



ANNO DECIMO

GEORGIIV. REGIS.

Cap. lii.

An Act to alter, amend, and enlarge the Powers of an Act of His present Majesty's Reign, intituled *An Act for establishing an additional Company for lighting the City and Suburbs of Dublin with Gas.* [14th May 1829.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act for establishing an additional Company for lighting the City and Suburbs of Dublin with Gas*, whereby it was enacted, that certain Persons therein mentioned, and all and every such other Persons as had or from Time to Time should subscribe and be duly admitted Members into the Company thereby established, should be and they were thereby declared to be One Body Politic and Corporate, by the Name of "The *Hibernian Gas Light Company*;" and it was enacted, that all the Meetings of the Stated General Assemblies and Special General Assemblies of the said Company should be held in the City of *Dublin*: And whereas the said Company have proceeded in the Execution of the Powers and Authorities of the said Act, and have erected Works and laid down Mains and Pipes, and have lighted and do continue to supply Gas Light to a considerable Part of the said City and Suburbs of *Dublin*: And whereas the Capital and Sums subscribed, with a very trifling Exception, for the Purposes of the said Act, have been subscribed by and do belong to Persons generally resident in the City of *London*,

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4 G. 4. c. 38.

who are thereby become the Proprietors of the said Undertaking; and it would very much facilitate the Dispatch of the Business of the said Company if Power were given to the Proprietors and Directors to hold General and Special Assemblies and Meetings in *Dublin* and *London*, or in such of those Cities as should from Time to Time be found most convenient and advantageous to the Proprietors and Directors; and it is expedient that several of the Provisions of the said recited Act should be altered and amended, and that further Powers should be given to the said Company; but the Purposes aforesaid cannot be effected 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 all the Powers, Provisions, Regulations, Directions, Restrictions, Matters, and Things whatsoever contained in the said recited Act, (except so far as the same are varied, altered, or repealed,) shall be deemed, taken, and construed to extend and operate and be in full Force with respect to all Matters and Things whatsoever which may happen or arise in the Execution of this Act, as fully and effectually, to all Intents and Purposes, as if the same and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof.

Powers of recited Act (except as hereby altered) to extend to this Act.

General Meetings of the Company may be held in *Dublin* or in *London*.

II. And be it further enacted, That all General Assemblies and Special General Assemblies and Meetings of the said Company, for all or any of the Purposes of the said recited Act or this Act, shall and may henceforth be held from Time to Time in the City of *Dublin* and in the City of *London*, or in either of the said Cities, at the Discretion of the Directors for the Time being of the said Company; and all or any of such Meetings, if adjourned, may be adjourned to be held in the same City in which the original or first of such Assemblies shall be held, or may be adjourned to be held in either of the said Cities; of all which General Assemblies and Special General Assemblies and Meetings, and of all Adjourned Assemblies or Meetings of the said Company, Notice shall be given by public Advertisement in manner herein-after mentioned.

Repealing so much of recited Act as requires the Directors to meet in *Dublin*.

III. And be it further enacted, That so much of the said recited Act as requires the Governor, Deputy Governor, and Directors for the Time being from Time to Time to assemble and meet together at any Place or Places in *Dublin*, and so much of the same Act as directs Notice or Notices of any General or Special or Adjourned Meeting of the said Company to be given, shall be and the same is hereby repealed.

Directors may hold their Meetings in *Dublin* or in *London*.

IV. And be it further enacted, That for the better Management of the Affairs of the said Company it shall and may be lawful for the said Governor, Deputy Governor, and Directors for the Time being, and they are hereby authorized, from Time to Time to assemble and meet together at any Place or Places they may think proper in the Cities of *Dublin* and *London*, or either of them, for the Direction and Management of the Affairs of the said Company.

V. And be it further enacted, That Twenty-one Days previous Notice of all General, Special, and Adjourned Meetings of the said Company, expressing the Time when and Place where such Meeting or Meetings will be held, shall be given by public Advertisement in One or more of the daily Newspapers usually published in *Dublin*, and One or more of the daily Newspapers usually published in *London*.

Notice to be given of General Meetings.

VI. And be it further enacted, That it shall not be lawful for the Governor, Deputy Governor, and Directors of the said Company to continue or appoint the Person who has been or may be appointed to act as Clerk in the Execution of the said recited Act and this Act, or either of them, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of his Partner, the Treasurer for the Purposes of the said recited Act and this Act, or either of them, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk of or other Person in the Service or Employ of any such Treasurer, or the Clerk of or other Person in the Service or Employ of his Partner, the Clerk to the said Governor, Deputy Governor, and Directors; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Act and this Act, or either of them, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, or the Clerk of or other Person in the Service or Employ of his Partner, shall act as Treasurer, or shall act as Deputy of such Treasurer, or shall in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer, or the Clerk of or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of the said recited Act and of this Act, or either of them, or shall act as Deputy of such Clerk, or shall in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said Governor, Deputy Governor, and Directors other than that of Treasurer, every Person so offending shall for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record, 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.

Treasurer and Clerk not to be the same Person.

VII. And be it further enacted, That in case any Person or Persons who shall contract with the said Company, or agree to take or shall use or enjoy the Benefit of Gas supplied by the said Company in their private Dwellings, Shops, Inns, Taverns, or other Manufactories, shall refuse or neglect, for the Space of Fourteen Days next after Demand made thereof, to pay the Sum or Sums then due for the same to the said Company, it shall be lawful for the said Company, or their Clerk or Clerks, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any One of the Justices of the Peace for the County of the City of *Dublin* or for the County of *Dublin*, as the Case may be,

For Recovery of Money due to the Company from Persons using Gas.

be, who is hereby authorized and empowered to issue such Warrant, to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus, if any, upon Demand, to the Owner of such Goods and Chattels; after the necessary Costs and Charges of making such Distress and Sale shall be first deducted.

Penalty for wilfully damaging Pipes or wasting Gas.

VIII. And be it further enacted, That if any Person shall wilfully or maliciously remove, take away, destroy, damage, or injure any Pipe, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or any Part thereof respectively, or shall wilfully or maliciously extinguish or put out any One or more of the public Lamps or Lights, or wilfully or maliciously waste or cause to be wasted any of the Inflammable Air or Gas supplied by the said Company, any Person so offending in any of the respective Premises, and being thereof lawfully convicted, on the Oath or Affirmation of One credible Witness, before One or more Justice or Justices of the Peace for the said County of the City of *Dublin* or County of *Dublin*, as the Case may be, shall forfeit and pay to the aforesaid Company any Sum not exceeding Ten Pounds, and the Amount of the Damage thereby done or occasioned, to be ascertained by such Justice or Justices; such Penalty and Damage, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus, if any, on Demand, to the Owner of such Goods and Chattels; or if it shall appear to the said Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath or have not any Goods or Chattels sufficient to levy such Forfeiture or Damage aforesaid, such Offender shall and may be committed to the Common Gaol or House of Correction for the said County of the City of *Dublin*, or the said County of *Dublin*, as the Case may be, there to remain for any Time not exceeding Three Calendar Months, or until such Forfeiture, Damages, and Costs shall be paid or tendered to the Keeper of the said Common Gaol or House of Correction, for the Use of the said Company.

Compensation to be made by Persons negligently damaging Pipes, &c.

IX. And be it further enacted, That if any Person or Persons shall, through his or her Negligence or Carelessness, break, destroy, throw down, damage, or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or by any Person or Persons at his, her, or their own or private Expence, or any Pipe, Pedestal, Post, Plug, or other Apparatus, Matter, or Thing belonging thereto or to the said Company, or waste any Inflammable Air or Gas supplied by the said Company, or keep the Light or Lights burning for a longer Time than he, she, or they shall contract to pay for, and shall not, upon Demand by the said Company, or their Clerk or Superintendent, or other Person or Persons authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, or for keeping the Lights burning longer than they shall have contracted for as aforesaid, then and in every such Case it shall be lawful for any One or more Justice or Justices of the Peace of the said County of the City of *Dublin* or County of *Dublin*, as the Case may

may be, and he and they is and are hereby empowered and required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom the Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or, on Nonappearance of the Party or Parties so complained against, to proceed *ex parte*, and to award such Sum or Sums of Money by way of Satisfaction to the said Company or to such other Person or Persons (as the Case may require) for such Damage or Excess as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums of Money so awarded within Seven Days next after Demand made thereof, it shall be lawful for such Justice or Justices, or any One of them, and he and they is and are hereby required, to cause the same to be raised and levied in such and the like Manner as any Fine, Penalty, or Forfeiture by the said recited Act or this Act is directed to be raised and levied.

X. And be it further enacted, That in every Case of Nonpayment of Rent to the said Company within the Time which shall have been agreed upon or appointed for that Purpose, or in case of any Offence created or declared by this Act which shall be committed against the said Company, it shall be lawful for the said Directors, over and above the Remedies and Penalties provided in each respective Case, and notwithstanding any existing Contract, to take off the Gas from the House and Premises of every Person who using Gas supplied by the said Company shall be so in arrear for Rent, or shall so offend; and such Person shall notwithstanding be liable to pay all such his or her Arrears of Rent for Gas supplied by the said Company.

Company may take off Gas Pipes, &c. from Persons refusing to pay Rent.

XI. Provided always, and be it further enacted, That if any Person or Persons whomsoever supplied with Gas by virtue of the said recited Act or this Act shall supply any other Person or Persons whomsoever with any Part of such Gas, without the Consent of the said Company first had and obtained, then and in every such Case every Person or Persons so offending in that respect shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Ten Pounds; and it shall be lawful for the Clerk, Engineer, or other Officer duly appointed for that Purpose by the said Company, between the Hours of Seven of the Clock in the Morning and Nine of the Clock in the Evening of any Day, to inspect all and every the Buildings and Places lighted with Gas supplied by the said Company; and if in any such Building or Buildings, Place or Places, a greater Number of Jets or Lights of Gas shall be used for Gas supplied by the said Company than shall have been agreed for with the said Company, or if any Aperture or Apertures for the Use and Consumption of Gas shall be made wider than agreed for with the said Company, the Occupier or Occupiers of such Building or Buildings, Place or Places, or other Person or Persons so offending, shall for every such Offence forfeit and pay to the said Company a Penalty not exceeding Ten Pounds, to be recovered in like Manner as any Penalty can or may be recovered by virtue of the said recited Act or this Act.

Penalty on Persons using more Gas than contracted for.

XII. Provided always, and be it further enacted, That no Person shall place or cause to be placed any Pipe or Burner to communicate

No Burners to be fixed to Pipes of

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with any Pipe belonging to the said Company, without the Consent of the said Company, by means of their Clerk or other Officer for that Purpose appointed, first had and obtained, or use any Burner or Burners of larger Dimensions, or of a different Form, or more in Number, or for a greater Space of Time, than he, she, or they respectively shall contract or pay for, on pain of forfeiting and paying to the said Company, to be recovered in manner aforesaid, any Sum not exceeding Ten Shillings a Day for every Day such Pipe or Burner shall so communicate, or such Burner or Burners of larger Dimensions or of a different Form or more in Number than contracted for shall be used, or such Excess be so committed, to be recovered in like Manner as any Penalty can or may be recovered by virtue of the said recited Act or this Act.

Penalty for
conveying
Washings
into Rivers,
Wells, &c.

XIII. And be it further enacted, That if the said Company of Proprietors, or any Body or Bodies Politic or Corporate, or Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the said City of *Dublin* and the Suburbs thereof, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Company of Proprietors, or Body or Bodies Politic or Corporate, or Person or Persons, so offending, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same shall be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall have been sued for or recovered or not,) in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof

thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Company of Proprietors, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, and the said Company of Proprietors, or Body or Bodies Politic or Corporate, or Person or Persons, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company of Proprietors, or Body or Bodies Politic or Corporate, or Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

XIV. And be it further enacted, That whenever the Water of any Owner or Company of Proprietors of Waterworks shall be contaminated or affected by the Gas of the said Company, or of any Body or Bodies Politic or Corporate, or any Person or Persons, making, furnishing, or supplying Gas as aforesaid, such Company, or Body or Bodies Politic or Corporate, or other Person or Persons aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Owner or Company of Proprietors of the Waterworks affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case and Cases the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Clerk or Surveyor to the said Owner or Company, or by any Person or Persons consuming the Water, to be left at the usual Office or Place of transacting Business of the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of the said Company of Proprietors; and in case the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every

For preventing Contamination of Water, &c.

every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being, of the said Owner or Water Company, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the said Water shall be and remain contaminated, tainted, or affected by the Gas of the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness, by and in the Name of the said Owner, or by and in the Name of any One or more of the Directors of any such Water Company prosecuting such Information against the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, before any Justice of the Peace, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to the said Owner, or to the Treasurer or to One of the Directors for the Time being of the said Company, whose Water shall be contaminated or affected by such Gas.

For ascer-
taining if the
Water is con-
taminated.

XV. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Company; be it therefore enacted, That in every such Case it shall be lawful for any such Owner or Company of Proprietors for supplying with Water to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said *Hibernian* Gas Light Company, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Company; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said *Hibernian* Gas Light Company, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said *Hibernian* Gas Light Company; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said *Hibernian* Gas Light Company, then and in such Case such Owner or Company of Proprietors for the supplying Water shall bear and pay all the Expences of such Examination, Repair, and Search, and also shall make good to the said *Hibernian* Gas Light Company any Loss, Injury, or Damage which
may

may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said *Hibernian Gas Light Company*, in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid, and recoverable in like Manner as any Penalty may be recovered by virtue of this Act.

XVI. And be it further enacted, That it shall be lawful for any Surveyor or other Person acting by or under the Authority of the Commissioners of Sewers for the said City and Suburbs, at any Time or Times in the Day-time, to enter into any Manufactory, Gasometer, Receiver, or other Building belonging to the said Gas Company, in order to inspect and examine if there be any Escape of Gas, or any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any Sewer or Drain; and if such Surveyor or other Person acting by or under the Authority of the said Commissioners of Sewers shall at any such Time or Times be refused Admittance or Entrance into any such Manufactory, Gasometer, Receiver, or other Building, for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination as aforesaid, the said Gas Company so offending shall forfeit and pay for every such Offence the Sum of Twenty Pounds.

Power for the Surveyor of the Commissioners of Sewers to enter into Gas Works to see if there be any Escape of Gas.

XVII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act and this Act, or either of them, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the Clerk to the said Company or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of the said recited Act and this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials or Costs, Damages, Spoil, or Injury as aforesaid; and in case any Surplus shall remain after Payment of such Sum or Sums of Money,

In case of Nonpayment of Compensation for Damages, &c. by the Company.

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and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in every such Case such Overplus shall be returned, on Demand, to the said Company, or their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of the said recited Act and this Act, or either of them, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Justices may proceed by Summons for Recovery of Penalties.

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

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

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

For paying Expences of the Act.

XX. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, shall be paid by the Directors of the said Company out of the joint Funds and Monies of the said Company.

Public Act.

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

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