



ANNO TERTIO

GEORGIIV. REGIS.

Cap. vii.

An Act for lighting with Gas the Town and Neighbourhood of *Wakefield* in the West Riding of the County of *York*. [3d April 1822.]

WHEREAS the Town of *Wakefield* in the West Riding of the County of *York* is large and populous, as is also the Neighbourhood or Environs thereof, and it would be of great Advantage to the Inhabitants thereof, and to the Public at large, if the Streets and other public Passages and Places therein were better lighted: And whereas Inflammable Air, Carburetted Hydrogen, Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be produced from Coal and other Substances: And whereas the said Inflammable Air, Carburetted Hydrogen, or Coal Gas, being conveyed by Means of Pipes, may be safely and beneficially used for lighting the several Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages and other Places within the said Town and Neighbourhood of *Wakefield*, and for lighting Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings therein; and the Coke may be beneficially employed as Fuel in private Houses and Manufactories; and the said Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, may be used and applied in various other Ways with great Advantage: And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to effect the several Purposes aforesaid; but such beneficial Purposes cannot be carried

[Local.] 3 C fully

Proprietors
incorporated.

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, That *Elizabeth Ambler, Ann Ambler, William Barff, Dennis Barker, Thomas Barras, Phineas Beaumont, William Benson, Thomas Bolton, William Brooke, William Burrell, John Carr of Carr Lodge, John Child, Jeremy Clapham, Elizabeth Clapham, Ann Clark, Benjamin Ellis Coates, James Cowell, George Craven, Robert Crowder of Sandal, Benjamin Dixon, William Dyer, Benjamin Fawcett, José Luis Fernandez, Thomas Foljambe, James Goldthorpe, George Green, Thomas Hall, William Hammond, John Hardcastle, Enoch Harrison, John Hartley, John Hinchcliffe, Richard Hird, Robert Hodgson of Haigh Hall, Abraham Hodgson of Heath, John Jackson (Woolstapler), William Leatham, Samuel Lee, Henry Lumb, George Lyle, John Malam (of London), William Matthewman, Joseph Matthewman, Francis Maude (Barrister at Law), John Maude (of Moor House), John Melton, Elizabeth Middleton, Richard Milner, Robert Myers, John Ladeveze Newmarch Clerk, Richard Nichols, Mary Oldridge, Elizabeth Oldridge, George Oldroyd, Thomas Pitt, Thomas Lofthouse Potter, John Poulter, James Poulter, Luke Race, Thomas Rishworth the elder, Thomas Rishworth the younger, James Rishworth, Richard Rishworth, John Robson, Thomas Rogers Clerk, Joseph Ross, James Rusher, Elizabeth Sampson, John Scargill, John Scholefield of Whitby, Richard Scholes, John Scholey, Joseph Scott the elder, Elizabeth Scott, Robert Scott, Joseph Scott the younger of London, George Senior of Stanley, Samuel Sharp Clerk, Isaac Shaw, Joseph Shaw, Edward Sidebottom, Joseph Lawson Sisson Clerk, Francis Smalpage, Joseph Smith of Heath, George Walker Smith, Joshua Smithson, Charles Sorby, Alice Sorby, John Spence, Squire Statter, John Stead, Benjamin Sutcliffe of Scriven, Joshua Swallow, Margaret Sykes, Mary Sykes, Ann Sykes, John Sykes, James Teale, Frances Teale, Ellen Teale, George Teale, John Teale, Edward Tew, Samuel Thompson the elder, Samuel Thompson the younger, John Tootal the younger, William Tunnacliffe, John Turner, Godfrey Wentworth Wentworth of Woolley Park, George Westerman, Thomas White, William Walter White, William White, Mary White, John White of Leeds, Joseph Whittington, Martin Wice, George Wilby, John Wiseman, William Wood, 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 hereinafter mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be one Body Politic and Corporate, by the Name of "The Wakefield 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 making or producing Inflammable Air, Carburetted Hydrogen, Coal Gas, Coke,*

Their Style
and Powers.

Oil,

Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and for lighting with Gas the said Town of *Wakefield*, and the Neighbourhood thereof, extending not more than Three thousand Yards from the Market Cross there; and shall have full Power from Time to Time to make Contracts, or agree with the Commissioners for the Time being, acting under the Authority of an Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better paving, repairing, and cleansing the Streets, Lanes, Alleys, and other public Passages and Places within that Part of the Town of Wakefield in the County of York, which lies within the East End of Westgate Bridge, the South Side of Northgate Bar, the North End of Kirkgate Bridge (except so much thereof as is repaired by the West Riding of the said County of York), and the extreme Part of the Township of Wakefield aforesaid, leading from Wrengate to East Moor, for preventing Nuisances and Annoyances therein, and for widening and rendering the same more commodious*; and also of another Act passed in the Thirty-sixth Year of the Reign of His said late Majesty, intituled *An Act for lighting and watching the Streets and other public Passages and Places within the Town of Wakefield in the County of York, and for more effectually cleansing the same, and removing and preventing Obstructions, Nuisances, and Annoyances therein*; or with any other Commissioners, Directors, Trustees, Surveyors of Highways, or other Persons having the Control, Direction, or Management of the lighting of the said Town and Neighbourhood, or any Part or Parts thereof respectively, or of the repairing of all or any of the Highways therein respectively, 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 of contracting or agreeing with the said Company for the lighting with Gas the said Town and Neighbourhood, or of any public Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places therein, or any Churches or Chapels, or any Theatres or Places of public Amusement, Manufactories, Shops, Inns, Taverns, Dwelling Houses, Buildings, or other private Places within the said Town or Neighbourhood; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Products as aforesaid.

11 G.3. c.44.

36 G.3. c.50.

II. And be it further enacted, That it shall and may be lawful to and for the said Company, or their Committee of Management for the Time being, and they are hereby empowered to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town or Neighbourhood, which the said Company shall deem requisite for the Purposes of this Act (not exceeding Three Acres of Land in the whole), with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Trustees, Executors, Administrators, Husbands, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, or with any Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or with any other Person

Power to contract for the Purchase of Lands and Buildings.

or

or Persons, Body or Bodies Politic, Corporate, or Collegiate whomsoever, who shall be willing to sell the same, or his, her, or their Estate, Right, or Interest therein, for the Uses and Purposes of this Act; and upon Payment of the Purchase Money 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 manner by this Act directed (as the Case may be), such Lands, Tenements, and Hereditaments 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 *Wakefield Gas Light Company*; and it shall and may be lawful to and for the said Company to hold any such Lands, Tenements, and Hereditaments, and any Term, Right, and Interest therein so to be purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever; and also at any Time or Times thereafter to sell or dispose of the said Lands, Tenements, or Hereditaments, or any of them, as they shall think proper, and from Time to Time to purchase and hold other Lands, Tenements, or Hereditaments more suitable for the Uses and Purposes of this Act, and again to sell the same in like Manner, not exceeding in the whole, at one and the same Time, Three Acres.

Tenures of
Copyhold
Premises.

III. Provided always, and be it further enacted, That all Copyhold or Customary Lands and Tenements to be purchased by the said Company for the Purposes of this Act, shall continue to be held as Copyhold or Customary Lands and Tenements, by the Rents, Fines, and Services due and accustomed, unless the Lord of the Manor within which such Copyhold or Customary Lands and Tenements shall be situate, shall consent to enfranchise the same; and that such Copyhold or Customary Lands and Tenements shall be conveyed and pass by Surrender to the Use of Two Trustees only, and their Heirs and Assigns, in Trust for the said Company, for the Purposes of this Act, and from Time to Time be granted unto Two Trustees, their Heirs and Assigns in Trust as aforesaid, unless the Lord of the said Manor within which the same Lands and Tenements shall lie, shall consent to authorize the same to be granted otherwise, any thing herein contained to the contrary in anywise notwithstanding.

Bodies Politic, &c. empowered to sell.

IV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed

essed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which the said Company are by this Act enabled to purchase for the Uses and Purposes thereof, to treat, contract, and agree with the said Company, or their said Committee of Management, for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Company for the Purposes of this Act; and all Contracts, Bargains, Sales, Surrenders, Assurances, 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 Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, and Interest, Use, Property, Claim, and Demand whatsoever of their said several Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons whomsoever entitled in Remainder, Reversion, or Expectancy; and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and all other Estates in Possession, Reversion, Remainder or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as any Fine or Fines or Common Recovery or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law; any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute, or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

V. 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 Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* "The Wakefield Gas Light Company," together with the Name or Names of such Person or Persons as any Three or more of the Committee of Management shall, by Writing signed by them, direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an

Direction for Application of Purchase Money when amounting to 200*l.* or upwards.

[*Local.*]

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Order

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

When less than 200*l.* and exceeding 20*l.*

VI. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Lands, Tenements, or Hereditaments, to be purchased for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being, entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved by Three or more of the said Committee of Management, (such Nomination and Approbation to be signified by Writing under the
Hands

Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the High Court of Chancery.

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

Where not exceeding 20l.

VIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privy of the 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 with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

In Cases of doubtful Title the Party in Possession to be deemed the Owner.

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

Expences of Purchases may be allowed by the Court.

X. And

On Payment
of Purchase
Money Pre-
mises vested
in the said
Company.

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

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

Form of
Conveyance.

‘ I [or, We, as the Case may be] of
‘ in Consideration of the Sum of paid to
‘ me [or, us, or into the Bank of *England*, as the Case may be] by
‘ the *Wakefield* Gas Light Company, established under or by virtue
‘ of an Act, passed in the Third Year of the Reign of King *George*
‘ the Fourth, intituled [*here insert the Title of this Act*] do hereby
‘ grant and release [or, assign, as the Case may be] to the said Com-
‘ pany and their Successors, all [*here describe the Premises to be con-*
‘ *veyed*] and all my [or, our] Right, Title, and Interest in and to
‘ the same, and every Part thereof; to hold to the said Company and
‘ their Assigns for ever [or as the Case may be] during all the Re-
‘ mainder of my [or, our] Term, Estate, and Interest in the said
‘ Premises. In witness whereof, I [or, we] have hereunto set my
‘ Hand and Seal [or, our Hands and Seals] this
‘ Day of in the Year of our Lord One thousand eight
‘ hundred and

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

Empowering
Company to
re-sell Lands
not wanted.

XII. And whereas the said Company under the Provisions of this Act may purchase Lands, Tenements, or Hereditaments, which may be found not necessary, or which may not be wanted for the Purposes thereof; be it therefore further enacted, That it shall and may be lawful for the said Company to sell and dispose of, and by Indenture or Indentures under their Common Seal, to grant and convey, by way of absolute Sale in Fee Simple, and in case of Copyhold Lands or Tenements, for the Trustee or Trustees thereof to pass the same to the Purchaser or Purchasers thereof, by Surrender in the respective Court or Courts of the Manor whereof the same shall be holden, for a Consideration in Money, all or any Part or Parts of the Lands,
Tenements,

Tenements, and Hereditaments which shall or may have been so purchased, and which shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall and may be lawful for the Treasurer for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be sufficient Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; and such Person or Persons, having *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.

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

Works not to be begun, until the Sum of 10,000^l. shall have been subscribed.

XIV. And be it further enacted, That the Capital or Joint Stock of the said Company to be applied and used in establishing and carrying on the Undertaking and Purposes aforesaid, shall not exceed in the Whole the Sum of Ten thousand Pounds Sterling; and that the said Sum of Ten thousand Pounds shall be divided into Shares of Twenty-five Pounds Sterling each; and that the Shares in the said Undertaking, and in the net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

Subscriptions for Joint Stock not to exceed 10,000^l; in Shares of 25^l. each, and be Personal Estate.

XV. Provided always, and be it further enacted, That in case any Person shall become possessed of more than Twenty Shares in the said Undertaking at one and the same Time, including the Share or Shares which he or she may hold as well in his or her own individual Capacity, as his or her Part of any Shares to which he or she may be jointly entitled in Partnership or otherwise, unless the Excess shall devolve to him or her by Bequest, Marriage, or Death, he or she shall, within Twelve Calendar Months after the Time of his or her becoming possessed of such Number of Shares exceeding Twenty (except as aforesaid), sell and transfer, or otherwise dispossess himself or herself of the Excess, under a Penalty or Forfeiture of all his or her Right and Title to any Dividend or other pecuniary Advantage which, after the Expiration of such Twelve Calendar Months, would become due in respect of such excessive Number of Shares; and all such Dividends and pecuniary Advantage shall, by the Treasurer of the said Company, be applied to and for the Use of the said Company.

No Person to hold more than 20 Shares.

XVI. And be it further enacted, That all and every Person or Persons, by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to the Orders of any General Meeting

Subscribers to share in the Stock in Proportion to

[Local.]

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ing

their Sub-
scriptions.

ing or Meetings to be held by the said Company for that Purpose, for or towards the raising of the said Capital Sum of Ten thousand Pounds as aforesaid, his, her, or their Executors, Administrators, and Assigns respectively (no such Subscription being less than 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 making up 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.

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

XVII. And be it further enacted, That the several Persons composing the said Company shall severally and respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company, to the full Amount of their several and respective Shares in the Capital of the said Joint Stock: Provided always, that whenever Two or more Persons shall have jointly subscribed for, or shall be jointly possessed of any one Share in the said Undertaking, such Persons shall severally and respectively be answerable for the whole Amount of such Share, but not further or otherwise as aforesaid.

Power to
raise 2,500*l.*
more by
Loan, or by
creating new
Shares.

XVIII. And be it further enacted, That in case the aforesaid Sum of Ten 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 the said Undertaking, not exceeding in the Whole the Sum of Two thousand five hundred Pounds, either by way of Loan on Security of the Property and Effects belonging to the said Company, or by raising and creating new and additional Shares in the said Concern, or by both of the said Ways and Methods; and in case it shall at any Time or Times be deemed advisable by the said Company to raise any Part or Parts of the said further Sum of Two thousand five hundred 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 amongst themselves, in such Proportions as to them shall seem meet, 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 Ten thousand Pounds; and in case it shall at any Time or Times be deemed advisable by the said Company, to raise any Part or Parts of the said further Sum of Two thousand five hundred Pounds by way of Loan, then it shall be lawful for the said Company, or their said Committee of Management for the Time being, by and with the Advice and Direction of any General Meeting of the said Company, to borrow and take up the same at Interest, for the Use of the said Company,
and

and thereupon by Writing under their Common Seal to assign all or any Part of the Property and Effects of the said Company, to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, together with lawful Interest for the same; and the Charges and Expences of such Assignment (to be made as herein-after-mentioned) shall be from Time to Time defrayed by the said Company out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say),

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

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

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

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

[or, her] Executors, Administrators, or Assigns. Dated the
 Day of in the Year of our Lord One thousand
 eight hundred and .

And a Copy of every such Security or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred; to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid by the Person or Persons to whom such Transfer shall be made, the Sum of Four Shillings and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

For enforcing
 Payment of
 Subscrip-
 tions.

XX. And be it further enacted, That the several Persons who have already subscribed for and towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed and to be subscribed, 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; and in like Cases of Neglect or Refusal, where Two or more Persons shall have jointly subscribed for, or be jointly possessed of, One or more Share or Shares in the said Undertaking, then in like Manner to sue for and recover the same from all or any of such Joint Subscribers.

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

XXI. And be it further enacted, That the said Company, or their said Committee of Management for the Time being, shall and they are hereby required to cause the Names and Designations of the several Persons who are at present, and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the Number of Shares possessed by each of the Subscribers and Proprietors, and also the proper Number by which every Share is to be distinguished, to be distinctly entered in a Register Book, to be kept by the Clerk of the said Company, to be appointed as herein-after mentioned; and

and after the making of such Entry, a Certificate under the Common Seal of the said Company shall be made out in respect of each and every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Proprietor thereof; which Certificate shall be delivered to the Proprietor of such Share upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share therein specified; but the Want of such Certificate shall not hinder or prevent the Proprietor of any of the said Shares from selling or disposing thereof; and in case such Certificate shall not be produced or forthcoming, the said Entry, or a true Copy thereof certified by the Clerk to the said Company, and for which Certificate the said Clerk shall be paid the Sum of Four Shillings and no more, shall be deemed sufficient *prima facie* Evidence of Title.

XXII. And whereas in case any original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk or Clerks to the said Company, it may not be in the Power of the said Company, or any Officer acting for the said Company, to learn who is or are the Owner or Proprietor or Owners or Proprietors of such Share or Shares, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions, Suit or other Proceeding against him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-after specified, an Affidavit shall be made and sworn to by Two credible Persons before a Master or Master Extraordinary of His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace for the West Riding of the County of *York*, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns; and such Affidavit shall be submitted to the Clerk or Clerks of the said Company, to the Intent that he or they may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book, or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the Clerk or Clerks to the said Company; and that in all or any of the said Cases, after Three Calendar Months Notice in Writing shall have been given by the said Clerk or Clerks to the Owner or Owners thereof, or Person or Persons claiming by

For ascertaining the Proprietorship of Shares in certain Cases.

[Local.]

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such

such Affidavit to be Owner or Owners thereof, or left at his, her, or their last or usual Place or Places of Abode, to pay his, her, or their Proportion of Money so to be called for, and such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors, at any General or Special Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited; and that in such Case the same shall be and become forfeited, and shall and may be sold and disposed of in such Manner as the said Subscribers or Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the General Fund of the said Company.

First and
other Gene-
ral Meetings
of Proprie-
tors.

XXIII. And be it further enacted, That the said Company shall meet at some convenient Place within the said Town of *Wakefield*, within Twenty-one Days next after the passing of this Act, between the Hours of Eleven in the Forenoon and Six in the Afternoon, and shall then and there proceed in the Execution of this Act; and shall and may adjourn such Meeting from Time to Time, either to the same Place, or such other convenient Place in the said Town of *Wakefield*, as the said Proprietors shall think proper; and that from and after the said First General Meeting of the said Company, there shall be in each Year Two Half-yearly General Meetings of the said Company, (that is to say), on the First *Monday* in the Month of *June* and the First *Monday* in the Month of *December*, or within Ten Days next after such Days respectively; and also such and so many Special Meetings of the said Proprietors as shall be called by the said Committee of Management as herein-after provided; of which several Half-yearly General Meetings and Special Meetings, Ten Days public Notice at the least shall be given by Advertisement in the *Wakefield* and *Halifax Journal*, or in some other Paper printed and circulated in the Neighbourhood (and which said Notice shall specify the Purpose for which any such Special Meetings are called); and the First Half-yearly General Meeting to be holden by virtue of this Act shall be holden on the First Day of *June* next, or within Ten Days next after the same; and that all such Half-yearly General Meetings and Special Meetings may be adjourned from Time to Time, and from Place to Place, as shall be found expedient; and that at all such Meetings of the said Proprietors to be held as aforesaid, the Proprietors then present not being fewer than Ten in Number, shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company; and if it shall happen that there shall not appear at any of the aforesaid Meetings of the said Company a sufficient Number of the said Proprietors to act or to adjourn, (Ten Proprietors being hereby declared sufficient in all Cases to proceed to Business, and Six Proprietors being hereby declared sufficient for the Purpose of Adjournment only), then and so often as the Case may happen, such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Place and Hour at which the same ought to have been held as aforesaid; provided that no Business shall be transacted at any Special Meeting of the said Proprietors besides the Business for which such Meeting shall have been called,

called, and no other Business shall be transacted at any adjourned Special Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

XXIV. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General Meetings as aforesaid, to make such Rules, Orders, and Bye-Laws as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of their Committee of Management, and the Conduct of all Officers, Workmen, and Servants, to be employed in or about the Affairs and Business of the said Company, and for the Superintendence and Management of the said Undertaking, in all respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders, and Bye-Laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye-Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Company shall seem expedient; and all Rules, Orders, and Bye-Laws so made as aforesaid (being reduced into Writing, and the Common Seal of the said Company thereto affixed) shall be printed, and be binding on 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 that such Rules, Orders, and Bye-Laws, be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or any of the express Directions or Provisions of this Act; provided also, that Copies thereof shall be fixed and continued in the Office of the said Company; and all such Rules, Orders, and Bye-Laws, shall be subject to Appeal in Manner by this Act directed.

General Meetings may make Bye-Laws.

XXV. And be it further enacted, That at every General and Special Meeting of the Proprietors of the said Undertaking, One of the Proprietors then present shall be elected to preside as Chairman; and all Questions shall be decided by a Majority of Votes of the Proprietors present in Person, or by their respective Proxies to be appointed as herein-after mentioned, according to their respective Number of Shares; that is to say, One Vote may be given in respect of One Share and upwards, and not exceeding Three Shares; Two Votes in respect of Four Shares and upwards, and not exceeding Nine Shares; and Three Votes in respect of Ten Shares and upwards; and every Proprietor of Shares in the said Undertaking shall also (under and subject to the Rules and Regulations aforesaid) have and be entitled to an additional Vote or additional Votes for or in respect of such Share or Number of Shares exceeding Twenty, as shall devolve to, or become vested in him or her by Bequest, Marriage, or Death, as aforesaid; and the Chairman of every such Meeting shall not only be entitled to vote in respect of his Shares, but in case of an Equality of Votes, shall also have an additional or casting Vote; but nevertheless it is hereby provided, that no Proprietor shall be entitled to vote at any Meeting of the said Company in respect of any Share or Shares which he or she may possess in the said Undertaking, unless such Person shall have fully paid all Arrears due in pursuance of any Call

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

or

or Calls which shall have been made upon or in respect of such Share or Shares by the said Committee of Management for the Time being; nor shall any Person vote at any Meeting of the said Company upon any Question in which such Person shall be interested in any other Way than being a Proprietor in the said Undertaking.

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

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

Empowering Proprietors of Shares to vote by Proxy.

XXVII. 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 Meeting 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*),

Form of Proxy.

‘ I, *A. B.* of _____ one of the Proprietors of and
 ‘ I, in “*The Wakefield Gas Light Company*,” do hereby nominate,
 ‘ constitute, and appoint *C. D.* of _____ to be my Proxy, in
 ‘ my Name and in my Absence to vote or give my Assent to or
 ‘ Dissent from any Business, Matter, or Thing relating to the said
 ‘ Undertaking that shall be mentioned or proposed at any General
 ‘ or Special Meeting of the said Company, in such Manner as the
 ‘ said *C. D.* shall think proper, according to his Opinion and Judg-
 ‘ ment, for the Benefit of the said Undertaking; or any thing relating
 ‘ thereto. In witness whereof, I have hereunto set my Hand this
 ‘ _____ Day of _____ One thousand eight
 ‘ hundred and _____

Provided always, that in case any Proprietor or Proprietors entitled to vote at any such Meeting as aforesaid, shall be a Lunatic or Lunatics, or a Minor or Minors, such Lunatic or Lunatics shall or may vote at such Meeting or Meetings by his, her, or their Committee or any One of such Committee, and such Minor or Minors shall and may vote by his, her, or their Guardian, or any One of such Guardians: Provided also, that the Appointment of such Committee or Guardian shall be produced at every Meeting at which he may so offer to vote: Provided always, that no Person or Persons shall vote as a Proxy or Proxies for more than Twenty Shares upon any one Occasion; but such Person or Persons may also vote in Right of his, her, or their own Shares, as well as Com-
 mittee

mittee of any Lunatic or Lunatics, and as Guardian of any Minor or Minors on the same Occasion; and provided, that the Person applying to vote as Proxy, do always at the Time of voting produce his Appointment or Appointments.

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

Meetings to settle Accounts and declare Dividends.

XXIX. And be it further enacted, That the said Company shall at their said First General Meeting, or at some Adjournment thereof, elect and choose 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 Meeting 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 shall also from Time to Time elect, choose, and appoint, in Manner aforesaid, any other Person or Persons to act as Treasurer or 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 Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer of the said Company, for the faithful Execution of his Office, before he shall enter thereupon.

General Meetings to appoint a Treasurer and Clerk.

XXX. 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, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person

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

[Local.]

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shall

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, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Impar lance shall be allowed.

Treasurer not to issue Money without an Order of Committee.

XXXI. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders in Writing signed by the Chairman of the Committee of Management for the Time being, and Two Members at least of the said Committee present at the Meeting of the said Committee of Management ordering or directing such Issue of Money to be made.

Appointment of Committee of Management, Officers, &c.

XXXII. And be it further enacted, That at the First General Meeting of the said Company to be held next after the passing of this Act, or at some Adjournment thereof, a Committee for managing the Affairs of the said Company shall be elected out of the Proprietors or Subscribers of Shares of and in the said Undertaking; and that such Committee shall consist of Thirteen Proprietors or Subscribers; and when elected they shall be the Committee of Management for managing the Affairs of the said Company until others shall be chosen in their Stead as herein-after mentioned.

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

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

Committeemen contracting for Work to be disqualified.

XXXIV. Provided always, and be it further enacted, That if any Person who shall be elected a Member of the said Committee of Management, shall be or become a Dealer, either directly or indirectly, in any of the Articles to be provided or manufactured by the said Company, or shall offer to take, and succeed in taking, or shall participate in any manner in any Work to be done for the
said

said Company, every such Person shall be disqualified to be a Member of the said Committee of Management; and that if any Person hereby nominated, or to be appointed by virtue of this Act a Member of the said Committee, shall at any Time cease to be a Proprietor of the said Undertaking, or shall refuse or neglect, unless prevented by Illness or Absence from Home, to attend any Three successive Meetings of the said Committee, every such Person shall thereby cease to act or vote at such Committee, and shall be disqualified as aforesaid, and thereupon another Proprietor shall be elected in the Stead of such defaulting Member, to be a Member of the Committee.

XXXV. And be it further enacted, That at the Half-yearly General Meeting which shall be held in the Month of *June*, which will be in the Year of our Lord One thousand eight hundred and twenty-four, or at some Adjournment thereof, and at every Half-yearly General Meeting which shall be held afterwards in the said Month of *June*, or at some Adjournment thereof, a new Committee of Thirteen of the Proprietors of Shares in the said Undertaking shall be elected in the Place of the former Committee; nevertheless, Nine of the said former Committee, whose Office shall then have expired, shall (if otherwise eligible) be again immediately re-eligible; and that every Vacancy in the Committee of Management by Death, Resignation, or Disqualification shall be filled up at a Special Meeting of the said Company to be called for that Purpose, within Sixty Days next after such Vacancy shall happen; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall (being duly qualified) continue in Office upon the same Terms, and only for the same Period, as the Person whose Place he shall supply would have continued if his Office had not been vacated before the Time at which he would, according to the Provisions of this Act, have gone out of Office; provided also, that all Notices herein-before directed to be given of any General or Special Meetings or Adjournments respectively, or to any of the said Proprietors upon any particular Occasion, and not herein-before otherwise provided for, shall be given to the said several Proprietors, or such individual Proprietors respectively, by Letters from the Clerk or Clerks of the said Company sent by the Post to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the individual Proprietor entitled to such Notice (as the Case may be); and that such Notices shall be deemed and considered the same as personal Notice; provided that if at such General Meeting or Special Meeting of the said Company, to be held under the Powers herein contained, there shall not be Persons present either as Principals or Proxies who shall be possessed of or entitled unto at least One hundred Shares in the said Undertaking, no Business shall be transacted at any such Meetings except adjourning the same.

Annual Election of Committee.

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

How Notices of Meeting to be given.

XXXVI. Provided always, and be it further enacted, That no Person shall be eligible to be elected One of the Committee for managing the Affairs of the said Undertaking, unless at the Time of the Election he shall be entitled to Two Shares in the said Undertaking.

No Person to act as Committee-man unless possessed of Two Shares.

XXXVII. And

A certain Number of Proprietors may call a Special Meeting to remove any of the Committee, or to elect others in certain Cases.

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

Meetings of the Committee of Management.

XXXVIII. And be it further enacted, That the said Committee of Management shall or may hold their First Meeting within Ten Days after their being appointed, at such Time and Place, within the said Town of *Wakefield*, as they shall think proper, and have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time, and from Place to Place, as they shall think fit; and the said Committee shall from Time to Time appoint One of the Committee to preside as Chairman; and that all Questions, Matters, and Things, which shall be proposed, discussed, or considered by the said Committee of Management at any of their Meetings, shall be decided and determined by a Majority in Number of Members present (the Number present not being less than Five); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall

shall have the decisive and casting Vote; and that if on the Day appointed for any Meeting of the said Committee, Five Members qualified to vote shall not attend, then and in every such Case the Meeting shall be adjourned to the same Day in the following Week, or until such Time as the Member or Members then present shall appoint; and that any Three or more Members of the Committee may at any Time, when they shall think fit, call a Meeting of the Committee, by Notice in Writing, signed by such Three or more Members, to be sent by the Post, or otherwise, to the Residence or Place of Abode of every Member of such Committee.

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

Powers of
Committee,
&c.

Proceedings
to be entered
in Books.

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

Calls to be
paid.

XLI. And be it further enacted, That the said Company, or their Committee of Management for the Time being, shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors or Subscribers of Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Company, or their said Committee of Management, shall from Time to Time find expedient for the Purposes of the said Undertaking, so that no one such Call do exceed Five Pounds upon each Share of Twenty-five Pounds, and so that no Calls shall be made but at the Interval of Two Calendar Months at least from each other, and so that the total Amount of such Calls shall not exceed the Sums subscribed for by the several Proprietors; and that the several Sums of Money which shall be so called for, shall be paid into the Hands of the Treasurer of the said Company for the Time being, at such Times and Places as shall be appointed by the said Company, or such Committee of Management, of which Times and Places Fourteen Days Notice at least in Writing shall be given by the Clerk of the said Company, to the several Persons liable to pay such Calls, which Notice may be sent by the Post, or in such other Manner as the said Company, or such Committee of Management, shall direct in that Behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of the Money so to be called for during the Space of Two Calendar Months next after the Time appointed for Payment thereof, with lawful 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 Twenty-eight 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 usual Place of Abode; nor unless the same Share or Shares shall be declared to be forfeited at some General or Special Meeting 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

On Non-
payment of
Calls, Shares
to be for-
feited.

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.

XLII. 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 or Committee, in respect of such Share or Shares in manner aforesaid, without having made any sufficient and effectual Provision, by Will or otherwise, how the future Calls in respect of such Share or Shares are to be answered and satisfied, then and in every such Case the Executors or Administrators of such deceased Subscriber or Proprietor, and the Trustees or Guardians of any Infant or other Person entitled to the Estate and Effects of such deceased Subscriber or Proprietor respectively, shall be fully indemnified against such Infant and all Persons whomsoever, in paying any Money which shall be duly called for in respect of such Share or Shares as aforesaid.

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

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

Shares may be transferred.

I [or we] of _____ in Consideration
of _____ paid to me [or us] by _____ of _____
do hereby bargain, sell, and transfer to the said
the Sum of _____ Capital Stock of and in the
Undertaking called "The Wakefield Gas Light Company," being
my [or our] Share [or Shares] Number _____ in the said
Undertaking; to hold to the said _____ Executors,
Administrators, and Assigns, subject to the same Rules, Orders,
and Restrictions, and on the same Conditions, that I [or we]
held the same immediately before the Execution hereof: And I
[or we] the said _____ do hereby agree to take and
accept the said _____ Share [or Shares] subject to
the same Rules, Orders, Restrictions, and Conditions: As witness
our Hands and Seals, this _____ Day of _____
in the Year of our Lord _____

Form of Transfer.

And every such Transfer shall be produced and notified to the Clerk of the said Company, and shall be entered or registered in the Books of the said Company, and the Entry or Registry thereof shall specify the Date, Names of the Parties, and the Number of Shares transferred, for which Entry and Registry the Sum of Four Shillings shall be paid to the Clerk or other Officer making the same; and a Copy of such Registry, signed by the Clerk or other Officer

Transfers to be registered.

Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes, and in all Trials before any Court in the United Kingdom; and that until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to any Vote at any Meeting or Meetings as Proprietor or Proprietors of Shares in the said Undertaking.

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

XLIV. Provided always, and be it further enacted, That after a Call for Money shall be made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, until the Money so called for, in respect of his, her, or their Share or Shares intended to be sold, shall be paid; and that until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void; and all and every Person or Persons making Default herein shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Undertaking, to and for the general Benefit of the said Undertaking, unless he, she, or they shall, at the Time of such Sale or Sales, or Transfer, pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture nevertheless to be first notified and declared in manner directed by this Act, with respect to the Forfeiture of Shares for not answering the Calls to be made thereon.

Power to make and erect Retorts, &c.

XLV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect, subject to the Restrictions in this Act contained, such Buildings, Gasometers, Retorts, Receivers, Cisterns, Engines, Machines, and other Works and Apparatus, upon any of the Lands, Tenements, or Hereditaments which the said Company may purchase for the Purpose, in such Manner as the said Company, or their Committee of Management for the Time being, shall think necessary or proper for carrying the Purposes of this Act into Execution; and also to break up the Soil and Pavements of any Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places, or any Part of them, or the Arches or Coverings of any Cellar or Cellars in and under any Streets, Squares, Highways, Roads, Ways, Lanes, Market Places, Passages, or other Places, in the said Town and Neighbourhood; and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Siphons, Plugs, Branches, or other necessary Apparatus, from such Pipes, in, under, across, and along such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, or supplying any such Light as aforesaid; and from Time to Time to alter the Position of and to repair, re-lay, and maintain such Mains, Pipes, Stopcocks, Siphons, Plugs, Branches,
or

or other Apparatus; and also to erect, set up, place, and affix Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in any of the said Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places, or upon or against the Walls of any Dwelling Houses or other Buildings therein, either public or private; and also to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in or over any Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage, Cellar, or other Place by the said Company, by virtue of this Act, in, to, or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same, or any public or private Lamp from any of such Mains or Pipes, and to erect and set up any Machine or other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring or ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Work which shall have been placed, or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, (public or private Buildings; and to do all such other Acts, Matters, and Things as the said Company shall from Time to Time think necessary for completing, amending, repairing, improving, supplying, and using the same.

and to fix
Lamp Irons,
&c.

XLVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company, or any of their Officers, Agents, or Servants, to break up the Soil or Pavement of all or any Part of any of the Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other public Places in the said Town or Neighbourhood, which are now or may be hereafter maintained and supported in repair by and under the Controul and Direction of any Surveyors of Highways, or other Person or Persons, or of the Commissioners acting under or by virtue of the said recited Acts of the Eleventh Year of the Reign of His late Majesty King *George* the Third, and of the Thirty-sixth Year of the Reign of His said late Majesty, or either of them, or of any other Trustees or Commissioners acting under the Authority of any other Act or Acts of Parliament, without having first obtained the Consent of such Surveyors, or Person or Persons, or the proper Quorums of the said Commissioners, or of such other Trustees or Commissioners, or the Consent of the Persons having the Property of such Soil or Pavement, in Writing, for the Purpose; nor to break up, or into, or to open or alter the Arches or Coverings of any Cellar or Cellars in or under any such Streets, Squares, Highways, Roads, Ways, Lanes, Market Places, Passages, or Places, without the Consent of the Owner or Owners thereof, in Writing, for that Purpose: Provided nevertheless, that nothing herein contained shall authorize or empower the said Company to carry or lay any Pipe or Pipes through or against any Dwelling House or Houses, Manufactories, public or private Buildings, Yards or Grounds, for the Purpose of lighting any other Dwelling House or Houses, Manufactory, public or private Building, or any other Place or Places, or to continue the same, without the Consent of the Owner and Occupier of every such

Pavement,
&c. not to be
broken up,
without Con-
sent of Per-
sons having
the Property
thereof.

[*Local.*]

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Dwelling

Dwelling House or Houses, Manufactory, public or private Building, Yards or Grounds, through or against which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

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

XLVII. Provided always, and be it further enacted, That in all Cases where any Consent is required to be and shall be obtained by the said Company, to break or take up or remove any Pavement, Soil, or Ground, or any Arch or Covering of any Cellar or Cellars in or of any Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places in the said Town or Neighbourhood, in order to lay down any Main or Mains, Pipe or Pipes to convey Gas, or for any other Purpose which may be required under this Act, nothing in this Act contained shall, after such Consent obtained as aforesaid, and after Twenty-four Hours previous Notice, or in case of Emergency, after Three Hours previous Notice in Writing from the said Company or their Clerk, given to or left at the Place of Abode of such Surveyor or Surveyors, or of the Clerk to the said Commissioners, or to such other Trustees or Commissioners, or the Persons having the Property of such Soil or Pavement, be deemed or construed to extend to prevent the said Company from repairing such Main or Mains, Pipe or Pipes, or from breaking or taking up or removing any Pavement, Soil, or Ground in or of any Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places whatsoever, for the Purpose of laying down or repairing any such Main or Mains, or any Pipe or Pipes whatever, or for any other Purpose which may be required under this Act.

Pavement to be made good where Pipes are laid.

Provision in case of Default.

XLVIII. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Siphons, Branches, or other Works, shall forthwith fill in the Trenches, and make good the Pavements and Roads and Arches and Coverings aforesaid, and remove, take, and carry away the Rubbish occasioned thereby, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for the Purposes of this Act without any Delay; and shall in the meantime fence or guard, and light by Night and all Night, the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages; provided always, that if there shall be any Delay in filling in any such Trenches or Ground, or making good any such Pavements or Roads, Arches or Coverings, or in well and sufficiently guarding and lighting the same as aforesaid, then and in every such Case it shall and may be lawful to and for the Surveyor or Surveyors of the Highways of the said Township of *Wakefield*, or the Surveyor of Bridges for the West Riding of the said County of *York*, or the Commissioners acting under or by virtue of the said recited Acts of the Eleventh Year of the Reign of His late Majesty King *George* the Third, and of the Thirty-sixth Year of the Reign of His said late Majesty, or either of them, or any other Person or Persons acting by or under the Authority of the said Surveyors or Commissioners, to fill in such Ground, and remove such Rubbish, and to repair and make good the Pavement of any Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage,

or other Place so broken up as aforesaid, and to guard and light the same; and for the Owner or Owners of any such Cellar or Cellars, or any Person or Persons by his or their Order, to make good the same Arches or Coverings; and that the reasonable Costs and Charges thereof shall be paid by the said Company or their Treasurer; and shall also pay the Penalty or Sum of Ten Pounds for every such Neglect as aforesaid, and that in Default of Payment thereof for Four Days next after Demand shall be made by any such Surveyors, Commissioners, or other Person or Persons, Proof of such Demand being made upon Oath of Two credible Witnesses before One or more Justice or Justices of the Peace for the said West Riding, all such Costs and Charges, together with the said Penalty or Sum of Ten Pounds, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Penalty shall be paid to such Surveyor or Surveyors, Commissioner or Commissioners, or other Person or Persons as aforesaid, to be applied for the Benefit of the Highways, for the Purposes of the said recited Acts, or either of them, as the Case may be.

XLIX. Provided always, and be it further enacted, That the said Company, their Servants, Agents, Workmen, or others, shall not by any Work to be done by virtue of this Act damage or injure any public Sewer or Drain within the said Town or Neighbourhood; and if any Damage or Injury shall unavoidably be done to any such Sewer or Drain, the said Company shall forthwith well and sufficiently repair and make good every such Damage or Injury, and on Default thereof such Damage shall be recoverable by the Surveyor or Surveyors of the Highways for the Time being of the said Township, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said West Riding, and which Warrant such Justice or Justices is and are hereby empowered to grant.

Damages to Sewers to be made good.

L. Provided always, and be it further enacted, That the said Company shall, at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers whose Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, shall be supplied with Gas in pursuance of this Act, or within Ten Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Three Days Notice in Writing for that Purpose, for or on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds as aforesaid, remove, take, and carry away, or cause to be removed, taken, and carried away, any Pipe or Pipes, Cocks, or Branches from any Main or Pipe which shall have been introduced or laid by the said Company in any such Dwelling House or Houses, Manufactories, public or private Buildings, Yards or Grounds as aforesaid,

Company to remove Pipes, &c. when Tenants quit, if required.

aforesaid, pursuant to the Power for that Purpose hereinbefore contained, and shall repair and make good such Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, where the same shall have been so introduced, any thing herein contained to the contrary thereof in anywise notwithstanding; and in Default thereof, it shall and may be lawful to and for such Owner or Owners, or such new Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away (without being thereby subjected to any Penalty or Costs for thereby unavoidably damaging the Works of the Company), and the Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds where the same shall have been introduced, to be repaired and made good, and the reasonable Costs and Charges for so doing the same shall be immediately paid by the said Company, or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require; provided nevertheless, that if such reasonable Costs and Charges be not paid within Four Days next after Demand shall be made by such Owner or Owners, Occupier or Occupiers (Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the West Riding of the County of *York*), all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said West Riding (and which Warrant such Justice or Justices is and are hereby empowered to grant); and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may require.

Power to
convey
Washings.

LI. And be it further enacted, That it shall be lawful for the said Company, or any Person acting under their Authority, to make such Sewers, Drains or Cuts of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient, under the Streets, Squares, Highways, Roads, Ways, Lanes, Market Places, Passages, and other Places within the said Town and Neighbourhood, 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, and all Persons acting under their Authority, doing as little Damage as may be in making the said Sewers, Drains, and Cuts, and immediately repairing at their own Expence all such Damages; provided that none of such Washings or Liquids, or any Lime or other Ingredient, Matter, or Thing which shall arise or be made in the manufacturing or producing of the said Gas, or in or by the Prosecution of any of the Works aforesaid, shall be conducted or conveyed into any River, Brook, or Stream of Water whatsoever.

Company to
contract with
Commissioners
of paving
and lighting.

LII. And be it further enacted, That in case the Commissioners already appointed or hereafter to be appointed for, or having the Controul and Superintendence of the paving and lighting of the several Streets, Lanes, Alleys, and other public Passages and Places within

within the Town of *Wakefield*, under the Authority of the said recited Acts of the Eleventh Year of the Reign of His late Majesty King *George* the Third, or of the Thirty-sixth Year of the Reign of His said late Majesty, or either of them, or any other Act or Acts hereafter to be made or passed, shall at any Time or Times hereafter be desirous of having such of the said Streets, Lanes, Alleys, and other public Passages and Places, as under the Authority of the said Act or Acts now are or shall or can or may be lighted in the usual Manner, lighted with Gas, the said Company shall and they are hereby directed and required to contract and agree with the said Commissioners to light the same with Gas, upon the Terms and Conditions herein-after specified; (that is to say), that the said Company shall supply such Quantity of Gas Lights at such Number of Lamps, with such Sort 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, consistently with the Provisions of this Act, as the said Commissioners shall from Time to Time direct, upon the said Company's receiving annually for every such 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 and the said Company, and all Contracts so entered into shall be binding on the several Parties thereto, and also on their and his Successors or Successor.

LIII. Provided always, and be it further enacted, That in case the said Company shall at any Time hereafter contract with any Commissioners, Directors, Trustees, or other Person or Persons, or any Body or Bodies Politic or Corporate, for lighting any of the public Lamps in any of the Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, or other Places within the said Town or Neighbourhood, the said Company shall and they are hereby directed and required to supply such public Lamps, which they shall so contract to light, with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil Lamps; and whenever the said Company shall fail so to do, the Power and Authority hereby given to the said Company further to break up the Soil or Pavement of any such Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage, or other Place in the said Town or Neighbourhood where such public Lamps shall be situated, shall from thenceforth, during such Refusal, cease and determine; and every Contract or Agreement which shall be entered into for lighting with Gas such public Lamps by the said Company, shall contain a Clause, providing that it shall be obligatory on the said Company that such public Lamps shall at all Times be better and cheaper lighted by the said Company than could be done by Oil Lamps.

Gas to be supplied cheaper than Oil Light.

LIV. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be put up by the said Company for lighting such public Lamps, under any Contract or Agreement with the said Company, shall be kept fully charged with Gas, and the Stop-cocks shall be so formed and turned as not to impede or prevent

Service Pipes to be kept fully charged with Gas.

[Local.]

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the

the said Branch or Service Pipes being completely filled with Gas during the Time the same public Lamps shall be lighted.

Recovery of
Rent.

LV. 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 the said Gas in their private Dwellings, Shops, Inns, Taverns, or other Buildings or Manufactories, shall refuse or neglect, for the Space of Ten Days after Demand, to pay the Sum or Sums then due for the same to the said Company, according to the Terms and Stipulations of 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 Hands and Seals of any Justice of the Peace for the said West Riding, 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) to such Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted.

No Pipes of
Communication to be
laid without
Consent of
Company.

LVI. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Iron, Leaden, or other Pipe, or Burner to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, nor use Burners of larger Dimensions, or of superior Quality, nor more in Number, nor for a greater Space of Time, than he, she, or they shall respectively contract or pay for, on pain of forfeiting and paying to the said Company the Sum of Ten Pounds, and also the further Sum of Ten Shillings a Day for every Day such Pipe or Burner shall so remain, or such Excess be so committed or continued, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said West Riding, and which Warrant such Justice or Justices is and are hereby required and empowered to grant; and the Surplus, after such Penalty or Forfeiture, and the Charges of such Distress and Sale, are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the House of Correction at *Wakefield* aforesaid, there to remain, without Bail or Mainprize, for such Time as such Justice or Justices shall direct, not exceeding Three Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied.

Penalty on
wilfully da-
maging Pipes,
&c.

LVII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously remove, break, throw down, take away, destroy, damage or injure any or any Part of any Pipe, Plug, Lamp, Lamp Post, or other Apparatus, Matter, or Thing belonging to the said Company, or shall wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Company, or shall

shall wilfully extinguish the Light or Lights of or in any of the public Lamps, or shall wilfully or intentionally enlarge or alter any of the Burners so as to occasion more of such Inflammable Air or Gas to be consumed than has been contracted for, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said West Riding, shall forfeit and pay to the aforesaid Company any Sum not exceeding Five Pounds, and Three Times the Amount of the Damage done, 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 or Offenders, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels; or such Offender or Offenders shall and may be committed to the House of Correction at *Wakefield* aforesaid, there to remain for any Time not exceeding Three Calendar Months; and in case any Person or Persons shall carelessly, negligently, or accidentally break, throw down, remove, take away, destroy, damage, or otherwise injure any or any Part of any Pipe, Plug, Lamp, Lamp Post, or other Apparatus, Matter, or Thing belonging to the said Company, and shall not immediately upon Demand make Satisfaction for the same, then and in such Case it shall be lawful for any One or more Justice or Justices of the Peace for the said West Riding, upon Proof thereof, upon the Oath or Affirmation of One or more Witness or Witnesses, to award such Sum or Sums of Money by way of Satisfaction for such Damage as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded within Four Days after Demand, to cause the same with reasonable Costs to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels.

Accidentally
damaging
Pipes, &c.

LVIII. 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 thereof by Parole or in Writing from any Inhabitant of the said Town or Neighbourhood, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not within Twenty-four Hours next after such Notice by Parole or in Writing being given of any such Escape of Gas, proceed to discover and prevent the Gas from escaping, and to remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Penalty or Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of Service of such Notice, during which Time the said Company shall neglect to take the necessary Steps for preventing the Escape of such Gas as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, before some One or more Justice or Justices of the Peace for the said West Riding, by Distress and Sale

Penalty on
Gas escaping.

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, and to be recovered and applied in manner herein directed touching other Penalties.

For the Protection of Water Pipes.

LIX. And be it further enacted, That when and as often as the said Company, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main or Mains, Pipe or Pipes, or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Water Pipe or Water Pipes is or shall be laid or placed for the Purpose of conveying Water, or any Branch of any such Water Pipe; for the Service or Supply of any Dwelling House or Houses, Manufactories, public or private Buildings, the said Company, their Servants, Agents, or Workmen, shall and they are hereby required to give previous Notice thereof to the Proprietor or Proprietors, or Person or Persons having the Controul of such Water Pipes for the Time being, or to the Occupier of such Dwelling House, Manufactory, public or private Building supplied by such Branch or Service Pipe, as the Case may be; and on every such Occasion the said Company, their Servants, Agents, and Workmen, shall, under the Direction and Inspection of such Proprietors or Persons or Occupiers, or their, his, or her Surveyor or Agent, as the Case may be, protect and secure such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Water Pipe or Pipes on any such Occasion; and in Default being made in any of the Matters aforesaid, the said Company shall forfeit and pay any Sum not exceeding Ten Pounds, and shall also pay to such Proprietors or Persons or Occupiers, as the Case may be, the Costs and Expences which shall have been incurred by them, him, or her in the securing and protecting, or in repairing and making good any Injury or Damage that may be done to such Pipe or Pipes by the Means aforesaid; such Costs and Expences to be ascertained by any Justice of the Peace for the said West Riding, and to 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 Justice or Justices of the Peace for the said West Riding, and which Warrant such Justice or Justices is and are hereby empowered to grant.

Nuisances.

LX. And be it further enacted, That when any Body or Bodies Politic or Corporate, Inhabitant Householder of the said Town or Neighbourhood, or any other Person or Persons whomsoever, shall be aggrieved by any public or private Nuisance to be committed by the said Company, or any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Means which shall be employed by them in manufacturing or producing the said Gas and using the same, or furnishing such Light as aforesaid, or from any other Cause whatever, and shall give Notice in Writing to the said Company of the Existence of any such public or private Nuisance, the said Company shall, at their own Expence, cause the

most speedy and effectual Measures to be taken to remove and abate such public or private Nuisance from continuing; and in case the said Company shall not proceed, within Three Days next after such Notice in Writing being given as aforesaid of any such public or private Nuisance to remove, and shall not abate the same, to the Satisfaction of Two Justices of the Peace for the said Riding, that then and in every such Case the said Company shall forfeit and pay the Sum of Five Pounds for each and every Day during which such public or private Nuisance shall be permitted or suffered to exist after the Expiration of Three Days from the Time of receiving such Notice; which Penalty shall and may from Time to Time, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the said Riding, be recoverable 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 as aforesaid, to be granted in like Manner and subject to the like Provisions, and to go and be paid as herein-after directed touching other Penalties to be recovered from the said Company.

LXI. Provided always, and be it further enacted, That if the said *Wakefield* Gas Light Company shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow any Washings or other waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which may arise or be produced in the Prosecution of the Works of the *Wakefield* Gas Light Company into any River or into any running Stream, or Brook, or into any Sewer, Drain, Passage, or Channel, by Means whereof any such Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things as aforesaid shall be drained, conducted, or conveyed into any River, Stream, or Brook, or into any Well, Spring, Reservoir, Aqueduct, Waterway, Feeder, or Pond belonging to or used, or intended for the Supply of any Town, Place, House, or Farm with Water, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such Well, Spring, Reservoir, Aqueduct, Waterway, Feeder, or Pond whereby the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in each and every such Case, the said *Wakefield* Gas Light Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Forfeiture or Penalty shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than one Impar lance shall be allowed: Provided always, that no such Forfeiture, Penalty, or Costs shall be recoverable unless the Suit or Action be commenced within Twelve Calendar Months from the Time of such Forfeiture or Penalty being incurred, and the Nuisance, Annoyance, Injury, Damage, Act, or Thing shall have ceased or been discontinued: Provided also, that in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid into any River, Stream, or Brook, or into any Well, Spring,

Penalty on Washings draining into Rivers, Wells, &c.

[Local.]

3 L

Reservoir,

Reservoir, Aqueduct, Waterway, Feeder, or Pond belonging to or used, or intended for the Supply of any Town, Place, House, or Farm with Water, or in case any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Body Politic, Corporate, or Collegiate, or Person or Persons whomsoever to the said *Wakefield Gas Light Company*, and the said *Wakefield Gas Light Company* shall not within Twenty-four Hours after such Notice in Writing shall have been given, proceed to stop, hinder, or prevent, and shall not within Two Days after such Notice shall have been given, effectually stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said *Wakefield Gas Light Company* shall (over and above, and in Addition to the aforesaid Penalty of Two hundred Pounds) forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so 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 Penalty shall and may be recovered, levied, and applied in such and the like manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered, levied, and applied.

The Com-
pany liable to
be indicted.

LXII. 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 any of the Officers, Servants, or Workmen of the said Company, in respect of any Works, or the Means which shall be employed by them in making or producing the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Company, 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 the Use of the same Gas or the Method of Lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Recovery and
Application
of Penalties.

LXIII. 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 said West Riding, 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 Justice is hereby authorized to administer); and that in Default of Payment of such Penalties or Forfeitures, the same shall

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

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

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

LXV. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any Penalty, Fine, or Forfeiture imposed by this Act for any Offence or Offences against the same, or any Order or Bye-Law made in pursuance thereof, herein-before made cognizable before any Justice or Justices of the Peace, unless Information respecting such Offence

Information
to be lodged
within Three
Calendar
Months.

Offence or Offences shall have been lodged before some Justice or Justices of the Peace within Three Calendar Months next after the committing of such Offence or Offences.

Power of
Appeal.

LXVI. Provided always, and be it further enacted, That any Body or Bodies Corporate or Collegiate, or any Person or Persons whomsoever, 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, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may within Three Calendar Months next 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 West Riding, or any Adjournment thereof, the Person or Persons appealing having first given at least Fourteen clear Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk or Clerks of the said Company, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said Riding, 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 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 Adjournment thereof, or if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for the same Riding; 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, 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.

Compelling
Attendance
of Witnesses.

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

LXVIII. And

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

Distresses not unlawful for Want of Form.

LXIX. 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 in 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.

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

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

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

Expences of the Act how to be paid.

LXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed or deemed or taken to extend to affect, extinguish, defeat, abridge, impeach, annul, prejudice, or destroy the Right, Title, or Interest of the Most Noble *George William Frederick Duke of Leeds*, Lord of the Manor of *Wakefield*, or the Lord of the Manor of *Wakefield* for the Time being, of, in, or to the Seignories, Rights, Royalties, Franchises, Jurisdictions, Rents, Services, Liberties, Privileges, Powers, and Authorities appendant, appurtenant, incident, or belonging to the said Manor of *Wakefield*, or to any Rents, Tolls, Pickage, Stallage, Free Customs, Dues, Duties, Profits, or Advantages belonging, due, or in anywise appertaining to the said *George William Frederick Duke of Leeds*, Owner of the Fairs and Markets within the said

Saving Rights.

[Local.]

3 M

Town

Town of *Wakefield*, or the Owner of such Fairs and Markets for the Time being, but that the said *George William Frederick Duke of Leeds*, Lord of the said Manor, and the Lord of the said Manor for the Time being, shall have, hold, use, exercise, take, and enjoy all and every the Seigniories, Rights, Royalties, Franchises, Pre-eminences, Jurisdictions, Rents, Services, Powers, Authorities, Liberties, Privileges, Advantages, and Emoluments whatsoever to the said Manor belonging or incident, appendant, appurtenant, or usually exercised, holden, or enjoyed therewith; and the said *George William Frederick Duke of Leeds*, Owner of the said Fairs and Markets, and the Owner of the said Fairs and Markets for the Time being, shall and may demand, exact, take, and enjoy all such Rents, Tolls, Picking, Stallage, Free Customs, Dues, Duties, Profits, and Advantages, with all Powers and Remedies for enforcing Payment thereof, in such and the like Manner; and as fully and beneficially, to all Intents and Purposes, as if this Act had not been passed.

Public Act.

LXXIII. 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 other, without being specially pleaded.

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