



ANNO QUARTO

GEORGIIV. REGIS.

Cap. xcvi.

An Act to amend and explain the Powers of an Act of His late Majesty, for lighting with Gas the Town of *Brighthelmstone*, and to raise a further Sum of Money for carrying the Purposes of the said Act into Execution. [17th June 1823.]

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for lighting with Gas the Town of Brighthelmstone in the County of Sussex*: And whereas the *Brighthelmstone Gas Light and Coke Company* by the said Act incorporated, having raised by Subscription the Sum of Money required by the said Act to be raised before they should be authorized to exercise the Powers thereof, have proceeded in the Execution of the Powers granted to them by the said Act, and have purchased Land, erected Buildings, and established a Manufactory: And whereas the said Company are restrained by the said Act from raising more than the Sum of Thirty thousand Pounds, the Whole of which Sum, excepting One-tenth Part thereof, which Tenth Part cannot by the said Act be raised unless for the Purpose of making good, defraying, or paying any Damages and Costs which may be awarded against the said Company, has been raised, and has been found insufficient for enabling the said Company to make and complete such Works as are necessary for fully carrying into Effect the Purposes of the said recited Act: And whereas in order to enable the said Company so to complete their Works as to insure a full

58 G. 3.
c. lxxxvii.

[Local.]

25 H

and

Power to
raise a further
Capital not
exceeding
15,000*l.*

regular Supply of Gas to the Districts already lighted, and also to supply with Gas the other Parts of the said Town, and to carry on their Undertaking with Advantage, it is necessary and expedient that they should be authorized and empowered to raise a further Sum of Money, and also that the Powers and Provisions of the said Act should be amended: 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 it shall and may be lawful for the *Brighton Gas Light and Coke Company* to raise and contribute among themselves, or by the Admission of new Subscribers, in addition to the Money which they were authorized and empowered to raise by and under the said recited Act, any Sum or Sums of Money, not exceeding in the Whole the further Sum of Fifteen thousand Pounds, in such Proportions as they shall think fit; which said further Sum or Sums, and every or any Part thereof, when raised, shall be laid out in carrying the Purposes of the said recited Act into Execution; and such further Sum or Sums shall be divided into Shares of Twenty Pounds each; and such new or additional Shares so to be created by virtue of this Act, and the several Shares made or created by virtue of the said recited Act, shall to all Intents and Purposes be, and they are hereby declared to be consolidated, and to be One and the same Joint Stock and Property; and all Persons, Bodies Politic, Corporate, and Collegiate, and Parties whomsoever, their several and respective Successors, Executors, Administrators, and Assigns, who have severally subscribed, or shall hereafter subscribe for One or more Share or Shares, or pay such Sum or Sums of Money as shall be called for or demanded under and by virtue of the said recited Act, or who shall severally subscribe for One or more additional Share or Shares, or pay such Sum or Sums of Money as shall be called for or demanded, under and by virtue of this Act, shall be respectively entitled to and receive the entire and net Distribution of an equal and proportionate Part according to the Money so by them respectively paid, and the Time or Times at which the same shall have been so paid, of the Profits or Advantages that shall or may arise or accrue by virtue of the said recited Act and this Act, or either of them, from the said Undertaking; and all Persons and Bodies Politic, Corporate, or Collegiate, and Parties whomsoever, who shall subscribe for, hold, or be entitled to any such new or additional Shares, shall be subject to the Provisions and Regulations of the said recited Act respecting the Payment of Subscriptions, in such and the same Manner in all respects as if they were or had been respectively Subscribers or Holders of original Shares under the said recited Act, and shall bear and pay a proportionate Sum towards carrying on the same Works respectively in Manner directed by the said recited Act, or by this Act.

New Shares
to be subject
to Provisions
of former
Act.

II. And be it further enacted, That all Persons and Bodies Politic, Corporate, or Collegiate, and Parties whomsoever, who shall be Proprietors or Proprietor of any Share or Shares which shall or may be created by virtue of this Act, shall be Proprietors of the said Company, and shall be entitled to such and the same Powers, Privileges, and Advantages, as are granted by the said recited Act to the Proprietors or Holders of Shares therein mentioned, and shall be subject to such and the same Rules, Regulations, Restrictions, Penalties, Forfeitures, and Payments, as

in and by the said recited Act is expressed and contained, of and concerning the Original Shares created by virtue thereof, and of and concerning the Holders or Proprietors of such Original Shares of and in the said Undertaking, and the Admission of all and every Person and Persons to any such new Share or Shares, by any Order or Resolution of the said Company, or their Committee of Management, shall be and be deemed to be a good and effectual Title for such Person or Persons thereto, and his, her, or their Executors, Administrators, or Assigns, on his, her, or their paying to the said Company, or their Treasurer or Treasurers for the Time being, the Sum or Sums of Money required to be paid for such Shares respectively within the Time limited in such Order or Resolution for that Purpose.

III. And be it further enacted, That from and after the passing of this Act, so much of the said recited Act as restrains or prevents the said Committee of Management from calling for or compelling Payment of more than Eighteen Pounds in respect of every Share, unless for the Purposes in the said recited Act mentioned, shall be and the same is hereby repealed, and the whole Amount of the said Shares shall and may be called for, towards carrying on the Works and other Purposes of this Company.

Provision in Stat. 58 G. 3. c. lxxxvii. for Reservation of One-tenth of the Capital repealed.

IV. And be it further enacted, That from and after the passing of this Act, so much of the said recited Act as provides that Two General Meetings of the said Company in each Year shall be held on the Fifteenth Day of *June* and the Fifteenth Day of *December*, or within Twenty-one Days next after such Days respectively, shall be and the same is hereby repealed.

Provision for holding Two General Meetings in each Year repealed.

V. And be it further enacted, That from and after the passing of this Act, Two General Meetings of the said Company shall be held in each Year, on the Fifteenth Day of *July* and the Fifteenth Day of *January*, or within Twenty-one Days next after such Days respectively, in the same Manner as if such last-mentioned Days or Times had been appointed by the said recited Act.

Two General Meetings to be held in each Year, on certain Days.

VI. And be it further enacted, That from and after the passing of this Act, so much of the said recited Act as provides that all and every Person or Persons, nominated and appointed Member or Members of the said Committee of Management by the said recited Act, who shall not resign or be removed, or become disqualified, shall continue in such Office for the Space of Three Years, or until others shall be duly elected into their Places; and that a new Committee of Management shall successively be chosen out of the Proprietors of Shares in the said Undertaking, between the Twenty-fifth Day of *March* and the Fifteenth Day of *June*, once in every Three Years, of which one shall be elected Governor, and one Deputy Governor of the said Company, shall be and the same is hereby repealed.

Provision for appointing Committee of Management repealed.

VII. And be it further enacted, That the present Governor and Deputy Governor of the said Company shall continue in and hold their said Offices respectively until the Fifteenth Day of the Month of *January* which will be in the Year One thousand eight hundred and twenty-five, and

Present Committee of Management how long to continue in Office.

and from thence until some other Persons shall be elected, and take upon them to execute the Duties of each of the said Offices respectively; and the other Persons now Members of the Committee of Management of the said Company shall continue in and hold their Offices respectively until the several Days and in the Manner herein mentioned; (that is to say) that on the said Fifteenth Day of the Month of *January* which will be in the Year One thousand eight hundred and twenty-five, Three of the aforesaid Members, to be determined by Lot amongst themselves, shall go out of Office; and on the Fifteenth Day in the Month of *January* which will be in the Year One thousand eight hundred and twenty-six, Three other of the aforesaid Members, to be determined by Lot amongst such of them as shall then be remaining in Office, shall go out of Office; and on the Fifteenth Day in the Month of *January* which will be in the Year One thousand eight hundred and twenty-seven, the remaining Three of the aforesaid Members shall go out of Office.

Power to elect future Governors and Deputy Governors.

VIII. And be it further enacted, That at the General Meeting to be held on the Fifteenth Day of the Month of *January* which will be in the Year One thousand eight hundred and twenty-five, or within Twenty-one Days thereafter, and at the like General Meeting in every Third Year thereafter, there shall be an Election of Two Proprietors, qualified respectively in the Manner in the said recited Act mentioned, who shall thenceforth be the Governor and Deputy Governor respectively of the said Company for Three Years next ensuing such their Election, unless they or either of them shall die, resign, or cease to be qualified as in the said recited Act mentioned,

Election of Members of Committee of Management.

IX. And be it further enacted, That at the General Meeting which shall be holden on the Fifteenth Day of the Month of *January* which will be in the Year One thousand eight hundred and twenty-five, or within Twenty-one Days thereafter, and at the like General Meeting in every succeeding Year, there shall be an Election of Three Proprietors, qualified respectively in the Manner in the said recited Act mentioned, who shall thenceforth be Three of the Members of the Committee of Management for conducting the Affairs of the said Company for Three Years next ensuing such their Election, unless they or either of them shall die, resign, or cease to be qualified as in the said recited Act is mentioned.

Auditors to be elected; and how long to continue in Office.

X. And be it further enacted, That at the first General Meeting of the said Company to be holden after the passing of this Act, there shall be an Election of Two Proprietors, qualified as herein-after mentioned, to be the Auditors and Examiners of the Accounts of the said Company; and that on the General Meeting to be holden in the Month of *January* which will be in the Year One thousand eight hundred and twenty-five, or within Twenty-one Days thereafter, One of the said Auditors and Examiners of the Accounts of the said Company so to be elected as aforesaid, to be determined by Lot between them, shall go out of the said Office of Auditor and Examiner of Accounts, and the other of them shall go out of Office on the like General Meeting which will be in the Year One thousand eight hundred and twenty-six.

Future Election of Auditors.

XI. And be it further enacted, That at the General Meeting of the said Company to be holden on the Fifteenth Day of *January* which will be

be in the Year One thousand eight hundred and twenty-five, or within Twenty-one Days thereafter, and at the like General Meeting in every succeeding Year, there shall be an Election of One Proprietor qualified as herein-after mentioned to be One of the Auditors and Examiners of Accounts of the said Company for Two Years next ensuing such his Election, unless he shall die, resign, or cease to be qualified as herein-after is mentioned.

XII. Provided always, and be it further enacted, That so often as it shall happen that any Auditor and Examiner of Accounts shall die, resign, or become disqualified as herein-after mentioned, a Special General Meeting of the Proprietors shall be convened by the Committee of Management for the Time being, for the Purpose of electing a Proprietor qualified as herein-after mentioned to fill such Vacancy, and exercise the said Office for such Time, and with the like Powers and Authorities, as the Person so dying, having resigned, or become disqualified, would have done if no such Vacancy as aforesaid had occurred.

Vacancy of Office of Auditor.

XIII. And be it further enacted, That any Proprietor of Shares in the said Company shall be qualified to be elected and to act as an Auditor and Examiner of Accounts of the said Company, who shall for the full Space of Three Calendar Months next before the Day of Election have *bond fide* held and been possessed of, and at the Day of Election shall hold and possess, and shall continue to hold and be possessed of Five Shares at the least of the Joint Stock of the said Company.

Qualification of Auditors.

XIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Governor, Deputy Governor, Member of the said Committee of Management, or Auditor and Examiner of Accounts, who shall go out of Office on the Days aforesaid, or on any annual Day of Election thereafter, if qualified as aforesaid, from being immediately re-elected to the said Offices or either of them.

Officers may be re-elected.

XV. And be it further enacted, That so much of the said recited Act as provides that where the Suspension or Removal of any Solicitor, Secretary, Engineer, Clerk, or Agent of the said Company shall be decided and determined, the Number of the Committee present shall not be less than Five, shall be and the same is hereby repealed.

Provision requiring Presence of Five Members of Committee in certain Cases repealed.

XVI. And whereas Inflammable Air or Gas may be procured from Oil and other Substances as well as from Coal, and when so procured may be beneficially used and employed for the Purpose of this Act and the said recited Act; be it hereby further enacted, That from and after the passing of this Act it shall and may be lawful for the said Company to procure for the Purpose of this Act and the said recited Act Inflammable Air or Gas from Oil or other Substances as well as from Coal, and therewith, instead of with Gas procured from Coal, to light with Gas the several Steynes, Streets, Ways, Lanes, and other public Passages and Places, and also Shops, private Houses, and public Buildings in the said Town of *Brightelmstone*, subject to the Provisions, Regulations, Advantages, and Restrictions in the said recited Act contained respecting Gas procured from Coal, and to sell and dispose of all Products arising therefrom, any thing in the said recited Act to the contrary thereof notwithstanding.

Gas may be procured from Oil as well as from Coal for lighting, &c.

[Local.]

25 I

XVII. And

No Burners of larger Dimensions than those contracted for with the Company to be used.

XVII. And be it further enacted, That no Person shall use Burners of larger Dimensions than he, she, or they respectively shall contract or pay for, or supply any Inhabitant of the said Town of *Brighthelmstone* or other Person with any Part of the Gas of the said Company, on pain of forfeiting and paying to the said Company the Sum of Forty Shillings for each and every such Offence, to be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any One or more Justice or Justices of the Peace for the County of *Sussex*, and which Warrant such Justice or Justices is or 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 it shall be lawful for the said Company, if they shall so think fit, also to take off the Gas from the House and Premises of the Person so offending by such Supply of Gas as aforesaid, notwithstanding any Contracts or Agreements which may have been previously entered into.

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

XVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize and empower the said Company or their Successors to sink or make any Cuts, Drains, Sewers, Watercourses, Reservoirs, or other Works and Devices, in any Situation or Direction where the same can, shall, or may injure any present or future public or private Drain, Sewer, or Well, nor to fix, carry, or lay any Pipe or Pipes, Cocks or Branches, or other Apparatus, from any Main or Pipe into or through or against any Dwelling House or Houses, Shops, Counting Houses, Warehouses, Manufactories, and other Buildings as aforesaid, or the Arches or Coverings of any Cellar or Cellars as aforesaid, or so to continue the same, without the Consent of the Owner or Owners and Occupier or Occupiers for the Time being of every such Dwelling House or Houses, Shops, Counting Houses, Warehouses, Manufactories, Cellars, and other Buildings as aforesaid: Provided also, that the Soil, Pitchings, Gutters, and Pavements of any Streets, Squares, Highways, Roads, Lanes, Passages, Market Places, and other public Places within the present or future Jurisdiction of any Commissioners who for the Time being shall have the Controul, Direction, or Management of the paving, cleansing, lighting, and improving the said Town of *Brighthelmstone*, under the Authority of any Act or Acts of Parliament which shall be in force for that Purpose, shall only be broken up with the Consent of such Commissioners, and under the Inspection of their Surveyor; and that the Posts, Pillars, Pilasters, and Lamp Irons to be erected and fixed, and the Pipes to be carried, laid, or fixed in or to the same, or against any Dwelling Houses, Buildings, or Walls as aforesaid, for the Purpose of lighting the public Lamps, shall only be so erected, carried, laid, and fixed with the Approbation of the said Commissioners: Provided also, that all other public Streets, Squares, Highways, Roads, Lanes, Passages, and other public Places, shall only be broken up with the Consent of the Commissioners or Trustees respectively under whose Care, Superintendance, or Controul the same Streets, Squares, Highways, Roads, Lanes, Passages, and other public Places may be, and under the Inspection of the Surveyor or Surveyors of such Commissioners or Trustees respectively: Provided also, that nothing herein contained shall extend or be construed to extend to enable the said Company to carry or lay any Pipe or Pipes in, through, over, or upon any private Ground, Road, or Way, or to continue the same without the

Consent in Writing of the Occupier or Occupiers and Owner or Owners of the Soil thereof respectively.

XIX. Provided always, and be it further enacted, That if the said Company shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the Works of the said Gas Light Company, or in the Process of obtaining the said Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith; or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in each and in every such Case the said Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed, and the whole of such Penalty shall be paid to the Person or Persons who shall sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Company, and the said Company shall not, within Twenty-four Hours after such Notice shall have been given to them as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied before and by any One or more Justice or Justices of the Peace, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice

Penalty on
Company for
conveying
Washings
into any
River,
Stream, &c.

or

or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For stopping
the Escape
of Gas.

XX. 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 or the said recited Act, the said Company shall, at their own Expence, immediately after receiving Notice by Parol or in Writing (to be left or given at their Office or usual Place of transacting their Business) of any such Escape of Gas, from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of any such Notice having been given, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Sussex*, and shall and may be recovered, with all reasonable Costs and Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid.

Gas Pipes not
to be laid
within certain
Distances
from Water
Pipes.

XXI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage, or other Place in the said Town, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriage-way in such Street or Place will allow thereof, at the Distance of Three Feet at the least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of any Body Politic or Corporate, Trustees or Commissioners, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places in the said Town (unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the Water Pipes of any such Body Politic or Corporate, Trustees or Commissioners, in which Cases the said Gas Pipes shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle), and that in such Cases the said Gas Pipes so crossing any such Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of any such Water Pipes than Three Feet at least; and that in laying down the said Gas Pipes the said Gas Light Company, their Successors or Assigns, shall in no Case join Three or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and
keep

keep all and every such Pipes, and all Pipes connected or connecting therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, Air tight, and in all and every respect prevent the said Gas from escaping therefrom; and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered as any Penalty is by this Act or the said recited Act directed to be recovered; and the same, when recovered, shall be paid to the Directors and Guardians of the Poor of the Parish of *Brightelmstone* for the Time being.

XXII. And whereas the said Company of Proprietors are enabled to purchase Ten Acres of Land by virtue of the said recited Act, for the Purposes thereof, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability, or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or stead of the Lands so sold: Be it therefore enacted, That it shall not be lawful for the said Company of Proprietors to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than Ten Statute Acres, and in case the said Company shall afterwards sell the Whole or any Part of such Ten Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or in stead of those Ten Statute Acres or any Part thereof so sold or disposed of by the said Company.

Restraining the Company from purchasing more than Ten Acres of Land from incapacitated Persons.

Penalty for
wilfully
damaging
Pipes or
wasting Gas.

XXIII. And be it further enacted, That if any Person shall wilfully, wantonly, or maliciously remove, take away, break, destroy, damage, or injure any or any Part of any Pipe, Pedestal, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or shall wilfully, wantonly, or maliciously extinguish or put out any or either of the public Lamps and Lights, or wilfully and maliciously waste any of the Inflammable Air or Gas supplied by the said Company, every Person so offending in any one or either of the Cases aforesaid, and being thereof lawfully convicted on the Oath of Two credible Witnesses, before any One or more Justice or Justices of the Peace for the said County of *Sussex*, shall for each such separate and distinct Offence forfeit and pay to the aforesaid Company any Sum not exceeding Forty Shillings, and Three Times the Amount of the Damage to be done, as the same shall be ascertained by such Justice or Justices; such Penalty and Damage, together with reasonable Costs, to be levied under the Warrant of such Justice or Justices, by Distress and Sale of the Goods and Chattels of every such Offender, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels; or if it shall appear to the said Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath or have not any Goods and Chattels sufficient to levy such Forfeiture or Damage as aforesaid, such Offender or Offenders shall or may be forthwith committed to the House of Correction or to the Common Gaol for the said County, there to remain for any Time to be fixed by the said Justice or Justices, not exceeding Three Calendar Months, unless such Forfeiture, Damages, and Costs shall be sooner paid and satisfied.

Satisfaction
for accidental
Damage to
Lamps, &c.

XXIV. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, destroy, throw down, damage, or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or by any Person or Persons at his, her, or their private Expence, or any Pipe, Pedestal, Post, Plug, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or carelessly or accidentally waste any of the Inflammable Air or Gas supplied by the said Company, or keep the Lights burning for a longer Time than he, she, or they respectively shall contract to pay for, and shall not upon Demand by the said Company, or their Clerk or Superintendant, or other Person or Persons authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace for the said County of *Sussex*, and he or they is or are hereby required, upon Complaint to him or them made, to summon before him or them the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations and Proofs on both Sides, or on Non-appearance of the Party or Parties so complained against, to award such Sum or Sums of Money by way of Satisfaction to the said Company, or to such other Person or Persons (as the Case may require), for such Damages or Excess, as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded, within Ten Days after Demand, it shall and may be lawful to and for such Justice or Justices, and he or they is or are hereby required, to cause the same to be raised and levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act or the said recited Act directed to be raised and levied.

XXV. And be it further enacted, That the said Company, or the Committee of Management of the said Company, shall be and they are hereby empowered, by any Writing under their Common Seal, to appoint any Person or Persons to prove any Debt or Debts under any Commission of Bankruptcy, or under any Assignment to take place under the present Act for the Relief of Insolvent Debtors, or any future Act relative to Insolvent Debtors which may be issued against or made by any Debtor or Debtors to the said Company, and to sign the Certificate of any Bankrupt, and to revoke such Appointment, and from Time to Time to make any other, as the said Company or Committee of Management shall think fit.

Power to depute Persons to prove Debts under Commission of Bankruptcy.

XXVI. And be it further enacted, That the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Penalties, Forfeitures, Clauses, Restrictions, Matters, and Things whatsoever, contained in the said recited Act, save and except such Parts thereof as are varied, altered, or repealed, shall or may be put in Execution for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Act and this Act shall as to all Matters and Things whatsoever, except as aforesaid, be construed as One Act.

58 G. 3. and this Act to be construed as one Act.

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

Public Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1823.

