



ANNO PRIMO

GEORGII IV. REGIS.

Cap. x.

An Act for incorporating the City of *Gloucester* Gas
Light Company. [22d June 1820.]

WHEREAS in and by an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enabling the Governor and Guardians of the Poor of the City of Gloucester to light the said City with Gas, and to enter into the necessary Contracts for that Purpose*, the said Governor and Guardians were authorized to contract with any Person or Persons for laying down Pipes, erecting Posts, and fixing Lamps in such Manner as they should deem necessary for lighting the said City with Gas, and the said Governor and Guardians were fully authorized by their Contractors to make and erect such Works, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, or other Apparatuses, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices, on the Land to be purchased or acquired by them by virtue of the said Act, and to lay down Mains and carry Pipes for the Purpose of lighting any public or private Lamp from any of such Mains, and for securing a proper Supply of Gas, and to do such other Acts as the said Governor and Guardians or their Contractors should from Time to Time think necessary for supplying and using the same throughout the City of *Gloucester* aforesaid, subject to such Regulations as in the Act are expressed and contained: And whereas in pursuance of the Powers contained in the said

59 G. 3. c. 69.

[*Local.*]

Q q

Act,

Act, the said Governor and Guardians have entered into a Contract with *Simeon Broadmeadow, Joseph Partridge, and John Broadmeadow*, for lighting the said City of *Gloucester* with Gas, and they the said *Simeon Broadmeadow, Joseph Partridge, and John Broadmeadow*, have purchased certain Houses and Premises within the said City of *Gloucester*, and have there erected Retorts, Gasometers, Receivers, and other Buildings, Works, and Conveniences for the making of Gas and Coke, and have laid down Mains and Pipes throughout a great Part of the City of *Gloucester* aforesaid, in order to the lighting the same agreeably to the Intent and Meaning of the said recited Act: And whereas the Sum already expended in the said Works, and the further Sums which will be required to complete the lighting of the said City, are estimated to amount to Thirteen thousand Pounds or thereabouts; and several Persons being desirous of joining the said *Simeon Broadmeadow, Joseph Partridge, and John Broadmeadow*, in the said Undertaking, they the said *Simeon Broadmeadow, Joseph Partridge, and John Broadmeadow* have agreed to divide the said Undertaking into Shares, and to admit the Persons who shall become Proprietors thereof into a Participation of the Profits and Advantages of the said Concern, in Proportion to the Number of Shares which they shall respectively hold therein; but in as much as such an Arrangement cannot be effectually carried into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *Simeon Broadmeadow, Joseph Partridge, and John Broadmeadow*, and all and every such other Person or Persons as shall from Time to Time be admitted by them as Proprietors of Shares in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be One Body Politic and Corporate by the Name of *The Gloucester Gas Light Company*, and by that Name shall have perpetual Succession and a Common Seal, and by that Name be enabled to sue and be sued, plead and be impleaded at Law or in Equity; and shall by that Name be authorized and empowered to take a Conveyance of such Lands and Hereditaments as have been purchased by the said *Simeon Broadmeadow, Joseph Partridge, and John Broadmeadow*, for the Purposes of the said Gas Works, and of any other Lands, Tenements, or Hereditaments, which they may hereafter purchase, not exceeding Two Acres, without being subject to the Penalties of the Statutes of Mortmain, and to accept an Assignment of the Contract so as aforesaid entered into with the said Governor and Guardians, and to make any new Contracts with them, and with any other Body or Bodies Politic or Corporate, or Person or Persons for the lighting of the City of *Gloucester* aforesaid, and the Suburbs thereof, or any Building therein, with Gas, and that the said Company shall be established for producing Inflammable Gas from Coal and other Substances for the Purposes aforesaid, and for disposing of the Coke and other Articles which may be made in the said Manufactory.

Persons incorporated.

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

Re-sale of
Lands not
wanted.

III. And be it further enacted, That it shall be lawful for the Company hereby established, with the Consent of the said Governor and Guardians, and their Successors, and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect such Retorts, Gasometers, Receivers, and other Buildings, Cisterns, Engines, Machines, or other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices on the Lands to be purchased or acquired by them, by virtue of the Powers herein-before contained; and to sink and lay Pipes, and to erect and fix them against any Walls, or in Posts or Pillars in the Streets, of such Construction and in such Manner as the said Governor and Guardians shall think necessary or proper for carrying the Purposes of this and the said recited Act into Execution; and, with the like Consent, to break up the Soil and Pavements of any Streets, Highways, Roads, Ways, Lanes, and Passages within the said City, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Cyphons, Plugs, or Branches from such Pipes in, under, across, and along the same, and in such Manner as shall be necessary for the Purpose of carrying this and the said recited Act into Execution; and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, Cyphons, and Plugs or Branches; and also to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus from any Main or Pipe laid in any Street, Road, Highway, Lane, or Passage, by virtue of this Act, for the Purpose of lighting any public or private Lamp from any of such Mains or Pipes, and to erect and set up any Machine or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been so placed, which shall be injured or damaged, and to do all such other Acts, Matters, and Things as the said Governor and Guardians shall from Time to Time think necessary

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

necessary and convenient for completing, amending, repairing, improving, supplying, and using the same, provided a proper Compensation be made for any Damage which may be done thereby.

Workmen in
laying Pipes
to make good
the Pavement.

IV. And be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Cyphons, or Branches, shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for the Purposes of this and the said recited Act, without any Delay, and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, and cause a Light or Lights to be fixed and remain during the Night, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided always, that if there shall be any wilful or negligent Delay in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads; or in case the said Trenches, or any of them, or any Part or Parts thereof, shall not during such Time be properly guarded and fenced, or such Light or Lights be placed and maintained as aforesaid, then and in every such Case it shall and may be lawful for the Surveyor of the Street or Place where such Delay shall take place, or any other Person under his Authority, to fill in such Ground and remove such Rubbish, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage, or Place so broken up, and the reasonable Costs and Charges thereof shall be paid by the said Company, or their Treasurer, to such Surveyors; and in default of Payment thereof for Ten Days next after Demand shall be made by such Surveyor or other Person acting by or under his Authority (Proof of such Demand being made by the Oath of Two credible Witnesses before One or more Justice or Justices of the Peace for the City of *Gloucester* aforesaid); all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds, by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace for the said City of *Gloucester*, which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to such Surveyor or Person acting under his Authority.

Protection
for the Water
Pipes.

V. And be it further enacted, That if in carrying into Execution any of the Powers or Authorities by this Act given or granted, any Injury or Damage shall be done or committed to any of the Pipes, Branches, Apparatus, Materials, or Things, by Means whereof the said City of *Gloucester* or any Part thereof is supplied with Water, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression and subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever, the said Company shall, at their own Expence, Costs, and Charges, within Six Days next after Notice in Writing to them given, by any Two of the Justices of the Peace of the said County and City, or the Town Clerk of the said City, or his Deputy, or
by

by the Right Honourable *John Thomas Viscount Sydney*, his Heirs or Assigns, or the Renter of the Water Works for the Supply of the said City belonging to him or them, cause such Pipes, Branches, Apparatus, Materials, and Things, to be well and effectually repaired and amended; and in Default or Neglect thereof, it shall and may be lawful to and for the said Justices or Town Clerk, or for the said Viscount *Sydney*, his Heirs or Assigns, or the Renter of the said Water Works belonging to him or them; and they are hereby authorized and empowered to cause such Pipes, Branches, Apparatus, Materials, and Things so injured or damaged as aforesaid, to be effectually repaired, amended, and made good, and the reasonable Costs, Charges, Damages, and Expences attending the same, shall be paid and defrayed by the said Company or their Treasurer; and if they cannot agree touching the Amount or Value thereof, the same shall be ascertained and settled by the Justices of the Peace assembled at the then next General or Quarter Sessions of the Peace for the said City; or in case the said Viscount *Sydney*, his Heirs or Assigns, shall prefer the same, then by the Justices of the Peace assembled at the then next General Quarter Sessions of the Peace for the County of *Gloucester*, who are hereby authorized to hear and determine the same, and their Determination therein shall be final and conclusive; and such Damage and Expences, together with such Costs and Charges as shall be by them allowed, shall be levied and recovered by Warrant of Distress under their Hands and Seals.

VI. And, in order to evidence the Right of the several Parties who shall become Proprietors in the said Concern, be it further enacted; That as soon as conveniently may be after the passing of this Act there shall be Two hundred and sixty Certificates prepared under the Seal of the said Company, numbered progressively, and registered in a Book to be opened for that Purpose, in which the Names of the several Parties entitled to such Shares, with their Residence and Description shall be accurately recorded; and that such Certificates, and the Register thereof, shall for ever be deemed the Evidence of Title to the Shares of the several Persons to be described therein, and their Representatives, Executors, Administrators, and Assigns; and that the Proprietor of each such Share for the Time being shall be entitled to One Two hundred and sixtieth Part of the Capital Stock and Effects of the said Company, and of the Profits and Advantages attending the same; and such Share and Shares shall be deemed Personal Estate.

Property to be divided into Shares.

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

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

VIII. And be it further enacted, That on the Third *Tuesday* after the passing of this Act, a General Assembly of the said Company shall be holden at the *King's Head* in *Gloucester*, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the

First General Assembly of Proprietors.

[Local.]

R r

Afternoon,

Afternoon, of which Assembly Notice shall be given Once in the *Gloucester Journal* and *Gloucester Herald*, at which General Assembly a Clerk, Treasurer, and a Committee of Management, consisting of Five Proprietors, to continue till the next General Assembly, shall be elected and chosen, and an Engineer shall be named and appointed; and such General Assembly may be adjourned to such other Time and Place as the Proprietors of the Majority of Shares then present shall think fit.

General Assemblies to be holden.

IX. And be it further enacted, That the said Company shall annually in the Month of *May* and at such other Times as the Committee of Management shall think fit, hold a General Assembly of the said Proprietors, of which General Assembly Fourteen Days Notice shall be given in the *Gloucester Journal* and *Gloucester Herald*, or such of them as shall then be published, at all which General Assemblies a Chairman shall be chosen; and each Proprietor shall be entitled to give One Vote for every Share which he or she shall hold in the said Undertaking; and at every such annual General Assembly the Committee of Management shall from Time to Time be appointed; and at any of such General Assemblies the said Company shall and they are hereby authorized and empowered to make such Rules, Orders, and Bye Laws from Time to Time, as to them shall seem meet and proper, for the good Government of the said Undertaking, and for regulating the Proceedings of the said Committee of Management, and the Duties and Conduct of all Officers, Workmen, and Servants, to be employed in and about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and to make new or other Orders, and impose such reasonable Fines and Forfeitures upon all Officers, Workmen, and Servants of the said Company, and other Persons, to be employed in and about the Affairs and Business of the said Company, or in the Superintendance and Management of the said Undertaking, not exceeding the Sum of Five Pounds for any One Offence, as to the said Company at a General Assembly shall seem meet and expedient; and all Rules, Orders, and Bye Laws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, shall be binding upon all such Persons, and shall be a sufficient Authority in any Court of Law or Equity, to justify all Persons who shall act under the same: Provided nevertheless, that such Rules, Orders, and Bye Laws be not repugnant to the Laws or Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the express Directions or Provisions of this Act: Provided also, that Copies of every such Bye Law shall be affixed and continued in the Office of the said Company: Provided always, that in case at any Assembly of the said Proprietors, the Number of Votes, including the Vote of the Chairman, shall be equal, then and in every such Case the Chairman for the Time being shall have the casting Vote.

General Meeting to appoint Officers.

X. And be it further enacted, That it shall and may be lawful for the said Company at any General Assembly to remove their Treasurer and Clerk, or either of them, and to elect others in their Stead, when and so often as they shall deem it expedient; and from Time to

Time to appoint a new Engineer on the Expiration of the Contract with the preceding Engineer, for such new Term and at such Salary as they shall think fit.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or 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 Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Treasurer and Clerk not to be the same Person.

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

Meeting of Committee, and Regulations for their Proceedings.

XIII. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and appoint the Time and Place for holding General and Special Assemblies, and direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of for the Purposes of the said Company, as in contracting for

Power of Committee.

for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and entering into Agreements or Contracts for lighting the said City and the Suburbs thereof as aforesaid, or the Houses, Shops, or Buildings therein, and in selling and disposing of all Articles produced as aforesaid, and in making, enforcing, and rescinding, compounding or compromising all Contracts and Bargains, touching or in anywise concerning the same, subject to such Orders, Bye Laws, Rules, and Regulations, as shall at any Time be duly made by the said Company in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted; and no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or any other Officer or Officers to be appointed by the said Company, without an Order or Orders in Writing, signed by the Chairman of the said Committee of Management for the Time being; and the said Committee of Management shall take such Security to the said Company of Proprietors from the Treasurer or Treasurers, Clerk, or other Officer or Officers, or other Person for the faithful Execution of their respective Duties, as they shall think proper and adequate to the Trust.

Proceedings
to be entered
in Books.

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

The Person
whose Name
shall stand
first for di-
vided Shares
to be deemed
the Owner
and entitled
to vote.

XV. And be it further enacted, That whenever Two or more Persons shall be jointly possessed or entitled to any Share or Shares in the said Undertaking, the Owner or Proprietor whose Name shall stand first in Order in the Books of the said Company as Proprietor of such Share or Shares shall for the Purposes of the said Company be deemed and taken to be the Owner and Proprietor of such Share or Shares, and to vote in respect thereof.

Empowering
Proprietors
of Shares
to vote by
Proxy.

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

I *A. B.* of *Gloucester Gas Light Company*, One of the Proprietors of and in the *Gloucester Gas Light Company*, do hereby nominate, constitute, and appoint *C. D.* of *Gloucester* to be my Proxy, in my Name and in my Stead, to vote or give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking that shall be mentioned or proposed at any General or Special Assembly of the said

‘ said Company when I shall not be present, in such Manner as he
 ‘ the said *C. D.* shall think proper, according to his Opinion and
 ‘ Judgment for the Benefit of the said Undertaking, or any thing re-
 ‘ lating thereto. In Witness whereof I have hereunto set my Hand
 ‘ the Day of

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

Shares may
 be trans-
 ferred.

‘ I of in consideration of
 ‘ paid to me by of
 ‘ do hereby bargain, sell, and transfer to the said *A. B.*
 ‘ Shares in the *Gloucester Gas Light Company*, Number
 ‘ in the said Undertaking, to hold to the said Executors,
 ‘ Administrators, and Assigns, subject to the same Rules, Orders,
 ‘ and Restrictions, and on the same Conditions as I held the same
 ‘ Share immediately before the Execution hereof; and I the said
 ‘ do hereby agree to take and accept the said Share,
 ‘ subject to the said Rules, Orders, Restrictions, and Conditions.
 ‘ As Witness our Hands and Seals this Day of
 ‘ in the Year of our Lord

And every such Transfer shall be notified to the Clerk of the said
 Company, and shall be registered by him in the Books of the said
 Company, for which the Sum of Five Shillings shall be paid, and
 no more; and the Registry thereof shall specify the Date, Names of
 the Parties, and the Number of Shares transferred; and a Copy of
 such Register, signed by the said Clerk, shall be sufficient Evidence of
 such Transfer, and be received and admitted as such; and until such
 Transfer shall be registered in the Books of the said Company no
 Purchaser of any Share, or his or her Executors, Administrators, or
 Assigns, shall be deemed a Proprietor, or have any Part of the Profit
 of the said Undertaking.

Transfer to
 be registered.

XVIII. And whereas in case any original Holder or Proprietor of
 One or more Share or Shares in the said Undertaking shall die, become
 Insolvent or Bankrupt, or go out of the Kingdom, or shall transfer
 his or her Right and Interest to some other Person, and no Register
 shall have been made of the Transfer thereof with the Clerk to the
 said Company, it may not be in the Power of the said Company, or
 any Officer acting for the said Company, to learn who is or are the
 Owner or Proprietor or Owners or Proprietors of such Share or Shares,
 be it therefore further enacted, That in all Cases where the Right and
 Property in one or more Share or Shares in the said Undertaking shall
 pass from the original Proprietor or Proprietors thereof to any other
 Person or Persons by any other legal Means than by a Transfer or
 Conveyance thereof in the Form and Manner herein-before specified,
 an Affidavit shall be made and sworn to by Two credible Persons
 before a Master or Master Extraordinary of His Majesty’s High Court
 of Chancery, or one of His Majesty’s Justices of the Peace for the

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

[Local.]

S s

City

City or County of *Gloucester*; stating the Manner in which such Share or Shares have or hath passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns; and that such Affidavit shall be delivered to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors in the said Undertaking, to be kept in the Office of the Clerk to the said Company.

Service Pipes
to be kept
fully charged
with Gas.

XIX. Provided always, and be it enacted, That the Branch or Screw Pipes which shall be put up by the said Company for lighting the Streets, Squares, and other Public Places of the said City, under any Contract or Agreement with the said Governor and Guardians shall be kept fully charged with Gas, and the Stop Cocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Gas to be
supplied
cheaper than
Oil Light.

XX. Provided always, and be it enacted, That the said Company shall and they are hereby directed and required to supply all the Public Streets, Squares, Lanes, and Passages in the said City with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil, and whenever the said Company shall fail so to do, the Power and Authority hereby given to the said Company to break up the Soil or Pavement of any Street, Highway, or Place in the said City, shall from thenceforth cease and determine; and every Contract or Agreement which shall be entered into for lighting with Gas any Public Street, Square, Lane, or Place by the said Company, shall contain a Clause providing that it shall be obligatory on the said Company that such Street, Square, Lane, or Place shall at all Times be better and cheaper lighted by the said Company than could be done by Oil; and the Branch or Service Pipes which shall be put up by the said Company for lighting the Streets, Squares, and other Public Places of the said City, under any Contract or Agreement with the said Governor and Guardians, shall be kept fully charged with Gas, and the Stop Cocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Power to
convey
Washings;

XXI. 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, Ways, Lanes, Avenues, and Places within the said City and Suburbs, for the Purpose of carrying off the Washings or other Waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing at their own Expence all such Damage; but that it shall not be lawful for the said Company to carry or convey, or cause to be carried or conveyed, to or into the River *Severn*, or into any Ditch, Brook, or Canal communicating directly or indirectly with the *Severn*, or with any of the Water Works of the said Viscount *Sydney*, any Washings

but not into
the River
Severn.

or Liquids, or any Lime or other Ingredient, Matter, or Thing which shall arise or be produced in manufacturing or producing the said Gas, or in or by the Prosecution of any of the Works aforesaid.

XXII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes already laid down, or which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall at their own Expence immediately after receiving Notice by Parole or in Writing of any such Escape of Gas, from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours next after such Notice 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 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 before some one or more Justice or Justices of the Peace for the said City, 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, in Manner herein-after directed.

For preventing the Escape of Gas.

XXIII. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate, or Collegiate, or any other Person or Persons whatsoever, thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company of Proprietors, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may, within Six Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their next General Quarter Sessions of the Peace to be holden for the said City of Gloucester, the Person or Persons appealing having first given at least Ten clear Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk of the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said City, with sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notices and Recognizances having been given and entered into, shall in a summary way hear and determine such Complaint at such General Quarter Sessions of the Peace, or if they think proper may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for the said City, and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured,

Appeal may be made to Quarter Sessions.

injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

For compelling the Attendance of Witnesses, and respecting Service of Notices.

XXIV. And be it further enacted, That if any Person or Persons shall be summoned in Manner aforesaid as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on the Behalf of the Prosecutor or on Behalf of the Person or Persons accused, and shall refuse or neglect to appear from Time to Time at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect of appearing, or appearing shall refuse to be examined upon Oath, or in case of a Quaker or Quakers, on solemn Affirmation, (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, provided a reasonable Sum shall have been paid or tendered to such Person for Attendance as a Witness; and that in all Cases of Notices and Summonses by this Act directed or required to be given or served, which shall or may be necessary for carrying into Execution any of the Powers of this Act, the Service of any such Notices or Summonses either on the Person or Persons to whom the same ought to be given, or leaving the same or a true Copy thereof, at his, her, or their Dwelling House or usual or last Place of Abode shall be good and sufficient Service of any and every such Notice.

Persons giving false Evidence to be punished.

XXV. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before any Justice of the Peace or otherwise under this Act upon Oath, or in case of a Quaker or Quakers, on solemn Affirmation, shall wilfully and corruptly give false Evidence and shall be thereof convicted, he, she, or they so giving false Evidence shall be subject to the same Punishment as if he, she, or they had been convicted of wilful and corrupt Perjury.

Proceedings to be within Six Calendar Months.

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

Recovery and Application of Penalties.

XXVII. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, shall be adjudged by and recovered before any Justice of the Peace for the City of *Gloucester* in a summary way, and who is hereby authorized and empowered to convict the Offender or Offenders upon Information by the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath such

into a Recognizance before some Justice of the Peace for such City or County, as the Case may be, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall, in a summary Way, hear and determine such Complaint at such General Quarter Sessions of the Peace, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for the said City or County, as the Case may be; and if they see Cause, may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination; and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties as they shall judge reasonable and proper; and all such Determinations of the said Justices at such General Quarter Sessions shall be binding, final, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Directing what shall be deemed a Service of Notice, &c. on the Company.

XXX. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs or other legal Proceedings, the Service thereof upon any Member of the said Committee of Management, or left at his usual Place of Abode, or upon the Clerk of the said Company, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company; or in case the same respectively shall not be found or known, then Service upon any Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

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

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

Expences of the Act how to be paid.

XXXII. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing of this Act, together with lawful Interest for the same, shall be paid and discharged out of the first Monies to be raised by virtue of this Act.

General Saving of all Rights.

XXXIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Mayor, Aldermen, and Citizens of the City of *Gloucester*, and their Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner, as if this Act had not been made.

XXXIV. And be it further enacted, That this Act shall be deemed Public Act. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1820.

