Squares, Lanes, Roads, Passages, or other public Places within the said Borough, which are now or may be hereafter maintained and supported in repair by or at the Expence of any Trustees acting under the Authority of any Act or Acts of Parliament for repairing and amending any of the Turnpike Roads passing through the said Borough, without having first obtained the Consents of the proper Quorums of the several Trustees of the said Turnpike Roads respectively, nor to break up the Soil or Pavements of all or any Part of any of the said Streets, Squares, Lanes, Roads, Passages, or other public Places which may hereafter be maintained or supported in repair by or at the Expence of the Surveyors of the Highways within the said Borough, without having first obtained the Consent of the said Surveyors of the Highways for the Time being; and provided further, that nothing herein contained shall extend to authorize or allow the said Company to cause any Pipe or Pipes for the Conveyance of Gas to be affixed upon or against the Wall of any Dwelling House whatsoever within the said Borough, without having previously obtained the Consent in Writing of the Owner and Occupier of such Dwelling House in that Behalf.

XLIII. Pro-



XLIII. Provided also, and be it further enacted, That in case the said Commissioners or other Persons acting under the Authority of the said Act so passed in this present Session of Parliament, or any other Act hereafter to be in force for the Regulation and Improvement of the said Borough, or their Surveyor or Surveyors, shall neglect or refuse to direct and inspect any of the Works herein-before authorized to be executed under their Direction and Inspection as aforesaid, after being thereunto required by Notice in Writing from the Clerk or any Engineer of the said Company, given to or left at the respective Places of Abode both of the Clerk of the said Commissioners or other Persons so acting as aforesaid, and of their Surveyor or Surveyors for the Time being, at least Twenty-four Hours before any such Work shall be done (except in Cases of Emergency, arising from Defects in any Trenches, Mains, Pipes, Siphons, Stop-Cocks, Plugs, or Branches, when Two Hours Notice shall be deemed sufficient), then the said Company, or their Committee of Management for the Time being, are hereby fully authorized to do and perform the Works specified in such Notice, without the Direction or Inspection of the said Commissioners, or other Persons so acting as aforesaid, or their Surveyor or Surveyors for the Time being; and provided likewise, that the Regulations herein-before contained shall not extend or be construed to prevent the said Company or their said Committee of Management from doing all such Repairs as shall from Time to Time be requisite and necessary to be done in or about any of their Works, which shall have been originally executed under the Direction of the said Commissioners or such other Persons so acting as aforesaid, Notice in Writing nevertheless of the intended Repairs being first given in all Cases, in order that the Surveyor or Surveyors of the said Commissioners or other Persons so acting as aforesaid may attend to inspect the Execution of such Repairs, if he or they shall think it proper so to do.

Liberty to proceed without Direction of Commissioners after Notice.

XLIV. And be it further enacted, That the Workmen to be employed by the said Company in fixing, placing, laying, or repairing any such Mains, Pipes, Siphons, Stop-Cocks, Plugs, Branches, Posts, Pillars, or other Apparatus, shall proceed in every Case, as speedily as possible, to fill up the Trenches and make good the Pavements and Roads that shall be opened or broken up in the Prosecution of any of the said Works, and to remove and carry away the Rubbish occasioned thereby, and shall also in the meantime fence or guard the Place or Places where any Ground shall be so broken up, and set up Lamps or Lights at or near the same during the Night, in such manner as to prevent Accidents to Passengers, Cattle, and Carriages, under and subject to such Orders and Directions as shall from Time to Time be given in any of the aforesaid Respects by the said Commissioners or other Persons so acting as aforesaid, or their Surveyor or Surveyors for the Time being; and that in case the said Company, or any of their Workmen, Agents, or Servants, acting under their Authority, shall either wilfully or negligently delay to fill up any such Trenches, or make good any such Pavements or Roads, or to remove any such Rubbish as aforesaid, or shall in the meantime neglect to fence or guard, and properly light the Place or Places where any Ground shall be so broken up as aforesaid, then and in every such Case it shall be lawful for the said Commissioners, or other Persons so acting as aforesaid, or any Surveyor or Workman acting under their Authority, to fill up all such Trenches, and make good all such Pavements and Roads, and to

Workmen to make good Pavements, &c.

[Local.]

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remove



remove such Rubbish, and in the meantime to fence or guard and properly light the Place or Places where any such Ground shall be so broken up as aforesaid; and that in every such Case, all reasonable Costs and Charges incurred therein shall be refunded and paid by the said Company, together with the Sum of Five Pounds by way of Penalty for every such Offence; which Costs, Charges, and Penalties shall in every such Case be recoverable in a summary Way, upon the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited by Order of the said Commissioners, or other Persons so acting as aforesaid, before One or more Justice or Justices of the Peace for the said Borough, or for the said County of *Stafford*, and shall and may be levied and recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to issue; and the same Costs, Charges, and Penalties shall, on being so recovered, be paid to the said Commissioners, or other Persons so acting as aforesaid, or their Treasurer for the Time being; any Overplus of the Money arising from the Sale of such Goods and Chattels, nevertheless, being returned upon Demand to the said Company, after deducting the reasonable Charges of such Warrant, Distress, and Sale.

Workmen  
not to injure  
any public  
Sewers.

XLV. Provided always, and be it further enacted, That the said Company, or their Workmen, Agents, or Servants, or any other Person or Persons acting under their Authority, shall in nowise be empowered, in executing any Work to be done under the Provisions of this Act, to do any Damage or Injury to any Public Sewer or Drain within the said Borough; and if any such Damage or Injury shall happen to be done to any such Public Sewer or Drain, the said Company shall, within Two Days at the furthest, well and effectually repair and make good every such Damage and Injury; and in default thereof, it shall be lawful for the said Commissioners, or other Persons so acting as aforesaid, or any Surveyor or Workman acting under their Authority, effectually to repair and make good the same; and that in every such Case, all reasonable Costs and Charges incurred therein, shall be refunded and paid by the said Company, together with the Sum of Five Pounds by way of Penalty, for every such Offence; which Costs, Charges, and Penalties shall be recoverable from the said Company in a summary way, by Information to be laid and exhibited in Manner aforesaid, before any Justice or Justices of the Peace for the said Borough, or for the said County of *Stafford*, in like Manner and Subject to the same Provisions in all respects as are herein-before directed with regard to the other Costs, Charges, and Penalties herein-before mentioned; and the same shall, when recovered, be payable to the said Commissioners or other Persons so acting as aforesaid, or their Treasurer for the Time being.

Provision for  
raising, sink-  
ing or alter-  
ing, the Posi-  
tion of the  
Pipes.

XLVI. And be it further enacted, That if for the Purposes of the said Act so passed in this present Session of Parliament as aforesaid, or any other Act hereafter to be in force, for the Regulation and Improvement of the said Borough, or for supplying the same with Water, it shall at any Time be deemed expedient by the Commissioners or other Persons acting under the Authority of any such Act or Acts, with a view to any Public Improvement or Convenience within the said Borough, to raise, sink, or otherwise alter the Situation of any of the Mains, Pipes, Siphons, Stop-  
Cocks,



Cocks, Plugs, or Branches which shall be laid down for the Purposes of this Act, it shall be lawful for the said Commissioners, or other Persons so acting as aforesaid, or any Surveyor or Workman acting under their Authority, to cause such Mains, Pipes, Siphons, Stop-Cocks, Plugs, or Branches to be raised, sunk, or moved at the Discretion of the said Commissioners or other Persons so acting as aforesaid: Provided nevertheless, that in all Cases where any of the said Mains, Pipes, Siphons, Stop-Cocks, Plugs, or Branches, shall be so raised, sunk, or moved by the Order of the said Commissioners or such other Persons, the whole Costs and Charges incurred in such Alteration or Removal shall be defrayed by the said Commissioners or such other Persons as aforesaid; and if in the raising, sinking, or moving of any of the said Mains, Pipes, Siphons, Stop-Cocks, Plugs, or Branches as aforesaid, any Damage or Injury shall be wilfully or negligently done to the same, then and in every such Case such Damage or Injury shall be made good as soon as Circumstances will admit; and the Costs, Charges, and Expences thereof shall be paid by the said Commissioners or such other Person so acting as aforesaid to the said Company, or their Treasurer, within One Calendar Month next after Demand in Writing made thereof by the Clerk of the said Company from the Clerk of the said Commissioners, or such other Persons so acting as aforesaid.

XLVII. And be it further enacted, That whensoever the Commissioners or other Persons who shall act for the Time being under the Authority of the said Act so passed in the present Session of Parliament, or any other Act which shall hereafter be in force, for the Regulation and Improvement of the said Borough as aforesaid, shall at any Time or Times hereafter be desirous of having all or any of the Streets, Squares, Lanes, Roads, Passages, or other public Places within the said Borough lighted with Gas, and of such their Desire shall from Time to Time cause Notice or Notices in Writing, under the Hand of their Clerk for the Time being, to be delivered to the Clerk of the said Company, or left at his Place of Abode; then and so often from Time to Time, and as soon as may be after the Delivery of every such Notice, the said Company shall and they are hereby required, at their own Expence, to lay down and carry proper and sufficient Mains, Pipes, and Branches along and through all such of the Streets, Squares, Lanes, Roads, Passages, and other public Places within the said Borough, as shall from Time to Time be specified in such Notice or Notices, and the same to complete and maintain in such Manner as shall be necessary and effectual for furnishing and supplying the Quantity of Gas requisite for the Purpose of lighting the several Places, to be specified in such Notice or Notices; and also from Time to Time, at their own Expence to fix, erect, set up, and complete in the First Instance all the Posts, Pillars, Pilasters, Lamp-Irons, and other Apparatus necessary and requisite for the same Purpose, or such and so many of the said Articles as shall not have been previously erected or provided by the said Commissioners, or other Persons so acting as aforesaid; and also at the Expence of the said Company to find and provide for the same Purpose so many Lamps, with such Sorts of Burners, and of such Dimensions, Constructions, and Qualities, and to be set up and placed in such Parts of the said Borough for lighting the same; as the said Commissioners or other Persons so acting as aforesaid, shall from Time to Time require by any such Notice or Notices in Writing as aforesaid; and also at the like Expence of the said Company, during the Existence of any Contract or

Provision for  
the public  
lighting of  
the Borough.

Contracts



Contracts between the said Commissioners or other Persons so acting as aforesaid and the said Company, for lighting the said Borough, to support and maintain in good Order and Condition all the said Articles, with the Exception of the Lamps only, which are to be repaired by the said Commissioners or other Persons so acting as aforesaid: Provided nevertheless, that if at any Time the said Commissioners or other Persons so acting as aforesaid, shall have wholly refused or declined to enter into a Contract with the said Company for the public Lighting with Gas of the principal Streets and public Places within the said Borough, according to the Prices and Terms herein-after mentioned, then the said Commissioners or other Persons so acting as aforesaid, shall have the Option and Preference of purchasing and taking for the Purposes of the said Act, or any such other Act, for the Regulation and Improvement of the said Borough, all such Posts, Pillars, Pilasters, Lamp-Irons and Lamps, as shall have been previously erected or furnished at the Expence of the said Company, for the public Lighting of the said Borough, upon Payment being made by the said Commissioners or such other Persons as aforesaid, to the said Company, of such reasonable Price or Sum for the Purchase of the said Articles, as shall be fixed by the Valuation of Two indifferent Arbitrators, One of them to be nominated by the said Commissioners or such other Persons as aforesaid, and the other by the said Company, and which said Two Arbitrators shall in the Event of any Disagreement between them in regard to such Value, have Power to appoint an Umpire to determine finally upon such Valuation; but in case the said Commissioners or other Persons so acting as aforesaid, after having so refused or declined to enter into any Contract as aforesaid, shall have also refused or declined for the Space of Twelve Calendar Months afterwards to make such Purchase from the said Company, then it shall be lawful for the said Company, at any Time afterwards, to remove, take, and carry away, to the Use of the said Company, all such Posts, Pillars, Pilasters, Lamp-Irons, and Lamps as shall have been previously erected or furnished at their Expence as aforesaid; and from thenceforth the said Company shall not in future be required to be at the Expence of erecting, setting up, or furnishing any more Posts, Pillars, Pilasters, Lamp-Irons, or Lamps, for the public Lighting of the said Borough.

Restriction of  
Prices for  
public light-  
ing.

XLVIII. And be it further enacted, That from Time to Time, and at all Times for ever, from and after the First Day of September One thousand eight hundred and twenty, the said Company shall be bound and obliged, whenever thereunto required by the said Commissioners, or other Persons so acting as aforesaid, to furnish an adequate Supply of Gas for lighting, in a proper and effectual Manner, all such of the Streets, Squares, Lanes, Roads, Passages, and other public Places within the said Borough, as the said Commissioners or such other Persons so acting as aforesaid, shall by any such Notice or Notices require to be lighted as aforesaid, and thenceforth to keep the same lighted with Gas upon the Terms and Conditions herein-after specified; (that is to say,) that the said Company shall supply such Quantity of Gas Light, at such Number of Lamps, with such Sorts of Burners, of such Dimensions, Constructions, and Qualities, to be set up in such Situations, and to continue burning at such Times, and for such Number of Hours, and under such Regulations as the said Commissioners, or such other Persons so acting as aforesaid, shall from Time to Time direct, upon the said Company's receiving annually, for every such public



public Lamp so required, some yearly Price or Sum, to be mutually arranged and contracted for once in every Three Years or oftener, between the said Commissioners, or such other Persons so acting as aforesaid; and the said Company; it being hereby provided nevertheless, and made obligatory upon the said Company; that the Gas Lights which shall be supplied by the said Company for the public Lighting of the said Borough, shall at all Times be cheaper and better Lights than could be afforded from Oil; and that the Branch or Service Pipes which shall be set up by the said Company to supply the Gas for such public Lighting shall in all Cases be of a Diameter not less than Half an Inch in the Bore, and shall be kept fully charged with Gas whensoever it shall be necessary, for the Purposes of such public Lighting as aforesaid; and that the yearly Prices to be paid to the said Company for such Gas Lights shall never exceed the lowest yearly Prices for which public Gas Lights of the like Descriptions shall happen to be furnished and supplied for the Time being in any other Town within the Distance of Sixty Miles from *Newcastle-under-Lyme* aforesaid, lighted by any Gas Light Company; and that for and during the First Seven Years (to be computed from the First Day of lighting with Gas such One of the Four Streets within the said Borough respectively called *High Street, Penkull Street, Red Lion Square, and Bridge Street*, as shall happen to be last supplied with Gas Lights), such yearly Price or Sum so to be paid to the said Company shall not exceed the Sum of Twenty Shillings *per Annum* for every Lamp furnished with a Cocks-pur Burner of the ordinary Size, and which shall be kept burning during the same Seasons, and for the same Number of Hours, as the public Lamps in the City of *Lichfield* have been kept lighted for the Twelve Calendar Months next preceding the passing of this Act; and so in Proportion for Lamps of other Sorts or Descriptions, and kept burning for other Periods, as may be required by the said Commissioners or other Persons so acting as aforesaid.

XLIX. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time to lay and carry any Pipes or Branches from any Mains, Pipes, or Siphons, laid in any Streets, Squares, Lanes, Roads, Passages, or public Places by the said Company in pursuance of this Act, into or through any Dwelling Houses, Shops, Manufactories, or other private or public Buildings, or the Yards or Grounds thereto belonging, within the Limits of the said Borough; and to furnish and complete the same Pipes or Branches, with the Cocks, Machinery, and other Apparatus requisite for the Purpose of lighting any Dwelling Houses, Shops, Manufactories or other private or public Buildings, or any private or public Lamps within the said Borough, and for securing to the same a competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and to do and execute all such other Acts, Matters, and Things as shall be found necessary from Time to Time for supplying the same: Provided nevertheless, that the Power lastly herein-before given shall not extend to authorize the Execution of the same Works, or any of them, in any Dwelling Houses, Shops, Manufactories, or other private or public Buildings, or the Yards or Grounds thereto belonging, without the previous Consent of the several Owners and Occupiers of the same Dwelling Houses, Shops, Manufactories or other private or public Buildings, Yards, or Grounds respectively.

Provision for lighting of Dwelling Houses, &c.



Restriction of  
Prices for  
lighting  
Dwelling  
Houses, &c.

L. And be it further enacted, That from Time to Time and at all Times for ever, from and after the said First Day of *September* One thousand eight hundred and twenty, the said Company shall be bound and obliged, whenever thereunto required, to furnish adequate Supplies of Gas for lighting, in a proper and effectual Manner, all or any of the Dwelling Houses, Shops, Manufactories, or other private or public Buildings, situated in any of the Streets, Squares, Lanes, Roads, Passages, or other public Places within the said Borough, which shall from Time to Time be lighted with Gas by the said Company upon the Terms and Conditions following; (that is to say), that the several Persons requiring such Supplies of Gas shall in every Case respectively find and provide, at their own Expence, the requisite Machinery for conveying such Supplies of Gas from the external Walls of the said several Dwelling Houses, Shops, Manufactories, or other private or public Buildings respectively into the Interior thereof, and there using the same; and that the same Persons shall also respectively pay unto the said Company such distinct and several yearly Prices for the said Supplies of Gas as shall from Time to Time be mutually arranged and contracted for between the said Company and the said several Persons so requiring the same; but which Prices are hereby limited not in any Case to exceed the lowest yearly Prices, for which the like Supplies of Gas of the same Quality shall happen for the Time being to be furnished for the lighting of private Buildings by any Gas Light Company, in any other Town lighted with Gas within the Distance of Sixty Miles from *Newcastle-under-Lyme* aforesaid, and which Limitation of Price is hereby expressly made obligatory upon the said hereby incorporated Company.

Gas to be of  
the purest  
Quality.

LI. And be it further enacted, That the Coal to be made use of by the said Company in their Works, whensoever Coal shall be the Substance employed by the said Company for the Production of Gas, shall be the fittest that can be obtained in the said Borough of *Newcastle-under-Lyme*, or the Neighbourhood thereof, for making the best and purest Gas; and in case the said Company shall at any Time use any other Coal than such as is above-mentioned and directed, or shall at any Time supply or furnish any Gas which shall not be of the best and purest Quality, whether the same be manufactured from Coal, or from any other Substance or Substances, that then and in every such Case the said Company shall forfeit and pay the Penalty or Sum of Five Pounds for every such Offence; which Penalty shall from Time to Time be recoverable in a summary Way, upon the Oath of One or more credible Witnesses or Witnesses, by Information to be laid and exhibited by Order of the said Commissioners, or other Persons who shall act for the Time being, under the Authority of the said Act, so passed in this present Session of Parliament, or any other Act which shall hereafter be in force, for the Regulation and Improvement of the said Borough, before some One or more Justice or Justices of the Peace for the said Borough or for the said County of *Stafford*, and shall and may be levied and recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in the like Manner, and subject to the like Provisions as are herein-before directed touching other Penalties to be recovered from the said Company; and the same shall, on being so recovered, go and be paid unto the said Commissioners



missioners or other Persons so acting as aforesaid, or their Treasurer for the Time being.

LII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall at their own Expence, immediately after receiving Notice in Writing of any such Escape of Gas, signed by the Clerk or Surveyor of the said Commissioners or other the Persons acting for the Time being under the Authority of the said Act so passed in this present Session of Parliament, or any other Act which shall hereafter be in force for the Regulation and Improvement of the said Borough, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours next after such Notice 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, that then and in every such Case, the said Company shall for every such Offence forfeit and pay the Penalty or Sum of Forty Shillings 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 of One or more credible Witness or Witnesses, by Information to be laid and exhibited by the Order of the said Commissioners or other the Persons so acting as aforesaid, before some One or more Justice or Justices of the Peace for the said Borough, or for the said County of *Stafford*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner, and subject to the like Provisions as are herein-before directed, touching other Penalties to be recovered from the said Company; and the same shall, on being so recovered, go and be paid to the said Commissioners, or other the Persons so acting as aforesaid, or their Treasurer for the Time being.

For preventing the Escape of Gas.

LIII. And be it further enacted, That it shall be lawful for the said Company to make such Sewers or Cuts of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient under the Streets, Lanes, and other public Places within the said Borough, for the Purpose of carrying off the Washings and Waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing, at their own Expence, all such Damages; but that it shall not be lawful for the said Company, or any of their Agents, Servants, or Workmen, or any other Person or Persons acting under their Authority, to carry or convey, or cause, permit, or suffer to be carried or conveyed, or to run or ooze to or into the Mill Pool of *Newcastle-under-Lyme* aforesaid, or into the *Newcastle-under-Lyme* Brook, or any other Brook, Canal, or Ditch communicating with the River *Trent*, or into any other Brook or Stream whatsoever, any Washings or Waste Liquids, or other Matter or Substance whatsoever, which shall be used or employed, or shall arise or be produced, in making, manufacturing, or providing the aforesaid Gas, or in or by the Prosecution of any other of the Works aforesaid;

Power to carry off waste Liquids, but not into the *Trent*, &c.



aforesaid; and on the contrary the said Company are hereby required from Time to Time, at their own Expence, to make, construct, and continue all such necessary Works and proper Contrivances as shall be requisite effectually to stop and prevent all such Washings and Waste Liquids from running and oozing to or into the aforesaid Mill Pool or Brook, or any other Brook, Canal, or Ditch communicating with the River *Trent*, or into any other Brook or Stream whatsoever, contrary to the Provisions aforesaid; and in case the said Company shall at any Time cause, permit, or suffer any such Washings or Waste Liquids to be carried or conveyed, or to run or ooze contrary to the Provisions aforesaid, the said Company shall forfeit for every such Offence the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance shall be allowed.

Gas Pipes to be laid at certain Distances from Pipes belonging to Newcastle Waterworks.

LIV. And be it further enacted, That all the Pipes to be laid or employed by the said Company, for the Conveyance of Gas in, through, or along any Streets, Squares, Lanes, Passages, or other Places within the said Borough, shall be laid, wherever the Width of the Ground will allow thereof, at the Distance of Four Feet, and in no Case at a less Distance than Three Feet from any Pipes laid down by or under the Direction of the said Mayor, Bailiffs, and Burgeses of the said Borough, or their Lessees, for the Conveyance of Water, in or through any of the said Streets, Squares, Lanes, Passages, or other Places, except only where it shall be unavoidably necessary to lay any of the said Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be at least Seven Feet in Length, and shall be laid above the said Water Pipes, at the greatest practicable Distance therefrom, and at Right Angles therewith, wherever the Situation will allow, and in such Manner, that no Joint of any of the said Gas Pipes shall be nearer to any of the said Water Pipes than Three Feet at the least; and that such Gas Pipes so crossing the said Water Pipes, shall for the whole Length thereof be sufficiently bedded in with good sound Clay all round the said Gas Pipes.

The Gas Company to make good Damages done to Water Pipes.

LV. And be it further enacted, That the said Company shall be answerable, at all Times hereafter, for all Damage, Injury, and Mischief whatsoever, which shall be done or occasioned to any of the said Water Pipes belonging to the said Mayor, Bailiffs, and Burgeses, or their Lessees as aforesaid, or to any Branch or Service Pipes of any other Person or Persons communicating with such Water Pipes, by means or in consequence of any Act, Matter, or Thing whatsoever which shall or may be done or executed by or by the Order of the said Company, or any of their Agents, Servants, or Workmen; and that the said Company shall in every such Case make and pay full and adequate Compensation and Satisfaction for all such Damage, Injury, and Mischief; which Compensation and Satisfaction shall be recoverable from the said Company by the Party or Parties sustaining such Damage, Injury, or Mischief, by Action on the Case or otherwise, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit, in default of full Payment being made by the said Company of such Compensation and Satisfaction as aforesaid, within Ten Days after Demand in Writing made upon any of their Officers in that Behalf.

LVI. And



LVI. And be it further enacted, That in case any Person or Persons who shall contract or agree with the said Company or their Committee of Management, or any other Person or Persons acting on their Behalf, to take, or who shall use or enjoy the Benefit of the said Gas Light in their respective Dwelling Houses, Shops, Manufactories, Buildings, or Premises, shall refuse or neglect to pay to the said Company the Sum or Sums of Money which shall be due for the same to the said Company according to the Terms and Stipulations of their respective Contracts, for the Space of Ten Days next after a Demand in Writing being made by any Officer of the said Company, authorized by the said Company or their Committee of Management for the Time being to demand the Payment thereof, it shall be lawful for any Two or more Justices of the Peace for the said Borough, or for the said County of *Stafford*, upon Complaint made, to summon before them the Person or Persons so neglecting or refusing, and upon the Appearance, or Contempt in not appearing, of such Person or Persons, summarily to inquire into the Matter of such Complaint upon the Oath of One or more credible Witness or Witnesses, and upon such Evidence to give Judgment accordingly; and in case of there being any Neglect or Refusal forthwith to pay such Monies as shall be awarded to be due to the said Company, it shall be lawful for such Justices, by Warrant under their Hands and Seals, to cause such Monies to be levied, together with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Person or Persons from whom the same shall be so due, for the Use of the said Company, rendering any Overplus of the Monies arising from such Sale, on Demand, to the Owner of such Goods and Chattels, after deducting the reasonable Charges of such Warrant, Distress, and Sale.

Powers to Gas Company to enforce their Contract.

LVII. And be it further enacted, That if any Person shall lay or cause to be laid any Pipe to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, or shall use or employ any Burner or Burners for consuming any Gas supplied by the said Company of larger Dimensions or more in Number than the Burner or Burners specified in his or her Contract with the said Company, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath of One or more credible Witness or Witnesses, by Information before any One or more Justice or Justices of the Peace for the said Borough, or for the said County of *Stafford*, shall forfeit and pay to the said Company for every such Offence the Penalty or Sum of Fifty Pounds, which Penalty shall and may be recovered in a summary Way, together with all reasonable Charges, by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant; but any Surplus of the Monies arising from such Sale, after deducting such Penalty and the Charges of such Warrant, Distress, and Sale, shall be returned, upon Demand, to the Owner of such Goods and Chattels; and in case such Penalty shall not be forthwith paid, and sufficient Distress cannot be found whereupon to levy the same, it shall be lawful for such Justice or Justices, by Warrant under his Hand and Seal or their Hands and Seals, to cause such Offender to be committed to the Common Gaol of the said Borough, or to the House of Correction for the said County of *Stafford*, there to remain with-

No Pipes to communicate with Company's Pipes without their Consent.

[Local.]

32 H

out



out Bail or Mainprize, for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Penalty and all reasonable Charges shall be sooner paid and satisfied.

Penalty for  
damaging the  
Company's  
Works.

LVIII. And be it further enacted, That if any Person shall wilfully or maliciously, and to the Prejudice of the said Company or of their Undertaking, break, throw down, remove, take away, destroy, disturb, alter, derange, damage, or injure any Building, Engine, Machinery, Pipe, Plug, Post, Pillar, Lamp, or other Apparatus, Matter or Thing whatsoever belonging to the said Company, or shall wilfully or maliciously waste any Gas supplied by the said Company, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath of One or more credible Witness or Witnesses, by Information before One or more Justice or Justices of the Peace for the said Borough, or for the said County of *Stafford*, shall forfeit and pay to the aforesaid Company any Sum not exceeding Five Pounds, by way of Penalty, and Three Times the Amount of the Damage done, to be ascertained by such Justice or Justices; such Penalty and Damage to be recovered in a summary Way, with all reasonable Charges, by Distress and Sale of the Offender's Goods and Chattels, by the Warrant of such Justice or Justices, to be granted in like Manner as is herein-before directed touching the said Penalty of Fifty Pounds; or otherwise it shall and may be lawful for such Justice or Justices, at his or their Discretion, by Warrant under his Hand and Seal or their Hands and Seals, to commit the Offender who shall have been so convicted before him or them of any of the last-mentioned Offences to the Common Gaol of the Borough aforesaid, or to the House of Correction for the said County of *Stafford*, there to remain without Bail or Mainprize, for such Period as shall be directed by such Justice or Justices, not exceeding the Space of Six Calendar Months.

Witnesses  
may be sum-  
moned.

LIX. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, or against any such Order or Bye Law as aforesaid, either on behalf of the Prosecution, or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Non-appearance; or appearing shall refuse to be examined upon Oath, (and which Oath any Justice or Justices of the Peace is and are hereby expressly authorized and required to administer in all Cases whatsoever, where the Provisions of this Act require the Oath of any Witness or Witnesses to be had in any Proceeding before such Justice or Justices) and thereupon to give Evidence touching the Matter in question, before such Justice or Justices; then and in every such Case every such Person so offending shall forfeit and pay for every such Offence the Sum of Five Pounds, to the Person or Persons, or Body or Bodies Politic or Corporate, on whose Behalf the Person so offending shall have been summoned to give Evidence; the same to be recovered in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information before any One or more Justice or Justices of the Peace for the said Borough or for the said County of *Stafford*, and to be levied, with all reasonable Charges, by Distress and Sale of the Offender's  
Goods



Goods and Chattels, by the Warrant of such Justice or Justices as aforesaid, to be granted in like Manner as is herein-before mentioned, touching other Penalties directed by this Act to be levied by Warrant, Distress, and Sale.

LX. And be it further enacted, That if any Witness who shall be examined by or before any Justice or Justices of the Peace, or otherwise, under this Act, upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he or she so giving false Evidence shall be subject to the same Pains and Penalties as if he or she had been convicted of wilful and corrupt Perjury.

Punishment  
for Persons  
giving false  
Evidence.

LXI. And be it further enacted, That all Offences whatsoever which by or under the Provisions of this Act, or of any Order, Bye Law, Rule, or Regulation to be made in pursuance or by the Authority of this Act, shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provisions are herein-before made, shall and may in every Case be heard, adjudged, and determined by and before any One or more Justice or Justices of the Peace for the said Borough, or for the said County of *Stafford*, in a summary Way, upon Information or Complaint made and exhibited in Writing; and thereupon the said Justice or Justices shall have full Power, upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, to convict the said Party or Parties of having committed such Offence or Offences, and having forfeited the Penalty or Penalties, Fine or Fines to which such Offence or Offences shall be subject as aforesaid; and all such Penalties, Fines, and Forfeitures, shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices, (which he or they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods or Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods or Chattels shall be so distrained; and all such Penalties, Fines, and Forfeitures, as to the Disposal of which no express Provisions are herein-before made, shall, when so recovered, be paid to the Treasurer of the said Company for the Time being, for the Use of the said Company; and in case sufficient Distress cannot be found, and such Penalty or Penalties, Fine or Fines, or Forfeiture or Forfeitures, shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal, or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol for the said Borough, or to the House of Correction for the said County of *Stafford*, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Fine or Fines, or Forfeiture or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Recovery of  
Penalties.

LXII. And for the more easy Conviction of Offenders against the Provisions of this Act, or any such Order or Bye Law as aforesaid, be it further enacted, That a Conviction, in the Form or to the Effect following, shall







making such Appeal; and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, and within Three Days after such Notice causing a Recognizance to be entered into before some Justice of the Peace for the same Borough, by Two sufficient Persons in the Sum of Ten Pounds each, conditioned for the Party or Parties Appellant trying such Appeal, and abiding the Order and Award of the Justices at such General Quarter Sessions thereon, and paying such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such General Quarter Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and finally determine the Matter of such Appeal; and the said Justices shall have the Power, if they shall see Cause for so doing, to mitigate any Penalty, Fine, or Forfeiture which shall have been incurred under the Provisions of this Act, and to order any Money to be returned which shall have been levied in pursuance of any such Judgment or Determination, and to award such further Satisfaction to be made to the Party injured, or such Costs to be paid to either of the Parties, as they shall judge proper and reasonable; and all such Determinations of the said Justices at any such General Quarter Sessions shall be final, binding, and conclusive upon all Parties, and to all Intents and Purposes whatsoever.

LXVI. And be it further enacted, That no Justice of the Peace shall be disqualified from acting as a Justice in any Case whatsoever relating to the Execution of this Act, by reason only of any such Justice being One of the Commissioners for the Regulation and Improvement of the said Borough.

Justices not disqualified from acting by being Commissioners.

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

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

LXVIII. And be it further enacted, That in all Cases where it may be requisite or necessary for any Party or Parties to serve or deliver any Notice, Summons, Order, Writ, or legal Proceeding to or upon the said Company, the Service thereof upon any Member of the Committee of Management for the Time being, or the Clerk of the said Company, either personally, or by leaving the same at the last or usual Place of Abode of such Member or Clerk respectively, or in case the same respectively shall not be found or known, then Service thereof upon any Agent or other Officer employed by the said Company, either personally or by leaving the same at his last or usual Place of Abode, shall be deemed good and sufficient Service of such Notice, Summons, Order, Writ, or legal Proceeding to and upon the said Company; and that in all other Cases where it shall be requisite for the Purposes of this Act to serve or deliver any Notice, Summons, Order, or Demand in Writing to or upon any other Party or Parties, the Service of such Notice, Summons, Order, or Demand, by

Directions as to Service of Notices, &c.

[Local.]

32 I

leaving



leaving the same at the Dwelling House or usual or last Place of Abode of the Party or Parties to whom the same ought to be given, shall be as valid and effectual as if the same had been personally served upon such Party or Parties.

The Compa-  
ny liable for  
Nuisances and  
Damages.

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

Saving of  
Rights.

LXX. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to defeat, abridge, obstruct, or in any Manner interfere with the Powers and Authorities of the Commissioners acting under the Authority of the said Act so passed in this present Session of Parliament or any other Act or Acts which shall hereafter be in force for the Regulation and Improvement of the said Borough, or of any Trustees, Surveyors, or other Persons having the Controul, Superintendence, Direction, or Management of lighting or paving the said Borough; or the Rights of any Person or Persons whomsoever to make, enlarge, repair, or amend any Sewer, Drain, or Vault under any Street, Way, or public Place within the said Borough; or the Rights, Powers, and Authorities of the Trustees acting under the Authority of any Act or Acts of Parliament for repairing and amending the several Turnpike Roads passing through the said Borough; or the Right and Privilege which the said Mayor, Bailiffs, and Burgeses of the said Borough or their Lessees now enjoy of supplying the Inhabitants of the said Borough with Water, by Means of Pipes laid under the Streets, Lanes, and public Places within the said Borough, or any of the other Seigniories, Rights, Royalties, Franchises, Powers, or Authorities now held and enjoyed by the said Mayor, Bailiffs, and Burgeses within the said Borough; and which are from henceforth to be held and enjoyed by them in the same full and ample Manner to all Intents and Purposes as if this Act had not been passed, save only so far as the same may be affected by the due and lawful Exercise of the Powers hereby vested in the said Company.

Expences of  
this Act.

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



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

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