



ANNO SEXTO

GEORGIIV. REGIS.

Cap. cxxxvi.

An Act to incorporate a Company for lighting with Gas the City of *Rochester*, and Towns of *Chatham* and *Strood*, in the County of *Kent*, and Parts adjacent thereto respectively. [10th June 1825.]

WHEREAS several Streets and Houses in the City of *Rochester* and Towns of *Chatham* and *Strood* in the County of *Kent*, and the respective Suburbs thereof and Parts adjacent thereto, are now lighted, to the Advantage of the Inhabitants thereof and the Benefit of the Public, with Inflammable Air or Gas : And whereas Major *Ainger*, *Ann Ashenden*, *William Ashenden*, *Matthew Bacon*, *Joseph Benson*, *William Blythman Blenkinsopp*, *Benjamin Bratt*, *Elizabeth Mary Brewer*, *Edward Brock*, *Jacob George Bryant*, *Margaret Bryant*, *Mary Elizabeth Bryant*, *James William Davison*, *Abigail Day*, *Samuel Henry Dickerson*, *Sarah Dickerson*, *Harriet Dickerson*, *William Dresser*, *John French*, *Sarah Foord*, *Thomas Godfrey senior*, *Thomas Godfrey junior*, *William Gooding*, *Robert Holborn*, *Edward Thomas Hooper*, *Thomas Hopkins*, *Thomas Jarvis*, *William Peter King*, *William Large senior*, *William Large junior*, *Thomas Lunt*, *William Meggy*, *William Mullinger*, *Thomas Saunders*, *Richard Shirley*, *Ann Smith*, *Thomas Smith*, *Zille Taylor*, *Charles Townson*, *James Ward*, *Richard Whitehead*, *Humphrey Wickham*, *Elizabeth Wilkinson*, *Isaac Lloyd Williams*, and *Joseph Woolley*, have expended considerable Sums of Money in erecting Works, laying down Pipes, and otherwise, for the Purpose of lighting the said Streets and Houses as aforesaid, and are desirous of completing and extending the

[Local.]

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said

Persons to be
incorporated.

said Works, and to become Proprietors in the Profits and Advantages of the Undertaking, in proportion to the Number of Shares they shall respectively hold therein; but the same cannot be effectually done without the Aid and Authority of Parliament; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Major *Ainger*, *Ann Ashenden*, *William Ashenden*, *Matthew Bacon*, *Joseph Benson*, *William Blythman*, *Blenkinsopp*, *Benjamin Bratt*, *Elizabeth Mary Brewer*, *Edward Brock*, *Jacob George Bryant*, *Margaret Bryant*, *Mary Elizabeth Bryant*, *James William Davison*, *Abigail Day*, *Samuel Henry Dickerson*, *Sarah Dickerson*, *Harriet Dickerson*, *William Drésser*, *John French*, *Sarah Foord*, *Thomas Godfrey senior*, *Thomas Godfrey junior*, *William Gooding*, *Robert Holborn*, *Edward Thomas Hooper*, *Thomas Hopkins*, *Thomas Jarvis*, *William Peter King*, *William Large senior*, *William Large junior*, *Thomas Lunt*, *William Meggy*, *William Mullinger*, *Thomas Saunders*, *Richard Shirley*, *Ann Smith*, *Thomas Smith*, *Zille Taylor*, *Charles Townson*, *James Ward*, *Richard Whitehead*, *Humphrey Wickham*, *Elizabeth Wilkinson*, *Isaac Lloyd Williams*, and *Joseph Woolley*, and all and every such other Person or Persons as shall or may from Time to Time become, in manner herein-after mentioned, a Proprietor or Proprietors of any Share or Shares in the Undertaking hereby incorporated, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company, and declared to be one Body Politic and Corporate, by the Name of "The *Rochester*, *Chatham*, and *Strood* Gas Light Company," and by that Name shall have perpetual Succession, and a Common Seal, with full Power and Authority to use the same, 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.

Name of
Company.

Purposes of
Company.

II. And be it further enacted, That the said Company shall be established for the Purpose of making or producing Gas, Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, from Coal or other Materials, and of supplying the said City of *Rochester* and Towns of *Chatham* and *Strood*, and the Suburbs and Vicinity thereof respectively and Parts and Places adjacent, with Gas or Inflammable Air, and of selling and disposing of the said Gas and the Coke and other Products of the Manufactory of the said Company, in such Way and Manner as the said Company or the Directors may from Time to Time think proper.

Power to
contract for
the Purchase
of Lands and
Buildings.

III. And be it further enacted, That for the Purposes of this Act it shall be lawful to and for the said Company, and they are hereby empowered to treat, contract, and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said City and Towns, or any of them, or the Suburbs or Vicinity of any of them, or Parts adjacent thereto respectively, and the Freehold and Inheritance thereof, or any Estate or Interest therein, with any Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, 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 Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, Feoffees in Trust, or 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 with all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or with any Persons whomsoever who shall be willing to sell the same, or his, her, or their Right or Interest in the same, for the Uses and Purposes of this Act; and upon Payment of the Purchase Money for any such Lands, Tenements, and Hereditaments, or any Term, Right, or Interest therein, so to be purchased as aforesaid, to the Person or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England* in manner directed by this Act (as the Case may be), such Lands, Tenements, and Hereditaments, Term, Right, or Interest, shall from thenceforth absolutely vest in the said *Rochester, Chatham, and Strood* Gas Light Company, and may be taken and used by them for the Purposes of this Act; and it shall and may be lawful to and for the said Company to hold such Lands, Tenements, and Hereditaments, or any Estate, Term, Right, and Interest so purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and also, in case there shall at any Time or Times, under the Provision in that Behalf herein-after contained, be a Resale of any Lands, Tenements, or Hereditaments purchased by or otherwise vested in the said Company by virtue of this Act, it shall be lawful for the said Company, or the Directors, to purchase and hold other Lands, Tenements, and Hereditaments in like Manner: Provided nevertheless, that the Land to be held for the Purposes of this Act shall not in the Whole, at any one Time, exceed altogether the Quantity of Ten Statute Acres.

IV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, 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, Trustees of public Charities, or otherwise, 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, or 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, or interested in their own Right, and to and for all other Persons whomsoever, who are or shall be seised, possessed of, or interested in any Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary or convenient by the said Company or the Directors, to be purchased for the Uses and Purposes of this Act, or any Estate, Right, or Interest therein (but under such Restrictions as to Quantity as aforesaid), to treat, contract, and agree with the said Company or the Directors for the Sale thereof, or of any Part thereof, or any Estate or Interest therein, and to sell and

Bodies Politic empowered to sell.

to

to convey all or any Part thereof, and all or any 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, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trust, and all Persons whomsoever claiming or to claim by, from, or under him, her, or them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail and other Estates in Possession, Remainder, Reversion, or Expectancy, and the Issue of such Person and Persons claiming under them, as effectually as Fines 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, Ecclesiastical or Lay, 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, are, and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Application
of Purchase
Money when
amounting
to 200*l.* and
upwards.

1 G. 4. c. 35.

V. And be it further enacted, That if any Money shall be agreed or contracted to be paid for any Lands, Tenements, or Hereditaments, or Estate, Right, or Interest in any Lands, Tenements, or Hereditaments purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity whatsoever, 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 Court of Exchequer, to be placed to his Account, *ex parte* the *Rochester, Chatham, and Strood Gas Light Company*, and pursuant to the Method prescribed by an Act of the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied under the Direction and with the Approbation of the said Court, to be signified upon an Order made upon a Petition, to be preferred in a summary Way by the Body or Bodies, Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, or Estates or Interest therein, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or such other Incumbrance,

brance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or other Lands, Tenements, or Hereditaments settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be ordered to be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other 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 Lands, Tenements, and Hereditaments which shall be purchased for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application made thereto in manner aforesaid, 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 Body or Bodies, 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 then actually made.

VI. Provided always, and be it further enacted, That if any Money so agreed or contracted to be paid for any Lands, Tenements, or Hereditaments, or Estate, Right, or Interest therein to be purchased for the Purposes of this Act, belonging to any Body or Bodies, Person or Persons, under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Estates or Interests so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 Body or Bodies, Person or Persons making such Option, and approved by Three or more of the Directors of the said Company, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends to arise thereon, or the Interest thereof, 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 said Court.

Application
of Purchase
Money when
less than
200*l.* and
exceeding
20*l.*

VII. Provided also, and be it further enacted, That where such Purchase Money so contracted or agreed to be paid shall not exceed the

Application
of Purchase
Money when

[*Local.*]

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Sum

not exceeding
20%.

Sum of Twenty Pounds, then and in all such Cases the same shall belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, Estates or Interests so purchased for the Purposes of this Act; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid 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.

In case of
disputed
Titles Per-
sons in Pos-
session to be
deemed pre-
sumptively
entitled.

VIII. Provided also, and be it further enacted, That where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer 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 in pursuance of this Act, or to any Bank Annuities 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, Estate, Right, or Interest, 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, Estate, Right, and Interest, according to such Possession, until the contrary shall be shewn 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 wrongful, and that some other Body or Bodies, Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, Estate, Right, or Interest, or to some Part or Parts thereof respectively.

Expences of
Purchases
may be al-
lowed by the
Court of
Exchequer.

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 and for the Purposes of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* as aforesaid, and to be applied in the Purchase of Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act; it shall be lawful for the said Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the 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.

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, or any Estate, Right, or Interest therein, to the Party or Parties, or Person or Persons respectively entitled to such Money, or his, her, or their Agent or Agents, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in manner herein-

herein before directed (as the Case may be), and upon the Execution of the Conveyance in manner herein directed of such Lands, Tenements, or Hereditaments, Estate, Right, or Interest, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, at Law or in 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, Estate, Right, or Interest, shall vest in the said Company and their Successors for ever, for effectuating 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 to be made to the said Company and their Successors, 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, or unto A. B. and C. D.
 Two Trustees nominated by Writing under my or our Hand or
 Hands, to receive the same Sum of Money, and which Trustees are also
 approved by of the Directors of the Company herein-after
 named, and which Nomination and Approbation are respectively en-
 dorsed on these Presents, as the Case may be] by the Rochester, Chatham,
 and Strood Gas Light Company, established under and by virtue of an
 Act passed in the Sixth 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 Company and their Succes-
 sors, all [here describe the Property to be conveyed], 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 Successors and Assigns for ever,
 [or as the Case may be, during all the Remainder of my or our Term,
 Estate, and Interest in the said Hereditaments]. 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

XII. And be it 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 for a Consideration in Money, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may have been so purchased by, or are now vested in the said Company and their Successors under or by virtue of this Act, and which shall not be wanted for the Purposes thereof; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, it shall be lawful for the Directors for the Time being of 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 a sufficient Discharge or 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 *bond fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

Re-sale of
Land not
wanted.

XIII. And

Capital Stock
to be 14,000*l*.

XIII. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, including the Money already subscribed and contributed as aforesaid, a Sum of Money by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the said Undertaking and the Purposes aforesaid, not exceeding in the Whole the Sum of Fourteen thousand Pounds; and the said Company shall not be authorized to exercise the Powers granted by this Act until the said Sum of Fourteen thousand Pounds shall have been subscribed for that Purpose.

Stock to be
divided into
Shares of
50*l*. each.

XIV. And be it further enacted, That the said Sum of Fourteen thousand Pounds shall be divided into Shares of not less than Fifty Pounds each, and every Proprietor of a Share or Shares shall be entitled to and interested in the Capital Stock and Effects of the said Company, and the Profits and Advantages attending the same, according to the Number of Shares he, she, or they shall hold.

Shares to be
deemed Per-
sonal Estate.

XV. And be it further enacted, That all Shares in the said Undertaking, and in the Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and shall be transmissible accordingly.

Power to
raise a further
Sum of
6,000*l*. by
Mortgage.

XVI. Provided always, and be it further enacted, That in case it shall at any Time or Times be deemed advisable by the said Company to raise a further Sum of Six thousand Pounds, or any Part or Parts thereof by way of Loan, then it shall be lawful for the said Company to borrow and take up the same at Interest for the Use of the said Company, and thereupon from Time to Time, by Writing under their Common Seal, to grant, execute, and deliver to and in favour of the Lenders thereof such Mortgages, Bonds, or other Securities as may be required, thereby binding the said Company and the Estates, Stock, and Trade thereof, for the Repayment of the said Sum or Sums so borrowed, with Interest for the same; and every such Mortgage, Bond, or other Security which shall be so given as aforesaid 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 Security and the true Intent and Meaning of this Act.

Lands, &c.
of the Com-
pany, answer-
able for their
Debts.

XVII. And be it further enacted, That the Lands and Hereditaments, Manufactories, Gasometers, Machinery, Apparatus, and Works, Goods, Chattels, and Effects of the said Company, and their Successors, shall be liable and answerable for the just Debts, Liabilities, and Demands of the Creditors of the said Company, and that the several Persons composing the said Company shall severally and respectively stand responsible and answerable for all just Debts, Liabilities, 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, but not further or otherwise, nor any longer than such Persons shall respectively continue to hold Shares therein.

To compel
Payment of
Subscrip-
tions.

XVIII. And be it further enacted, That the several Persons who shall subscribe for or towards the said Undertaking, or who shall at any Time hereafter

hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for pursuant to or by virtue of the Powers or 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 any General or Special Meeting of the said Company; and in case any Person or Persons shall at any Time refuse or neglect to pay any such Sum or Sums of Money, at such Times and in such Manner as shall be ordered or directed by any such General or Special Meeting 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 such appointed Time of Payment; and all Costs of Suit from such Person or Persons, or in Cases where Two or more Persons shall have jointly subscribed for or be jointly possessed of or interested in any One or more Share or Shares in the said Undertaking, then from all, any, or either of such Persons.

XIX. And be it further enacted, That the Clerk to the said Company shall cause the Names and Designations of the several Persons who now have or hereafter shall have subscribed for, or who now are or at any Time hereafter may become entitled to a Share or Shares in the said Undertaking, with the Number of such Share or Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept for that Purpose, and after such Entry, shall cause the same to be signed by the Chairman of the Directors of the said Company; and the said Directors shall cause a Certificate, under the Common Seal of the said Company, to be prepared and delivered to every Proprietor or Proprietors upon Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking, and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor or Proprietors, his, her, or their Executors, Administrators, or Assigns, to the Share or Shares therein specified, but the Want of such Certificate shall not hinder or prevent any Proprietor or Proprietors, his, her, or their Executors or Administrators, from selling or disposing of such Share or Shares.

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

XX. And be it further enacted, That when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company, or the Profits thereof, in Right of Marriage, an Affidavit containing a Copy of the Register of such Marriage, or the Purport of such Register, shall be made and sworn to by some credible Person before a Master or a Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be delivered to and left with the Clerk for the Time being of the said Company, who shall preserve the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking; and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence, and no more, before such Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof; and when any Person or Persons shall claim any Part or Share in the Joint Stock of the said Company,

Proofs required where Rights accrue by Marriage or Death.

[Local.]

or the Profits thereof, under or by virtue of any Will or Bequest, or in a Course of Administration, the Probate Copy of the Will or the Letters of Administration, in case the Proprietor shall have died intestate, shall be produced and shown to the said Clerk, who shall make an Entry of such Will, or of so much thereof as shall relate to the Disposition of the Share or Shares of the Testator, or of the Letters of Administration in case the Proprietor shall have died intestate, and the said Clerk shall be paid for every such Entry the Sum of Two Shillings and Sixpence, and no more, before any Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof: Provided nevertheless, that no Bequest or Clause in any such Will contained shall bind or affect the said Company, with Notice of any Trust or Disposition of any Share or Shares in the Joint Stock of the said Company, or the Gains and Profits thereof, but the Registry of every such Share or Shares shall be in the Name or Names of the Executor or Executors who shall prove the Will of such Testator, or the Administrator or Administrators of his Effects, whose Receipt or Receipts to the said Company for the Gains and Profits thereof, and to any Purchaser or Purchasers for the Amount of the Purchase Money paid upon the Sale and Conveyance of such Share or Shares shall be good and effectual, and shall bind the Cestuique Trust and all other Persons claiming in Trust or otherwise under such Testator; any Rule of Law or Equity to the contrary notwithstanding.

First Meeting
of Proprietors.

XXI. And be it further enacted, That within One Calendar Month after the passing of this Act, or as soon after as conveniently may be, a General Assembly or Meeting of the Subscribers to the said Undertaking shall be holden in the City of *Rochester*, or in the Town of *Chatham*, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, of which General Assembly or Meeting Seven Days Notice shall be given by the Clerk, or by some One of the Proprietors of the said Undertaking, Once in some One Newspaper printed or circulated in the County of *Kent*, or by a circular Letter from the Clerk, addressed to each of the Subscribers, and transmitted by the Post; and such General Assembly or Meeting shall then and there proceed in the Execution of this Act, and shall or may adjourn to and shall assemble at the same, or such other Times and Places as shall be appointed in manner herein-after mentioned, at which General Assembly or Meeting, or at any Adjournment thereof, Five Directors and Three Auditors shall be elected and chosen, each of which Directors shall be possessed of Five Shares, to the Amount of Two hundred and fifty Pounds at the least, and each of which Auditors shall be possessed of Two Shares, to the Amount of One hundred Pounds at the least; and which said Directors and Auditors shall continue in Office until the General Meeting to be holden in the Month of *October*, which will be in the Year of Our Lord One thousand eight hundred and twenty-six, or until any other or others in their or any of their Stead shall be elected and chosen; and after the said Directors shall have been elected, One of them shall be chosen by the said Meeting of Subscribers the Chairman; and such General Assembly or Meeting may be adjourned to such other Time and Place as the Majority of the Subscribers then present shall think fit.

XXII. And be it further enacted, That the said Company shall in the Months of *April* and *October* in each Year hold a General Meeting or Assembly of the said Proprietors, of which General Meeting or Assembly Seven Days Notice shall be given in some One Newspaper, to be printed or circulated in the said County of *Kent*, or by a Circular Letter from the Clerk, addressed to each of the Subscribers, and transmitted by the Post; and at every such General Meeting or Assembly to be holden in every Month of *October* after the Year One thousand eight hundred and twenty-five, or some Adjournment thereof, Five Members of the Company qualified as aforesaid shall be elected Directors of the said Company; and after such Directors shall have been elected, One of them shall be by the Subscribers then present elected Chairman of the said Directors for the ensuing Year; and at the same Meeting, or some Adjournment thereof, Three Members of the Company, qualified as aforesaid, shall be elected Auditors, but all the Directors of the said Company, and the Chairman, and also the Auditors elected in the preceding Year, shall be immediately re-eligible, if otherwise duly qualified; and after such Elections as aforesaid shall have taken place, the Director or Directors, Auditor or Auditors (if any) who shall not be re-elected shall go out of Office: Provided always, that no Person shall be qualified to be elected or to serve or act as a Director or Auditor of the said Company who shall hold or derive any Place of Profit under the said Company, or deal or be interested in any Article, Matter, or Thing used or manufactured by the said Company, or concerned or interested in any Contract or Contracts for supplying the same, or any of them, to the said Company, or shall not after his Election stand possessed, if a Director, of Five Shares, and if an Auditor of Two Shares, at the least in the said Undertaking, and have been possessed of the same for the Space of Three Calendar Months at the least next before such his Election.

General
Assemblies
to be holden.

XXIII. And be it further enacted, That at any such General Assemblies or Meetings, or any Adjournment thereof, the said Company shall and they are hereby authorized and empowered to make such Rules, Orders, Bye Laws, and Regulations from Time to Time as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of the said Directors, and the Duties and Conduct of all Officers, Workmen, and Servants to be employed in and about the Affairs and Business of the said Company, and for the 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 new or other Orders as to the said Company, at a General Assembly or Meeting or any Adjournment thereof, shall seem meet and expedient; and all Rules, Orders, and Bye Laws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, shall be binding upon all such Persons, and shall be sufficient Authority in any Court of Law or Equity to justify all Persons who shall act under the same: Provided nevertheless, that such Rules, Orders, and Bye Laws be not repugnant to the Laws or Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the express Directions or Provisions of this Act: Provided also, that Copies of all such Bye Laws shall be printed and affixed and continued in the Office of the said Company: Provided always, that in case at any Assembly of the said Proprietors the

Power to
make Bye
Laws.

Number

Chairman to
have casting
Vote.

Number of Votes, including the Vote of the Chairman, shall be equal; then and in every such Case the Chairman for the Time being shall have an additional or casting Vote.

Proprietors
to vote ac-
cording to
the Number
of their
Shares.

XXIV. And be it further enacted, That no Member of the said Company shall be entitled to be present or to vote at any General or Special Meeting, or Adjournment thereof, unless he or she shall have subscribed for or be possessed of at least Two Shares in the Joint Stock of the said Company; and every Member of the said Company shall have One Vote at every such General Special Meeting, or Adjournment thereof, for every Two Shares he or she shall possess in the said Undertaking, provided such Proprietor shall have held such Shares for the Space of Three Calendar Months previous to such Meeting; but no Proprietor shall be entitled to more than Four Votes, or in the Event of any further Capital or Sum being raised in manner herein-before mentioned for the Purposes of the said Undertaking, shall be entitled to vote in respect of any Share or Shares in such further Sum after the Day appointed for Payment of any Instalment thereof, or Call to be made, or called for as herein-after is mentioned, until such Instalment or Call shall have been paid; and no Person or Persons shall vote at any General or Special Meeting, or any Adjournment thereof, upon any Question or Questions relating to the Concerns of the said Undertaking in which such Person or Persons shall be in anywise interested otherwise than as a Subscriber or Subscribers, Proprietor or Proprietors in the said Undertaking.

Who entitled
to vote where
Shares stand
in the Name
of more than
One Person.

XXV. And be it further enacted, That where any Share or Shares in the said Joint Stock shall be jointly possessed by or be the Property of more than One Person, the Owner or Proprietor whose Name shall stand first in order on the Books of the said Company as Proprietor of such Share or Shares shall, for all the Purposes of the said Company, be deemed and taken to be Owner or Proprietor of such Share or Shares, and all Notices required to be given to the Owner or Proprietor of any Share or Shares in the said Undertaking shall and may be given to or served upon such Person whose Name shall so stand first in order in the Books of the said Company, and such Service upon such Person shall be deemed and taken to be a Service upon all the Owners or Proprietors of such Share or Shares for all the Purposes for which such Service is intended to be made upon the Owner or Proprietor of any Share or Shares; and such Person shall be entitled to give any Vote or Votes to be given in respect of such Shares.

Empowering
Proprietors
to vote by
Proxy.

XXVI. And be it further enacted, That any Proprietor of any Shares in the said Company's Stock entitled to vote in respect of such Shares at any General or Special Assembly or Meeting of the said Company, or any Adjournment thereof, shall have full Power and Authority to give his or her Vote or Votes at such General or Special Meetings or Adjournment 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; (that is to say),

Form of
Proxy.

I *A. B.* of *One of the Proprietors in the*
Rochester, Chatham, and Strood Gas Light Company, do hereby
nominate, constitute, and appoint *C. D.* of *to*

to be my Proxy, in my Name and in my Stead to vote or give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking that shall be mentioned or proposed at the General or Special Assembly, or adjourned General or Special Assembly of the said Company [as the Case may be] to be holden on the Day of _____ if I shall not be present, in such Manner as he the said C. D. shall think proper, according to his Opinion and Judgment, for the Benefit of, the said Undertaking or any thing relating thereto. In witness whereof I have hereunto set my Hand, the Day of _____

XXVII. Provided always, and be it further enacted, That in case any Proprietor or Proprietors entitled to vote at any such Meeting or Adjournment thereof 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, or Adjournment, by his, her, or their Committee, or any One of such Committee; and such Minor or Minors shall or may vote by his, her, or their Guardians, or any One of such Guardians: Provided also, that no Person or Persons, or Bodies Corporate or Politic, shall hold and vote as a Proxy or Proxies for more than Four Members upon any one Occasion; but such Person or Party may also vote in right of his or her own Shares, as well as Committee of any Lunatic or Lunatics, and as Guardian of any Minor or Minors, on the same Occasion.

Lunatics and Minors how to vote.

XXVIII. And be it further enacted, That it shall be lawful for the said Company, at any General Meeting, to nominate and appoint under their Common Seal, any Person or Persons to be Treasurer or Treasurers of the said Company, and from Time to Time to remove any such Treasurer or Treasurers, and to nominate, elect, and appoint any other Person or Persons in his or their Room or Stead.

Power to General Meeting to appoint a Treasurer or Treasurers.

XXIX. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special Meetings or Adjournments respectively, or to any of the said Proprietors on any particular Occasion, and not herein otherwise provided for, shall be given to the said Proprietors by Advertisement, to be inserted Once in some Newspaper printed or circulated in the said County of Kent.

Notice of Meetings to be given by the Clerk.

XXX. And be it further enacted, That the Directors to be from Time to Time appointed as aforesaid, or any Three or more of them, shall hold their Meetings at such Time and at such Place within the said City of Rochester or Town of Chatham, or the Suburbs or Vicinity of either of them, as a Majority of the Directors shall from Time to Time approve; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors, at any of their Meetings, shall be decided and determined by the Majority in Number of the Members then present; and in case of an equal Number of Votes, including the Vote of the Chairman for the Time being, such Chairman shall have an additional or casting Vote; and if on the Day appointed for any Meeting of the said Directors Three Directors shall not attend, then and in such Case the Meeting shall be adjourned to the next Day, not being a Sunday; and if the next Day shall be a Sunday, then to the Monday following, by the Director or Directors then present, or if none be present, then by the

Meetings of Directors and Regulations for their Proceedings.

[Local.]

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Clerk

Clerk to the said Company, or such other Person as shall attend in his Place; and any One or more of the said Directors, or the Clerk to the said Company, may at any Time call a Meeting of the Directors, by causing a Notice in Writing, signed by such Director, or by the Clerk to the said Company, to be sent by the Post or otherwise, to the Residence or Address of every other Director, and also renew the Meetings of the other Directors, although they may have been discontinued for Want of Adjournment, or to institute a new Meeting independent of any Meeting appointed by Adjournment.

Power of
Directors.

XXXI. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and appoint the Time and Place for holding General Assemblies or Meetings, and direct the Affairs and Business of the said Undertaking, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of for the Purposes of the said Company, as in contracting for and purchasing Messuages, Lands, Tenements, and Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and contracting for the Re-sale of such Lands and Hereditaments as shall not be wanted for the Purposes of the said Company, and entering into Agreements or Contracts for supplying with Gas the said several Roads, Streets, Ways, Lanes, and other public Passages and Places, and also Shops and Manufactories, public and private Buildings, within the Limits of this Act, and in selling and disposing of all Articles produced as aforesaid in manufacturing such Gas, and making, enforcing, and rescinding, compounding and compromising, all Contracts and Bargains touching or in anywise concerning the same, or concerning any Debts due to the said Company, subject to such Orders, Bye Laws, Rules, and Regulations, as shall at any Time be in manner aforesaid duly made by the said Company, in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted; and the said Directors shall and may appoint a Clerk, Officers, Servants, Workmen, and Tradesmen of the said Company, and from Time to Time dismiss, remove, or suspend them, as they shall think fit, and shall be at liberty at any Time to call any Special General Meeting of the said Company for any Purpose they may think proper; and shall and they are hereby required to take such Security to the said Company of Proprietors from the Treasurer or Treasurers, Clerk, or other Officer or Officers, or other Person, for the faithful Execution of their respective Duties as they shall think proper and adequate to the Trust reposed in such Treasurer or Treasurers, Clerk, or other Officer or Officers.

The Offices
may be
vacated, and
are to be
supplied by
General
Meetings.

XXXII. And be it further enacted, That any Chairman, Director, or Auditor of the said Company may at any Time be removed from his Office by a General Meeting specially called for that Purpose, or by any Adjourned Meeting of any General Meeting so specially called; and any Chairman, Director, or Auditor may at any Time vacate his Office, by sending his Resignation in Writing to the Office of the said Company; and in case any Chairman, Director, or Auditor shall, during the Continuance of his Office, by Transfer, Forfeiture, or otherwise, reduce the Shares in the said Joint Stock held by him, if a Chairman or Director, below the Number of Five, and if an Auditor, below the Number of Two Shares, or shall otherwise become disqualified to be a Director or Auditor

Auditor (as the Case may be) of the said Company, or shall refuse or neglect to attend the Meetings of the said Directors, then and in every such Case the Office of such Chairman, Director, or Auditor shall instantly determine and become vacant; and every Vacancy in the Offices of Chairman, Director, or Auditor, by Death, Removal, Resignation, or becoming ineligible or disqualified as aforesaid, or by Negligence or Refusal to attend the Meetings of the Directors as aforesaid, shall be filled up at a Special General Meeting to be called for that Purpose, or at some Adjournment thereof, within Thirty Days next after such Office shall have become vacant; and every Person who in consequence shall be appointed Chairman, Director, or Auditor, shall be deemed only a Substitute for the Person whose Place he shall supply, and shall 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 must necessarily have gone out of Office.

XXXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company, or their Directors, to appoint the Person who may be appointed their Clerk, or the Partner of any such Clerk, or any Person in the Service or Employ of such Clerk, or of his Partner, 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, or the Clerk or other Person in the Service or Employ of such Treasurer, or of his Partner, the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer, or if any Person, being the Partner, or in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Treasurer or Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, 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 at Law, nor more than One Imparance shall be allowed, and shall for ever be disqualified from holding any Office or Place under the said Company.

XXXIV. And be it further enacted, That the Treasurer or Treasurers or other Officer or Officers to be appointed by the said Company shall not issue any Sum or Sums of Money on account of the said Company without an Order or Orders made at a General Meeting of the said Company, or without an Order or Orders in Writing, signed by Three or more Directors; and the Receipt or Receipts of such Treasurer or Treasurers for all Monies payable to him or them on account of the said Company shall be effectual Discharges for the same.

XXXV. And be it further enacted, That any Half-yearly General Meeting or Special General Meeting to be called for that Purpose, or any Adjourned Meeting thereof respectively, shall have full Power to make such Call or Calls for Money from the several Subscribers to such further Capital or Sum, their Executors, Administrators, Successors, and As-

not to be the same Person.

Clerk and Treasurer not to be the same Person.

Treasurer not to issue Money without an Order signed by Three of the Directors.

General Meetings may make Calls on Subscribers.

signs;

signs, as such Meeting shall from Time to Time find wanting and necessary for the Purposes of the said Undertaking.

In default of Payment on Calls, Shares to be forfeited.

XXXVI. And be it further enacted, That if any Subscriber or Subscribers, Proprietor or Proprietors of any Share or Shares in such further Sum so to be subscribed or raised for the Purposes of the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall neglect or refuse to pay his, her, or their Part or Portion of the Money so to be called for by any General or Special Meeting as aforesaid, by the Time appointed for Payment thereof, or within Seven Days then next after, then and in such Case such Person or Persons so neglecting or refusing, shall (whether or not the same shall then have been sued for in any Court of Law or Equity) absolutely forfeit all his, her, or their Part, Share, and 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 said Company, unless otherwise determined by a Special General Meeting; and 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: Provided always, that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid, until after Fifteen Days Notice shall have been given by the Chairman or Deputy Chairman of the said Company, or Three of the Directors, to the Owner or Owners thereof, by Notice in Writing, left at his, her, or their usual or last Place of Abode, if he, she, or they shall reside within the Limits of this Act, and if not, then by Letter sent by the Post; and every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Subscriber or Subscribers, Proprietor or Proprietors, or his, her, or their Executors, Administrators, Successors, or Assigns so forfeiting, against all Actions, Suits, and Prosecutions for or on account of not paying up such Calls.

If Purchase Money of Shares shall be more than sufficient to pay the Arrears of Calls, &c. the Surplus to be paid to the Owner on Demand.

XXXVII. Provided always, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Call as aforesaid, and legal Interest thereon, and the Expences attending such Sale or Sales, the Surplus of such Money shall be paid on Demand to the Person or Persons to whom such Share or Shares shall have belonged: Provided also, that the said Company, or the Directors, shall not, by virtue of this Act, sell or transfer, or direct to be sold or transferred, any more of the Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be at the Time of such Sale or Sales, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls and the Interest thereon, and Expences attending such Sale or Sales as aforesaid; and from and after Payment of all and every such Call or Calls, and the Interest and Expences as aforesaid, any Share or Shares vested in the said Company as aforesaid, which shall remain in their Hands unsold, shall revert to and again become the Property of the Person or Persons to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

XXXVIII. And

XXXVIII. And be it further enacted, That it shall be lawful for the several Proprietors 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 or may be in the Form or to the Effect following; that is to say,

Shares may be transferred.

I [or We], of the Sum of of in consideration paid to me [or us] by of , do hereby bargain, sell, and transfer to the said Share [or Shares, as the Case may be], in the Rochester, Chatham, and Strood Gas Light Company, Number [or Numbers] in the said Undertaking; to hold to the said Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions as I [or we] held the same Share [or Shares], 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 said Rules, Orders, Reservations, 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 to the Clerk of the said Company, and shall be registered by him in the Books of the said Company, for which the Sum of Two Shillings and Sixpence shall be paid by the Person so requiring such Transfer to such Clerk, and no more; and the Register thereof shall specify the Dates, Names of the Parties, and respective Numbers of the Share transferred, and a Copy of such Register, signed by the Clerk to the said Company, shall be sufficient Evidence of such Transfer, and be received and admitted as such; and until such Transfer shall be registered in the Books of the said Company, no Purchaser or Purchasers of any Share or Shares, or his, her, or their Executors, Administrators, or Assigns shall be deemed a Proprietor or Proprietors, or have any Part of the Profit of the said Undertaking, or in the Profits or Advantages thereof, nor be entitled to any Vote or Votes at any Meeting as a Member or Members of the said Company in respect of such Share or Shares, until the Expiration of Three Calendar Months after such Transfer shall have been registered.

Transfer to be registered.

XXXIX. Provided always, and be it further enacted, That after any Call for Money shall have been 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, after the Day appointed for Payment of the said Call, until the Money so called for in respect of his, her, or their Share or Shares intended to be sold shall have been paid, and until such Money so called for shall have been paid, every such Sale or Transfer of any Share or Shares shall be void, and all and every Person and 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 Company, unless he, she, or they shall at the Time of such Sale or Transfer pay to the Treasurer or Treasurers 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

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

[Local.]

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declared

declared in manner directed by this Act, with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

For ascer-
taining Pro-
prietorship of
Shares in cer-
tain Cases.

XL. And whereas in case any Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become Insolvent or Bankrupt, go out of the Kingdom, or shall transfer his or her Right or Interest to any Person or Persons, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of the said Company, or any Officer acting for the said Company, to know who is or are the Owner or Proprietor, Owners or Proprietors of such Share or Shares; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the Subscriber or Subscribers, or Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-before specified, an Affidavit shall be made and sworn to before a Master or Master Extraordinary in His Majesty's High Court of Chancery, or One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, and such Affidavit shall be delivered to the Clerk to the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book, or List of Subscribers or Proprietors in the said Undertaking, to be kept in the Office of the Clerk to the said Company as herein-before directed.

Accounts to
be settled
Half-yearly.

Meeting to
declare
Dividends.

XLI. And be it further enacted, That at the General Assemblies or Meetings of the said Company, to be held in the Months of *April* and *October* in each Year, or at some Adjournment thereof respectively, the Accounts of the said Company shall be from Time to Time settled; and that any General Assemblies or Meetings specially called for the Purpose, shall have full Power from Time to Time to call for and examine the Accounts of the said Company; and at every Half-yearly General Assembly or Meeting, or some Adjournment thereof, a Dividend or Dividends shall be made out of the Interest, Profits, or Advantages of the said Undertaking, unless such 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 said Company by the said Subscribers, their Successors, Executors, Administrators, or Assigns, as such Meeting or Meetings 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 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.

Ten or more
Proprietors
possessed of
Thirty Shares
may call a
General
Special
Meeting.

XLII. And be it further enacted, That Ten or more Members of the said Company holding in the Aggregate Thirty Shares or upwards in the said Undertaking, may at any Time by Writing under their Hands left at the Office of the said Company, or given to any One of the Directors, or left at his last or usual Place of Abode, require the Directors to call a Special General Meeting, so as such Requisition shall fully express the
Objects

Objects for which such Special General Meeting is required to be called, and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Fourteen Days after such Notice shall have been given as aforesaid, the same may be called by the said Members, by giving Twenty-one Days Notice thereof in some one Newspaper printed or circulated in the said County of Kent.

XLIII. And be it further enacted, That the said Company or the Directors, shall have full Power to contract from Time to Time with the Commissioners appointed or to be appointed by virtue of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act for paving, cleansing, lighting, and watching the High Streets and Lanes in the Parish of Saint Nicholas within the City of Rochester, and Parish of Strood in the County of Kent, and for making a Road through Star Lane across certain Fields adjoining thereto to Chatham Hill in the said County*; and the Commissioners appointed or to be appointed by virtue of Two several Acts, the one passed in the Twelfth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the better paving, cleansing, lighting and watching the Streets and Lanes in the Town and Parish of Chatham in the County of Kent, and for removing and preventing Nuisances and Annoyances therein*; and the other passed in the Sixteenth Year of His said late Majesty King George the Third, intituled *An Act to explain and amend an Act made in the Twelfth Year of His present Majesty, for paving, cleansing, lighting, and watching the Streets and Lanes in the Town and Parish of Chatham in the County of Kent, and for removing and preventing Nuisances and Annoyances therein, and to extend the Provisions of the said Act to such Parts of the High Street in Chatham, as are situate in the Parishes of Saint Margaret and Gillingham, and to other Places adjoining or contiguous to the said Town*; or with any other Commissioners, Trustees, Bodies Politic, Corporate, Collegiate, Ecclesiastical or Lay, Aggregate or Sole, or other Person or Persons whomsoever, who shall or may be desirous or willing to contract or agree with the said Company, for the lighting with Gas the said City of Rochester and Towns of Chatham and Strood respectively, or any Part or Parts thereof respectively, or any public or private Ways or Roads, Streets, Lanes, Bridges, Buildings, Houses, Shops, Manufactories, Warehouses or Premises within the said City and Towns respectively, or the Suburbs or Vicinity of them, or any of them, or Parts adjacent thereto respectively.

Power to contract for the lighting Streets, &c.

XLIV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorized and empowered (subject to the Provisions and Restrictions herein-after contained) by their Servants, Agents, Workmen, and others, from Time to Time to make and erect or provide such Retorts, Gasometers, Receivers, or other Buildings, Cisterns, Engines, Machines, or other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works and Devices on the Lands purchased or to be purchased or acquired by them by virtue of the Powers hereinbefore contained, and (with the Permission or Consent in Writing of the respective Commissioners and of the Owners and Occupiers, where the Premises are situate, but not otherwise) to sink and lay Pipes, and erect and fix them against any Houses, Buildings, or Walls, or in Posts or Pillars, under the Directions and Stipulations of this Act, of such Construction and in such Manner as the said Company shall think necessary

Power to erect Works.

or

or proper, for carrying the Purposes of this Act into Execution; but nothing in this Act contained shall authorize or empower the said Company, or any of their Servants, Agents, Workmen, or others, to enter into, or to carry or lay in, over, or upon any private Lands, Grounds, or Premises, or continue any of their Pipes thereon, or to affix any such Pipe against any Dwelling House, Building, Wall, Post, or Pillar, without the Consent of the Owners and Occupiers of such Lands and Grounds, and of every Dwelling House or Houses, Buildings, Lands, Walls, Posts, or Pillars in, to, through, upon, or against which any such Pipe or Pipes may be carried, affixed, or laid, being first had and obtained.

No new Gasometer to be erected within 300 Yards of a Dwelling House, without Consent.

XLV. Provided always, and be it further enacted, That it shall not be lawful to or for the said Company, or any Person or Persons acting by or under their Authority, to erect or set up any new Retort, Gasometer, Receiver, or other Building for the Manufactory of Gas, or to use any Building for the Purpose of such Manufactory other than those now in Existence, within the Distance of Three hundred Yards of any Dwelling House or Dwelling Houses, unless the Consent in Writing of the Owner or Owners, and Lessee or Lessees, if any, of such Dwelling House or Dwelling Houses, be first had and obtained.

Power to lay Mains and to erect Machinery requisite for securing a competent Supply of Gas to Dwelling Houses, and to alter and amend imperfect Work.

XLVI. Provided always, and be it further enacted, That the said Company shall have full Power and Authority (subject to the Restrictions and Provisions in this Act contained) to lay any Main or Mains for the Supply of any Roads, Streets, Ways, Lanes, public Passages and Places, Dwelling House or Dwelling Houses, Manufactories, Shops, Warehouses, and other Buildings public or private within the Limits of this Act, or any of them respectively, and to erect and set up by themselves or their Agent, Servants, and Workmen, any Machine or other Apparatus necessary or requisite for securing to such Roads, Streets, Ways, Lanes, public Passages and Places, Dwelling House or Houses, Manufactories, Shops, Warehouses, and public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply; and also (subject to the like Restrictions and Provisions) from Time to Time to alter, repair, or amend any bad, decayed, or imperfect Work which shall have been placed in such Roads, Streets, Ways, Lanes, public Passages and Places, Dwelling Houses, Manufactories, and Shops, Warehouses, public or private Buildings.

Power to light up Houses, &c. from the Mains.

XLVII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorized and empowered, in such Cases as to them shall seem meet and convenient, to carry, fit up, and furnish any Pipe or Pipes, Cocks, or Branches, or other necessary Apparatus, from any Main or Pipe in any Road, Street, Way, Lane, or other public Passage or Place laid by or belonging to the said Company, in 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 such Main or Pipe, with the Consent of the Owner and Occupier of such Dwelling House or Houses, Manufactories, public or private Buildings, but not otherwise.

Company to remove Pipes, &c. if required.

XLVIII. Provided always, and be it further enacted, That the said Company shall at their own Expence, upon receiving Three Days Notice in

in Writing for the Purpose, from or on behalf of the Owner or Owners, Occupier or Occupiers of any such Dwelling House or Houses, Manufactories, public or private Buildings 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 have already been introduced or laid, or hereafter shall be introduced or laid by the said Company in such Dwelling House or Houses, Manufactories, public or private Buildings as aforesaid, pursuant to the Power for that Purpose herein-before contained, and repair and make good such Dwelling House or Houses, Manufactories, public or private Buildings, where the same have already been or hereafter shall be so introduced, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof, it shall be lawful for such Owner or Owners, or such Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under his, her, or their Authority or respective Authorities; to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away, and the Dwelling House or Houses, Manufactories, public or private Buildings, where the same have already been or hereafter shall be introduced, to be repaired and made good, the reasonable Costs and Charges for so doing the same shall be immediately paid by the said Company, or their Treasurer or Treasurers 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 Fourteen 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 County, City, or District wherein such Offence shall have taken place), 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 County, City, or District wherein such Offence shall have taken place, 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.

XLIX. And be it further enacted, That it shall not be lawful for the said Company to break or take up or disturb the Pavement or Ground in any Road, Street, Way, Lane, or other public Passage or Place, for the Purpose of laying down, repairing, or altering any Main Pipe or Main Pipes (except Service Pipes of a Diameter not exceeding One Inch in the Bore), without the Consent in Writing of the Commissioners, Surveyors, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Person or Persons having the Controul, Superintendence, Right to, or Property of or in such Pavement, Ground, Road, Street, Lane, or other public Passage or Place respectively first obtained after the passing of this Act: Provided always, that all Works to be done or repaired within the present or future Jurisdiction of the said Commissioners for executing the said Act passed in the Ninth Year of the Reign of His said late Majesty, or of the Commissioners for executing the said Acts passed in the Twelfth and Sixteenth Years of the Reign of His said late Majesty respectively, shall be done under the Inspection of their several Surveyors, except in Cases

Pavements
not to be
broken up
without
Consent.

of Emergency, such Emergency to be certified by Three or more of the said Commissioners or their Committee.

Main Pipes laid down by any but the Company may be removed.

L. Provided nevertheless, and be it further enacted, That in all Cases where any Main Pipe or Pipes now have or hereafter shall have been laid down, whether in any private Ground or public Way, Street, or Passage, by or at the Costs and Charges of any Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or any Person or Persons other than of the said Company, the said Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Person or Persons, shall be at liberty to discontinue the Use thereof, or to take up and remove the same, or appropriate the same to their, his, or her own Use, in any Way which they, he, or she shall deem expedient; and also to cut off and cause to be discontinued the Flow of Gas along such Main Pipe or Pipes which may have been permitted to pass along the same to any other Place or Places.

Company to reinstate Pavements, &c. after Pipes have been laid down.

LI. And be it further enacted, That whenever and so often as the said Company shall have broken up or removed the Stones, Ground, Soil, or Pavement in or of any Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act, or any Part thereof, the said Company shall and they are hereby required immediately thereafter to reinstate and make good such Ground, Soil, or Pavement in as good sound State and Condition as the same was or were in at the Time of being so broken up, to the Satisfaction of the Surveyor to the Commissioners or Trustees, or of the Body or Bodies Politic or Corporate, Ecclesiastical or Civil, or other Person or Persons having the Controul, Superintendence, Right to, or Property of or in such Pavement, Soil, or Ground respectively; and the said Company shall, within Forty-eight Hours, carry or cause to be carried away the Earth, Filth, and Rubbish occasioned thereby at their own Costs and Charges; and during the Time such Works are carried on by the said Company, and until such Ground, Soil, or Pavement is reinstated as aforesaid, the said Company shall provide proper Watchmen, and shall place and set up such necessary Lights at Night, and otherwise guard the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company shall neglect to make good and reinstate such Ground, Soil, or Pavement as aforesaid, or within Forty-eight Hours to remove any Rubbish occasioned thereby, or to place and set up such Lights at Night, and otherwise to guard the said Work so as to prevent Accidents to Passengers, Cattle, and Carriages, they shall for every such Offence or Neglect be liable to the Penalty of Five Pounds, which shall be a Charge on the Estate and Effects of the said Company, and shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the County, City, or District wherein such Offence shall have taken place, and which Warrant such Justice or Justices is and are hereby empowered to grant; and the Amount of such Penalty shall be paid to such Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Person or Persons as aforesaid, or their respective Treasurers; and also, that in every such Case it shall be lawful for the Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical

or Civil, or other Person or Persons having such Controul, Superintendence, Right to, or Property of or in the Ground, Soil, or Pavement as aforesaid, to reinstate and make good such Ground, Soil, or Pavement, and remove such Earth, Filth, and Rubbish; and the Charges and Expences thereof shall be reimbursed and repaid by the said Company or their Treasurer or Treasurers, to such Commissioners or Trustees, or other Persons as aforesaid, or their respective Treasurers; and in default of Payment thereof, within Ten Days next after Demand thereof in Writing shall have been made by the Clerk to such Commissioners or Trustees or other Persons as aforesaid, (Proof of such Demand having been made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the County, City, or District wherein such Offence shall have taken place), all such Sum or Sums of Money so paid by them, together with any Sum not exceeding Ten Pounds by way of Penalty (the Amount to be adjusted by the said Justice or Justices), shall and may be levied, recovered, and disposed of in like Manner as the last aforesaid Penalty of Five Pounds.

LII. Provided always, and be it further enacted, That if the said Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons having the Controul or Superintendence, Right to, or Property of or in such Pavement, Soil, or Ground respectively, shall signify to the said Company their Desire or Intention in Writing to reinstate and make good the Ground, Soil, or Pavement which may be at any Time broken up by the said Company, they shall and are hereby authorized and invested with full Power and Authority to reinstate and make good the same, and to require and compel Payment of the Costs and Charges attendant thereon from the said Company, in the same Way and Manner as all Fines and Penalties are directed to be recovered and levied before One or more Justice or Justices by virtue of this Act.

Commissioners, &c. may do so, and charge the Expence on the Company, if they think proper.

LIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to repair or relay both the Main Pipes over *Rochester* Bridge, or in such Streets of *Rochester*, *Chatham*, or *Strood* in which there now are or at any Time hereafter may be Two Main Pipes, or open the Ground and Soil, or disturb the Pavement over both of them at one and the same Time, but that in case of its becoming necessary to repair or relay the same Main Pipes, neither of them shall be repaired or relaid, or the Ground or Soil over either of them opened, or the Pavement over either of them disturbed, unless the Ground, Soil, or Pavement over the other of them shall then be closed.

Only One of the Main Pipes to be repaired at a Time.

LIV. And be it further enacted, That if it shall at any Time or Times be deemed necessary or expedient by the Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons having the Controul, Superintendence, Right to, or Property of or in the Roads, Streets, Ways, Lanes, and other public Passages and Places respectively, in, through, or under which any of the Pipes, Stopcocks, Plugs, or Branches of the said Company now are or hereafter may be laid down or carried for the Purposes aforesaid, to require the said Company to raise or sink, or otherwise alter the Situation of any such Pipes, Stopcocks, Plugs, or Branches, the said Company shall at their own Expence, within One Calendar Month next after having been required so to do, by Notice

Power to alter Pipes.

in

in Writing to them given by such Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons having such Controul, Superintendence, Right to, Property of or in the Roads, Streets, Ways, Lanes, and other public Passages and Places as aforesaid, signed by their Clerk or Officer, raise, sink, or otherwise alter such Pipes, Stopcocks, Plugs, or Branches according to such Notice, in such Place or Places as such Commissioners or Trustees or other Persons as aforesaid shall think right and proper; and in default thereof, it shall be lawful for such Commissioners or Trustees, or other Persons as aforesaid, or their Surveyor, or any other Person or Persons acting by their Order and under their Authority, to cause such Pipes, Stopcocks, Plugs, or Branches to be raised, sunk, or otherwise altered, and the reasonable Costs and Charges of doing the same shall immediately thereafter be paid by the said Company: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Fourteen Days next after Demand shall have been made by such Surveyor or other Person acting by or under the Authority of such Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons as aforesaid, at the Office of the said Company (Proof of such Demand having been made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace within whose Jurisdiction the Place or Places where such Alteration shall have been made shall lie), all such reasonable Costs and Charges shall be a Charge on the Estate and Effects of the said Company, and shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices as aforesaid, which Warrant such Justice and Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to such Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons having such Controul, Superintendence, Property, or Right as aforesaid, or their Treasurer.

Damage to be made good.

LV. Provided always, and be it further enacted, That if by the raising, sinking, or altering any of the said Pipes, Stopcocks, Plugs, or Branches, any Damage or Injury shall be wilfully or negligently done to the same by such Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons having such Controul, Superintendence, Property, or Right as aforesaid, or their Servants, then and in every such Case such Damage or Injury shall be made good within One Calendar Month, and the Costs, Charges, and Expences thereof shall be paid by such Commissioners or Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons as aforesaid.

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

LVI. Provided always, and be it further enacted, That no Person or Persons shall lay or cause to be laid any Pipe to communicate with any Pipe belonging to the said Company, nor fit or alter any of the Fittings of any Pipes or Lamps belonging to the said Company, without the Consent in Writing of the said Company first had and obtained; nor use Burners of a larger Dimension than he, she, or they shall have contracted to pay for, or supply any Inhabitant or other Person with any Part of such Gas, on pain of forfeiting and paying to the said Company the Sum of Forty Shillings *per Day* for every Day such Pipe shall so remain, or such Excess be so committed, or such Supply furnished, to be recovered by

Distress

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 County, City, or District where the said Offence shall have been so committed, and which Warrant such Justice or Justices is and are hereby empowered and required 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 forthwith be paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said County, City, or District, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Forfeiture and all reasonable Charges shall be sooner paid and satisfied; 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, notwithstanding any Contracts or Agreements which may have been previously entered into.

LVII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously do or commit, or cause to be done or committed, any Injury or Damage to any of the Mains or Service Pipes of the said Company by any Means whatsoever, or if any Person or Persons whosoever shall wilfully or maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Post, Plug, Lamp, 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 to and for the Use of the public Lamps, or shall fraudulently exchange or remove the Burners from the Pipes of Supply, every Person so offending in any of the aforesaid Premises, and being thereof lawfully convicted on the Oath of One credible Witness, before One or more Justice or Justices for the County, City, or District where the said Offences, or any of them, shall have been committed, shall for every separate Act or Offence forfeit and pay to the said Company, or their Treasurer or Treasurers, any Sum not exceeding Five Pounds, and the Amount of the Damage done, as the same shall be ascertained by such Justice or Justices; such Penalty and Damage, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, and such Forfeitures shall not forthwith be paid, such Offender shall and may be committed to the Common Gaol or House of Correction of the County, City, or District where the Offence has been committed, for any Time not exceeding One Calendar Month, at the Discretion of the Justice or Justices before whom such Offender shall have been convicted, or until such Forfeiture, Damage, and Costs shall be paid.

Penalty for
damaging
Pipes, &c.

LVIII. And be it further enacted, That if any Person or Persons shall carelessly or accidentally destroy, break, throw down, damage, or injure any Lamp or Lamps hung out, set up by, or belonging to the said Company, or any Pipe, Post, Pedestal, Plug, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, and shall not, upon Demand made by the said Company or their Clerk or Superintendent, or

Satisfaction
for accidental
Damage of
Lamps, &c.

[Local.]

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other

other Person or Persons authorized by them, make Satisfaction for the Damage done, 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 County, City, or District wherein the Offence shall have been committed, and he or they is or are hereby required, upon Complaint to him or them made, to summon before him the Party or Parties against whom such Complaint shall be preferred, and upon hearing the Allegations and Proof on both Sides, or on Non-appearance of the Party or Parties so complained against, to proceed *ex parte*, and to award such Sum or Sums of Money by way of Satisfaction to the said Company for Damages as such Justice or Justices shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums so awarded, within Fourteen Days after Demand, it shall and may be lawful to and for such Justice or Justices, or any One of them, and he and they is and are hereby required to cause the same to be raised and levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied in Cases of Offences against or Injuries done to the said Company.

Power to convey Washings.

LIX. And be it further enacted, That it shall and may be lawful for the said Company and their Successors, with the Consent of the Commissioners, Trustees, Bodies Politic or Corporate, Ecclesiastical or Civil, or other Persons having the Controul, Superintendence, Right to, or Property of or in the Ground, Stones, Soil, or Pavement, to make such Sewers and Cuts of such Breadth, Depth, and Dimensions, and in such Manner as shall be deemed expedient, under the public Roads, Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, for the Purpose of carrying off the Washings and other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Company doing as little Damage as may be, and immediately repairing at their own Expence all such Damage, and afterwards maintaining such Sewers or Cuts in good and sufficient Repair; but it shall not be lawful for the said Company or their Successors, or any of their Servants, Officers, or Workmen, either by means of such Sewers or Cuts or otherwise, to carry or convey, or cause to be carried or conveyed to or into any River or Brook, navigable Canal, or running Stream whatsoever, or into any of the Town Drains of the said City and Towns, or any of them, any Washings or Liquids, or any Lime or other Ingredient, Matter, or Thing which shall arise or be produced in manufacturing or producing the said Gas, or in or by the Prosecution of any of the Works aforesaid.

For preventing the Escape of Gas.

LX. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes already laid down or set up, or which shall hereafter be laid down or set up by the said Company, or by any Body or Bodies Politic, or any Person or Persons whomsoever, making, supplying, or furnishing any Gas used, burnt, or consumed for lighting any Highway, Street, or Place, or any House, Building, Manufactory, or other Premises, within the Limits of this Act, the said Company, or such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall at their own Expence, immediately after the receiving Notice by Parole or in Writing from any Person or Persons whomsoever, of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said

Company, or such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not within Twenty-four Hours next after such Notice by Parole or in Writing of any such Escape of Gas, take effectual Measures to stop and prevent the Gas from escaping, then and in every such Case the said Company, or such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, 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 giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be a Charge on the Estate and Effects of the said Company, or such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, and shall from Time to Time be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, or such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, in the same Manner as other Penalties, by this Act on the said Company imposed, are directed to be recovered and levied.

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

Penalty for conveying Washings into any River, &c.

manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done, as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Company of Proprietors, Body or Bodies Politic or Corporate, Person or Persons as aforesaid, and the said Company of Proprietors, Body or Bodies Politic or Corporate, Person or Persons as aforesaid, 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 of Proprietors, Body or Bodies Politic or Corporate, Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture by this Act imposed is hereby directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

For the Protection of Water Pipes.

LXII. 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 Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act, shall be laid at the greatest practicable Distance (and whenever the Width of the Carriageway in such Road, Street, or Place will allow thereof, at the Distance of Four Feet at least), as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by any Company of Proprietors, for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places, as also from the nearest Part of any Main or Conduit Pipe already laid down or hereafter to be laid down by any other Gas Light Company within the Limits of this Act (unless in Cases where it shall be unavoidably necessary to lay the Pipes of the said *Rochester, Chatham, and Strood* Gas Light Company across any of the Pipes of any Company of Proprietors for the Conveyance of Water, or of any other Gas Light Company), in which Cases the said Pipes of the said *Rochester, Chatham, and Strood* Gas Light Company shall, if practicable, be laid over and above such Water Pipes or Pipes of any other Gas Light Company, at the greatest practicable Distance therefrom, and shall form therewith, as near as possible, a Right Angle; and in such Cases the said Pipes of the said *Rochester, Chatham, and Strood* Gas Light Company so crossing the said Pipes of any Company of Proprietors for the Conveyance of Water, or any other Gas Light Company,

pany, shall be at least Six Feet in Length; so that no Joint of any of the said Pipes of the said *Rochester, Chatham, and Strood* Gas Light Company shall be nearer to any Part of the Pipes of any Company of Proprietors for the Conveyance of Water, or any other Gas Light Company, than Two Feet at least; and in laying down the said Pipes the said *Rochester, Chatham, and Strood* Gas Light Company shall in no Case join Two 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 form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in every respect prevent the said Gas from escaping therefrom, upon pain of Forfeiture for any such Offence (if the said Company shall neglect or refuse to make such Gas Pipes air-tight within Twenty-four Hours after Notice thereof given to them in Writing) the Sum of Five Pounds.

LXIII. And be it further enacted, That whenever the Water of any Company of Proprietors for the Conveyance of Water in, under, through, along, across, or around any of the said Roads, Streets, Ways, Lanes, or other public Passages or Places within the Limits of this Act, or the Water or Waters of any Person or Persons whomsoever, shall be contaminated by the Gas of the *Rochester, Chatham, and Strood* Gas Light Company, they shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Person or Persons who shall have their Water contaminated as aforesaid; and in every such Case the said *Rochester, Chatham, and Strood* Gas Light Company shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any Person or Persons whomsoever, to be left at the usual Office of the said *Rochester, Chatham, and Strood* Gas Light Company, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating the Water of any Company of Proprietors for the Supply of Water, or of any Person or Persons; and in case the said *Rochester, Chatham, and Strood* Gas Light Company shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, then and in every such Case the said *Rochester, Chatham, and Strood* Gas Light Company shall on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay for the Use and Benefit of any Person or Persons who shall be so injured by such Contamination as aforesaid, over and above the before-mentioned Penalty, to be recovered as aforesaid, the Sum of Five Pounds for each and every Day during which the Water of such last-mentioned Person or Persons shall be and remain contaminated by the Gas of the said *Rochester, Chatham, and Strood* Gas Light Company; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer, or by and in the Name of the Manager and Clerk for the Time being of such Company

[Local.]

45 D

pany

Company to prevent Escape of Gas and Contamination, &c. of Water.

pany of Proprietors for the supplying of Water, or by and in the Name of any One or more of the Directors of such last-mentioned Company, at the Option of the Party or Parties prosecuting such Information against the said *Rochester, Chatham, and Strood Gas Light Company*, before any Justice of the Peace for the County, City, or District wherein such Offence shall have taken place, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said *Rochester, Chatham, and Strood Gas Light Company*, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant.

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

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

Gas to be
supplied
cheaper than
Oil.

LXV. Provided always, and be it further enacted, That the said Company shall and they are hereby directed and required to supply public Roads, Streets, Ways, Lanes, and other Passages and Places 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 them further to break up the Soil or Pavement of any such Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act where such Lamps shall be situated, shall from thenceforth during such Failure cease and determine; and every Contract or Agreement which shall be entered

into

into for lighting with Gas such public Lamps by the said Company, shall contain a Clause or Covenant, provided that it shall be obligatory on the said Company that such public Lamp shall at all Times be cheaper and better lighted by the said Company than can be done by Oil Lamps.

LXVI. Provided always, and be it further enacted, That the Branch or Service Pipes already put up or which shall hereafter be put up by the said Company, for lighting the Roads, Streets, Ways, Lanes, and other public Passages and Places within the Limits of this Act, under any Contract or Agreement with the Commissioners or Trustees, or other Persons having the Controul or Superintendence thereof and thereunto authorized; shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Service Pipes to be kept fully charged with Gas.

LXVII. Provided always, and be it further enacted, That in case of Failure of Gas Light, either from a Defect in the Main or Service Pipes, or from any Accident befalling the Works, or from any other Cause whatsoever, the Company shall light or cause to be lighted all the Lamps on *Rochester* Bridge with Oil; and for every Night during which the same shall be omitted to be so lighted with Gas or Oil, shall forfeit to the Wardens and Commonalty of *Rochester* Bridge the Sum of Fifty Pounds; and in case the said Penalty shall not have been paid within Two Days after the same shall have been incurred and shall have been demanded by the said Wardens and Commonalty of the said Company, the same shall, upon Proof of its having been so incurred, and of its having been so demanded, before One of His Majesty's Justices of the Peace of the City of *Rochester* or of the County of *Kent*, by the Oath of One or more Witness or Witnesses (which Oath such Justice of the Peace is hereby authorized and required to administer), be levied by Distress and Sale of the Goods, Chattels, and Effects of the said Company, by Warrant under the Hand and Seal of such Justice of the Peace (which Warrant such Justice of the Peace is hereby authorized and required to grant for such Purpose), and the Overplus of such Sale, after such Penalty and the Costs, Charges, and Expences of such Distress and Sale shall be deducted, shall be returned on Demand to the said Company.

Lamps on the Bridge to be lighted with Oil, if from any sudden Accident the Gas should fail.

LXVIII. Provided always, and be it further enacted, That if at any Time hereafter the Admission of Gas along the Bridge, or the Continuance of the Pipes or other Apparatus there, shall, by the Two Wardens, and the greater Part in Number of the Twelve Assistants to the said Wardens, be deemed injurious or hazardous to the said Bridge, it shall be lawful for the said Wardens and Assistants, at any Meeting to be held for that Purpose, by any Document under the Seal of the Wardens and Commonalty of the said Bridge (such Document being first signed by the said Two Wardens, and the greater Part in Number of the said Assistants), to require the Removal of the same Pipes and Apparatus; and in case the said Pipes or other Apparatus shall not be removed by the said Company within Ten Days after such Requisition as aforesaid, the said Pipes or other Apparatus shall from thenceforth be vested in and become the absolute Property of the said Wardens and Commonalty of the said Bridge; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Pipes over the Bridge may be removed if injurious to it.

LXIX. Pro.

Commissioners of Rochester Pavement may order Removal of Pipes if injurious.

LXIX. Provided always, and be it further enacted, That if at any Time hereafter the Admission of Gas along the Streets and Lanes within the Limits of the said Commissioners appointed under or by virtue of the said Act of the Ninth Year of the Reign of His said late Majesty, or the Continuance of the Pipes or other Apparatus there, shall, by a Majority of the Commissioners present at any Special Meeting to be held for that Purpose, be deemed hazardous or injurious, or otherwise prejudicial to the said Commission, it shall be lawful for the said Commissioners, or the major Part of them, at such Meeting, by any Document under their Hands, to require the Removal of the same Pipes and Apparatus; and in case the same Pipes or other Apparatus shall not be removed by the said Company within Twelve Calendar Months after such Requisition as aforesaid, the said Pipes or other Apparatus shall from thenceforth be vested in and become the absolute Property of the said Commissioners; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Act not to hinder Wardens of Rochester Bridge from contracting with any other Company.

LXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed, taken, or construed to extend to hinder or prevent the Commissioners for paving, cleansing, lighting, and watching the Streets and Lanes in *Rochester, Chatham, or Strood*, nor the Wardens and Commonalty of *Rochester Bridge* from lighting the said Streets, Lanes, and Bridge respectively with Gas, or any other Light, or from making or entering into any Contract or Agreement with any other Person or Persons whomsoever for that Purpose; this Act or any thing herein contained to the contrary thereof in anywise notwithstanding.

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

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

In case of Nonpayment of Compensation for Damages, &c. by the said Company, the same to be levied by Distress.

LXXII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from the Clerk to the said Company, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated; then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Company, or of

of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

LXXIII. 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 Offender or Offenders and Application of the Penalty is not particularly mentioned or directed, shall be adjudged by and be recovered before any Justice of the Peace for the County, City, or District wherein the Offence shall have arisen, in a summary Way, upon Information, and 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 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 the Amount of the Penalties and Forfeitures, whether the same shall be paid or shall be recovered by Distress and Sale as aforesaid, and in the latter Case, after rendering the Overplus (if any) on Demand, to the Party or Parties whose Goods and Chattels shall have been so distrained (the reasonable Charges of such Distress and Sale having been first deducted), shall be paid to the Overseers of the Poor of the Parish wherein such Offence shall have been committed, to be by them applied towards the Relief of the Poor of such Parish; and in case such sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid upon the Conviction, then 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, her, 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 Ten 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, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereon

Recovery
and Applica-
tion of Penal-
ties.

[Local.]

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such

such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon 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 Common Gaol or House of Correction of the County, City, or District wherein such Offence shall have arisen, for any Time not exceeding Six Calendar Months.

For compelling Attendance of Witnesses.

LXXIV. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor or on behalf of the Person or Persons accused, or touching any Matter to be inquired into or to be determined by virtue of this Act, and shall refuse or neglect to appear from Time to Time, and at the Time and Place to be for that Purpose appointed, without reasonable Excuse for his, her, or their Refusal or Neglect, 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 to administer), or to give Evidence before such Justice or Justices of the Peace, then and in every such Case every Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; provided a reasonable Sum shall have been paid or tendered to such Person for his or her Costs and Charges of Attendance as a Witness.

Form of Conviction.

LXXV. 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; (that is to say),

to wit. } **B**E it remembered, That on the _____ Day of _____ in the Year of our Lord _____ is [or are] convicted before me [or us, *as the Case may be*] of His Majesty's Justices of the Peace for the City of Rochester [or County of Kent, *as the Case may be*] by virtue of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act*] of having [*specifying the Offence and the Time and Place when and where the same was committed, as the Case may be*] contrary to the said Act; and for which Offence, I [or we, *as the Case may be*] do adjudge the said _____ to have forfeited the Sum of _____ and _____ for Costs. Given under my Hand and Seal [or our Hands and Seals, *as the Case may be*] the Day and Year first above written."

Persons paying Rates or being Proprietors may be Witnesses, unless they be Directors or Auditors.

LXXVI. And be it further enacted, That no Person shall be disqualified from being admitted to give Evidence in any Informations, Prosecutions, Appeals, Causes, or Proceedings whatsoever relating to the Execution of this Act, or any Bye Law, Order, or Determination made in pursuance thereof, by reason of paying or being charged with or liable to pay any Rate or Assessment within the said City, Towns, or any of them,

or holding any Office under the said Company of Proprietors, or being a Proprietor of any Share or Shares in the said Company, such Person not being a Director or Auditor of the said Company.

LXXVII. And be it further enacted, That no Justice of the Peace, being a Director or Auditor of the said Company, shall act as a Justice of the Peace in any Case whatsoever concerning the said Company.

In what Cases Justices may not act.

LXXVIII. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act for any Offence or Offences against this Act, unless Information respecting such Offence or Offences shall have been lodged before some Justice of the Peace, within One Calendar Month next after such Offence shall have been committed (save and except as herein is excepted).

Proceedings to be commenced within One Calendar Month.

LXXIX. Provided always, and be it further enacted, That no Order, Judgment, Conviction, or other Proceedings to be had, made, or taken in pursuance of this Act, shall be quashed or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere; any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form.

LXXX. 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 Rule, Order, or Bye Law to be made by virtue of this Act, or any Alteration thereof, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may appeal to the Justices of the Peace for the County, City, or District wherein such Aggression shall have arisen, at their next General or Quarter Sessions of the Peace, the Party or Parties appealing having first given at least Twenty-one Days Notice in Writing of such Appeal, and the Nature and Matter thereof, to the Party or Parties appealed against; and forthwith, after such Notice, entering into a Recognizance before some Justice of the Peace for such County, City, or District, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace, or if they think proper may adjourn the hearing thereof to the next General or Quarter Sessions of the Peace to be held for the said County, City, or District (as the Case may be), and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order, Rule, Bye Law, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices at such General or Quarter Sessions shall be binding, final, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Appeal to the Quarter Sessions.

LXXXI. And

Limitation
of Actions.

LXXXI. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing which may have been done in pursuance or under the Authority of this Act, after the Expiration of Twelve Calendar Months next after the Fact committed, or the Cause of Action shall have ceased and determined, except as may be herein otherwise directed.

What shall
be deemed a
Service of
Notice on
the Com-
pany.

LXXXII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs or other legal Proceedings, or Proceedings in Equity, the Service thereof upon the Clerk of the said Company, or at any of the Offices of the said Company, or left at the last or usual Place of Abode of the Clerk to the said Company, and in case the Residence of the said Clerk be not known, then Service upon any Agent or other Officer employed by the said Company, or upon any one of the Directors for the Time being, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Nothing in
this Act con-
tained to pre-
vent Com-
pany from
being in-
dicted as a
Nuisance.

LXXXIII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from proceeding against the said Company, or any Body or Bodies Politic or Corporate, or Person or Persons so making, furnishing, or supplying any Gas used, burnt, or consumed for lighting any Street, Highway, or Place, or any House, Building, Manufactory, or other Premises within the Limits of this Act, or against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or of such Body Politic or Corporate, or Person or Persons as aforesaid, or the Method which shall be employed by them for furnishing such Light as aforesaid as a public or private Nuisance, or from bringing any Action against the said Company, or of such Body Politic or Corporate, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting or the Carelessness or want of Skill of the Persons employed therein, or otherwise howsoever, or from any other Cause or in any other Manner whatsoever.

In Cases of
Dissolution,
Main Pipes
to be for-
feited.

LXXXIV. Provided always, and be it further enacted, That in case of a Sale of the Estates, Goods, Chattels, and Effects of the said Company, and a Dissolution of the said Company in consequence thereof, or in case of a Failure or Discontinuance on the Part of the said Company from that or any other Cause, to light the Lamps within the Limits of this Act, then the Pipes or other Apparatus laid or placed, or hereafter to be laid or placed along *Rochester* Bridge and the Streets and Roads of *Rochester*, *Chatham*, and *Strood*, shall not be taken up and disturbed or sold and transferred by the said Company, but shall thenceforth be vested in and become the absolute Property of the said Wardens and Commonalty of the said Bridge, and other the Commissioners and Trustees within whose respective Jurisdictions the same shall have been laid or placed ;
any

any thing herein contained to the contrary thereof in anywise notwithstanding.

LXXXV. 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 out of the Monies now in the Hands of the said Company, in preference to all other Payments whatsoever, Expences of the Act how to be paid.

LXXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to defeat, abridge, alter, abstract, or in any Manner interfere with the Powers and Authorities of the Commissioners appointed or to be appointed under or by virtue of the said Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Third, and intituled as herein-before is mentioned, or under or by virtue of the said several Acts passed in the Twelfth and Sixteenth Years of the same Reign, and intituled as herein-before is mentioned, or of the Trustees appointed or to be appointed under or by virtue of an Act passed in the Fifty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for repairing the Road from Chatham to Canterbury, in the County of Kent*, or of the Trustees appointed or to be appointed under or by virtue of an Act passed in the Fourth Year of the Reign of His present Majesty, and intituled *An Act for repairing, widening, and maintaining the Road leading from Dartford to and through Northfleet and Gravesend, and thence to the Stones End, near the Parish Church of Strood, in the County of Kent*; but that all and every the several Rights, Powers, Authorities, and Provisions of or under the said Acts respectively shall remain, continue, and be in full Force and Effect, to all Intents and Purposes, as if this Act had not been made. Saving for the Commissioners and Trustees under Acts herein described.
52 G. 3. c. 81.
4 G. 4.

LXXXVII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to infringe, alter, prejudice, diminish, or take away any of the Rights, Powers, Franchises, Privileges, or Authorities of the Wardens and Commonalty of the new Bridge of *Rochester*, or their Successors, or of the Mayor and Citizens of the City of *Rochester*, or their Successors, but that all such Rights, Powers, Franchises, Privileges, and Authorities shall be as good, valid, and effectual as if this Act had not been made. Saving Powers of Wardens and Commonalty of Rochester Bridge, and Mayor and Citizens of Rochester.

LXXXVIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made; and nothing in this Act contained shall extend or be construed to extend to interfere with, alter, lessen, or in any Manner affect the Rights, Powers, and Authorities heretofore given or granted to or vested in any Commissioners, Trustees, Bodies Politic or Corporate, or other Persons having the Superintendence, Controul, or Management of any Street, Road, Highway, Bridge, or public Place, or of any Pavement, Ground, or Soil of or in any Street, Road, Highway, Bridge, or public Place within the said City and Towns respectively, or Parts adjacent thereto respectively. General Saving.

[Local.]

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LXXXIX. And

Public Act.

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

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