



ANNO SEXTO

GEORGIIV. REGIS.

Cap. cxxxvii.

An Act for establishing a Company for lighting with Gas the Town of *Louth* in the County of *Lincoln*. [10th June 1825.]

WHEREAS the Town of *Louth*, in the County of *Lincoln*, is large and populous, and the Streets, Lanes, Roads, Highways, and other public Places in the said Town are not lighted, and it would tend materially to the Benefit of the Inhabitants of the said Town, and to all Persons resorting to and travelling through the same, if the said Streets, Lanes, Roads, Highways, and other public Places were effectually lighted: And whereas Inflammable Air or Gas produced from Coal, Oil, or other Materials, may be beneficially used for lighting the said Town, and also private Houses, Shops, Warehouses, and other public and private Buildings therein, and the Products obtained in making such Gas may be used and applied in various Ways with great Advantage: And whereas the several Persons herein-after named are willing and desirous at their own Costs and Charges to provide Gasometers and other Works for that Purpose, and to permit the Inhabitants of the said Town to partake of the Benefit to be derived therefrom in manner herein-after mentioned; but the same cannot be effected without the Aid 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 *George Allen, William Allison, William Grant Allison, Henry Alington, George Arliss, William Ashton,*
[Local.] 45 G *William*

Company of Proprietors.

*William Bradley, John Campbell, Rebecca Cartwright, William Cash, William Coulam senior, Thomas Leach Cross, William Dunn, William East, Frances Emeris, William Espin, William Eve, William Farrow, James French, John Fytche, Elizabeth Gace, Field Flowers Goe, John Harland, George Harrison, Grantham Hodgson, Naomi Hodgson, Samuel Horton, Thomas Hudson, Henry Hurton, Jane Hyde, Elizabeth Hyde, Christopher Ingoldby, John Jackson, David Jackson, William Petch Kime, Joseph Larder, Michael Lill, Henry Lucas, Frederick Lucas, William Mawer, Wright Milson, John Naull the younger, Lysimachus Parker the younger, John Parkinson, Thomas Bentley Phillips, Stephen Preston, David Scott, George Searle, Richard Soper, Richard Thew, Elizabeth Thew, Jonathan Richard Watson, Mary Bilby Watson, William Wilson, Charles Wing, William Wrangham, and all and every such other Person or Persons, Body or Bodies Politic or Corporate, as from Time to Time shall become a Subscriber or Subscribers, and be duly admitted a Proprietor or Proprietors as herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be One Body Politic and Corporate, by the Name of "The Louth Gas Light Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and that the said Company shall be established for the Purpose of producing Inflammable Air, Carburetted Hydrogen, Oil Gas, Coal Gas, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and for lighting with Gas the said Town and Parish of *Louth*; and shall have full Power from Time to Time to make Contracts, or agree with any Commissioners, Directors, Trustees, Surveyor of Highways, or other Persons having at the Time of making such Contract or Agreement the Controul, Direction, or Management of the lighting of the said Town of *Louth* and the Neighbourhood and Environs thereof, or any Part or Parts thereof respectively, or with any other Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations Aggregate or Sole, who may be willing to contract or agree with the said Company for the lighting of the said Town and Parish of *Louth* and each or any of them respectively, or of any public Streets, Highways, Roads, Squares, Market Places, Courts, Yards, Passages, Bridges, Lanes, or any Churches or Chapels, or public Buildings, Manufactories, Warehouses, and Shops, or private Houses, or other Erections or Buildings of whatever Denomination the same may be, or any of them, within the said Town, and the Neighbourhood or Environs thereof, or each or any of them; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Products as aforesaid.*

Name.

Power to
make Con-
tracts, &c.Power to
contract for
the Purchase
of Lands and
Buildings.

II. And be it further enacted, That in order to enable the said Company to erect any Manufactory or Manufactories, or other Buildings, and to construct the necessary Works for making Gas, Coke, and

and the other Articles aforesaid proposed to be made by the said Company, it shall and may be lawful to and for the said Company, or their Committee of Management for the Time being, to be appointed in pursuance of this Act, and they are hereby respectively empowered to contract and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Town or Parish, not exceeding the Quantity of Two Statute Acres in the whole; with any Body Politic, Corporate, or Collegiate, Corporation 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 Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, 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, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised, possessed of, or interested in their own Right, or with any Person or Persons whomsoever who shall be willing to sell the same, or his, her, or their Right and Interest therein, for the Uses and Purposes of the said Company, and upon Payment of the Purchase Money for any such Lands, Tenements, or Hereditaments to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England* in manner by this Act directed (as the Case may be), such Lands, Tenements, and Hereditaments may be taken and used for the Purposes of this Act, and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title, Claim or Reversion to such Lands, Tenements, or Hereditaments, and the same Lands, Tenements, and Hereditaments shall be vested in the *Louth Gas Light Company* and their Successors; and it shall and may be lawful to and for the said Company of Proprietors to hold such Lands, Tenements, and Hereditaments, and any Term, Right, and Interest therein so purchased, without incurring or being subject to any of the Penalties or Forfeitures, of the Statutes of Mortmain, or of any other Law or Statute whatsoever.

III. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised, possessed of, or interested in their own Right; and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company of Proprietors, to be purchased for the Uses and Purposes of this Act, to treat, contract, and agree with the said Company, or their said

Bodies Politic, &c. empowered to sell.

Committee

Committee of Management for the Sale thereof; or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Company of Proprietors and their Successors, 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 Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any particular Estate, and the same shall be deemed and considered to bar all Dower of every Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all such Corporations and Persons hereby empowered to treat, contract, agree, sell, and convey as aforesaid, and every of them, are and is, and is and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Form of
Conveyance.

IV. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Company of Proprietors and their Successors, shall be made in the Form or to the Effect following; that is to say,

‘ I [or We, as the Case may be,] of _____ in consideration
 ‘ of the Sum of _____ to me [or us] paid by
 ‘ the Louth Gas Light Company, do hereby grant and release [or
 ‘ assign, as the Case may be] to the said Company of Proprietors,
 ‘ and their Successors, all [here describe the Premises 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 of Proprietors
 ‘ and their Successors for ever, [or, as the Case may be] during all
 ‘ the Remainder of my Term, Estate, and Interest in the said Pre-
 ‘ mises. In witness whereof I [or we] have hereunto set my Hand
 ‘ and Seal, [or our Hands and Seals, or our Common Seal, as the
 ‘ Case may be], this _____ Day of _____, in
 ‘ the Year of our Lord One thousand eight hundred and _____.’

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, as to and against the Person or Persons making the same, and his, her, or their Cestuique Trusts, and all the Persons claiming or to claim by, from, under, or in trust for him, her, or them respectively, or in Remainder, Reversion, or Expectancy as aforesaid; and the same shall be deemed and construed to bar all the Dower of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person or Persons claiming under them,

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, Usage, or Custom to the contrary thereof notwithstanding.

V. And be it further enacted, That if any Money shall be contracted, or agreed or awarded to be paid for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Tenants for Life or in Tail, Trustees, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity, such Money, in case the same shall amount to or exceed the Sum of Two hundred Pounds, shall 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 there, *ex parte* the *Louth Gas Light Company*, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, 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*, to the Intent that such Money may be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Party or Parties who would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting other Messuages, Buildings, Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Trusts, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or 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, 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 of the said Bank Annuities shall from Time to Time be paid by Order of the said Court to the Party or Parties who would for the Time being have

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

1 G. 4. c. 35.

been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

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

VI. Provided always, and be it further enacted, That if any Money so contracted, or agreed or awarded to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other 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 Party or Parties who for the Time being shall be entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Lunacy, or Idiocy, 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 Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be named by the Party or Parties making such Option, and approved by Three or more of the Committee of Management 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 and Produce thereof, may be applied in the 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 of Exchequer.

When not exceeding 20*l.*

VII. Provided also, and be it further enacted, That where such Money so contracted, or agreed or awarded to be paid as aforesaid, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Party or Parties who would for the Time being have been entitled to the Rents or Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Committee of Management of the said Company, or any Three of them, shall think fit; or in Cases of Infancy, Lunacy, or Idiocy, then to the Guardian or Guardians, Committee or Committees of the Infants, Lunatics, or Idiots entitled to such Rents and Profits, to and for the Use and Benefit of such Infants, Lunatics, or Idiots respectively.

Persons in Possession to be deemed entitled in Cases of doubtful Title.

VIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Party or Parties to any Money to be paid into the Bank of *England* in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, or of any Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments

ditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Party or Parties who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or Part, Estate, Right, or Interest therein, according to such Possession, until the contrary be shown to the Satisfaction of the said Court of Exchequer; and the Dividends of the said Bank Annuities, and also the Capital of the same Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Party or Parties was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or some Part, Estate, or Interest therein.

IX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Party or Parties entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such last-mentioned Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the Charges of obtaining such Order, to be paid by the Proprietors of the said Company, who shall purchase or take from such disabled or incapacitated Party or Parties, and which Proprietors shall from Time to Time, out of the Monies to be raised by virtue of this Act, pay such Sums of Money for the Purposes aforesaid as the said Court shall direct.

Court may order Expences of Purchases to be paid by Company.

X. And be it further enacted, That from and immediately after actual Payment being made of the Monies contracted and agreed, or otherwise awarded to be paid as the Purchase Money or Recompence for any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased or taken by virtue or in pursuance of this Act, either to the Person or Persons, Party or Parties respectively entitled to receive the same Monies, or where the Provisions of this Act shall so require or allow, into the Bank of *England*, for the Purpose of being disposed of in the Manner in this Act directed, all and every the Premises, Estate, Right, or Interest for or in respect whereof such Monies shall have been so paid, shall absolutely vest in the said Company of Proprietors paying such Purchase Money, for the Purposes for which they are by this Act authorized to purchase or take the same; and such Company shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands

Property to vest on Payment of Purchase Money.

mands whatsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Power to re-
sell Lands,
&c. not
wanted.

XI. And whereas the said Company of Proprietors may, under the Provisions of this Act, purchase Lands, Tenements, or Hereditaments, which may be found not necessary or not wanted for the Purposes thereof; be it therefore further enacted, That it shall and may be lawful for the said Company to sell and dispose of, and by Indenture or Indentures under their Common Seal to grant and convey by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part or Parts of the Lands, Tenements, and Hereditaments which may have been so purchased, and which shall not be wanted for the Purposes of the said Company; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall and may be lawful for the Treasurer for the Time being to the said Company to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall sufficiently discharge any Person or Persons for the Money therein and thereby expressed or acknowledged to be received, and such Person or Persons having *bonâ fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

Certain
Words to
operate as a
Covenant in
Conveyances
by Company.

XII. And be it further enacted, That in all Grants and Conveyances to be made by the said Company of Proprietors, under or by virtue of the several Powers and Authorities by this Act granted, the words "Grant, Bargain, and Sell," shall be and be construed and adjudged in all Courts of Judicature, to be express Covenants to the Grantee or Purchaser, Grantees or Purchasers, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Company of Proprietors, for themselves and their respective Successors, that the said Company, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant or Conveyance seised of the Lands, Hereditaments, and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance in Fee Simple free from all Incumbrances, and for the quiet Enjoyment thereof against the said Company and all Persons claiming under them; and all such Purchasers shall be indemnified and saved harmless by the said Company.

Restraining
Company
from buying
more than
Two Acres of
Land from
incapacitated
Persons.

XIII. And whereas the said Company of Proprietors are enabled to purchase Two Statute Acres of Land by virtue of this Act, for the Purposes thereof, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell such Quantity or Number of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert,

Cestuique

Cestuique Trusts, Tenants for Life, in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life, or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company of Proprietors to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Two Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Two Statute Acres so purchased, it shall not be lawful for the said Company to purchase of the same, or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Coverts, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or instead of those Two Statute Acres, or any Part thereof so sold or disposed of by the said Company.

XIV. And be it further enacted, That the Shares in the said Undertaking, and in the net Profit and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

Shares to be deemed Personal Property.

XV. And whereas the probable Expence of making the necessary Gasometers, and laying Mains and Pipes, and other Works hereby authorized to be made, will amount to the Sum of Six thousand Pounds, and the Sum of Five thousand five hundred Pounds, being more than Four-fifth Parts thereof, has been already subscribed by several Persons, under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for Payment of the several Sums by them subscribed respectively; be it further enacted, That the whole of the said Sum of Six thousand Pounds shall be subscribed before any of the Powers given by this Act shall be put in force.

The whole of the Expence to be subscribed before the Works are commenced.

XVI. And be it further enacted, That all and every Person, or Persons, by or for whom any Subscription or Payment hath been

Subscribers to share in the Stock in

[Local.]

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made

proportion to
their Sub-
scriptions.

made or accepted, or shall be made or accepted pursuant to the Orders of any Meeting or Meetings to be held for that Purpose by the Committee of Management to be appointed as herein-after mentioned, for or towards the raising of the said Capital Sum of Six thousand Pounds, shall have and be entitled to a Share of and in the said Capital Joint Stock of the said Company, in proportion to the Monies which he, she, or they hath or have contributed, or shall have so contributed towards making up the same, and to a proportionate Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors of the same.

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

XVII. And be it further enacted, That the Lands and Hereditaments, as well of Copyhold or Customary Tenure as Freehold, Manufactories, Gasometers, Machinery, Apparatus, and Works of the said Company, shall be liable and answerable for the just Debts and Demands of the Creditors of the said Company; and that the several Persons composing the said Company shall respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company to the full Amount of their several and respective Shares in the said Capital or Joint Stock: Provided always, that whenever Two or more Persons shall have jointly subscribed for, or shall be jointly possessed of any Share or Shares in the said Undertaking, such Persons shall severally and respectively be answerable for the whole Amount of such Share or Shares.

To be di-
vided into
Shares of 25l.
each.

XVIII. And be it further enacted, That the said Sum of Six thousand Pounds shall be divided into Shares of Twenty-five Pounds each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than Twenty-five Pounds.

No Person to
hold more
than Twenty
Shares, ex-
cept by De-
vise, &c.

XIX. And be it further enacted, That all such Shares shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly: Provided nevertheless, that no Person shall at any Time hereafter hold more than Twenty Shares in the said Undertaking, except by Devise, Settlement, or by virtue of the Statute of Distribution of Intestates Effects.

Power to
raise more
Money, if
required, by
Mortgage.

XX. And be it further enacted, That in case the aforesaid Sum of Six thousand Pounds shall be found insufficient for the Purposes of this Act, then and in such Case it shall be lawful for the said Company, or their said Committee of Management for the Time being, by and with the Advice and Direction of any General Meeting of the said Company, from Time to Time to borrow and take up the same at Interest for the Use of the said Company, and thereupon by Writing under their Common Seal to assign all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend or advance any such Money, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, together with Interest for the same, upon such Terms and Conditions,

Conditions, not being contrary to the Laws of this Realm, as shall be mutually agreed upon in that Behalf between the said Company and the Lenders of such Money; and the Charges and Expences of such Assignment (to be made as herein-after mentioned) shall be from Time to Time defrayed by the said Company, out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; that is to say,

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

Form of Mortgage.

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

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

Power of transferring Mortgages.

I *A.B.* being entitled to the Sum of _____ and Interest for the same, under or by virtue of an Assignment, bearing Date the _____ Day of _____, under the Common Seal of the *Louth Gas Light Company*, in pursuance 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 assign and transfer all my Right and Interest in and to the same Sum and Interest, and to the Property and Effects assigned to me for securing the same, unto _____ of _____ his [or her] Executors,

Form of Transfer.

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

And a Copy of every such Security or Assignment, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk of the said Company, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after the entering thereof as aforesaid, but not sooner, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

For enforcing
 Payment
 of Subscrip-
 tions.

XXII. And be it further enacted, That the several Persons who have already subscribed for and towards the said Undertaking of the aforesaid Company, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed and to be subscribed for, or such Parts or Proportion thereof as shall from Time to Time be called for, pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the said Company, or their Committee of Management for the Time being; and in case any Person or Persons shall neglect or refuse to pay any such Money accordingly, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise, in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time or Times of Payment, and full Costs of Suit from such Person or Persons respectively; and in like Cases of Neglect or Refusal, where Two or more Persons have or shall have jointly subscribed for, or be jointly possessed of any Share or Shares in the said Undertaking, then in like Manner to sue for and recover the same from all, any, or either of such Proprietors.

Certificates
 to be deliver-
 ed to the
 Proprietors:

XXIII. And be it further enacted, That the said Company of Proprietors shall cause the Names and Designations of the several Persons who are at present, and shall be hereafter Subscribers to or Proprietors of the said Undertaking, with the Number of Shares possessed by each of the Subscribers and Proprietors, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk of the said Company; and after the making of such Entry, a Certificate, under the Common Seal of the said Company, shall be made out in respect of each and every Share, specifying therein the proper Number,
 ber,

ber of such Share, and the Name or Names, and Designation or Designations of the Proprietor or Proprietors thereof, which Certificate shall be delivered to the Proprietor or Proprietors of such Share, or any of them, upon Demand, and shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor or Proprietors, his, her, or their respective Executors, Administrators, and Assigns, to the Share therein specified; but the Want of such Certificate shall not hinder or prevent the Proprietor or Proprietors of any of the said Shares from selling or disposing thereof, or from enjoying every other Benefit to which he, she, or they may be entitled as the Owner or Owners thereof; and in case such Certificate shall not be produced or forthcoming, the said Entry, or a true Copy thereof, certified by the Clerk of the said Company (and for which Certificate the said Clerk shall be entitled to the Sum of Two Shillings and Sixpence, and no more), shall be deemed sufficient *prima facie* Evidence of Title; and which said Certificate may be in the Form or to the Effect following; that is to say,

‘ The *Louth* Gas Light Company.

‘ Number

‘ THESE are to certify that *A. B.* of _____ is a Proprietor of the
 ‘ Share, Number _____ being One Share of the *Louth* Gas Light
 ‘ Company, subject to the Rules, Orders, and Regulations of the
 ‘ said Company of Proprietors; and that the said *A. B.* his [*or her*]
 ‘ Executors, Administrators [*or Successors*], and Assigns, is and are
 ‘ entitled to the Profits and Advantages of such Share. Given under
 ‘ the Common Seal of the said Company the _____ Day of
 ‘ in the Year of our Lord One thousand eight hundred and _____

‘ Passed under the Seal } *C. D.* Chairman.
 ‘ in the Presence of } *E. F.* Dep. Chairman.’

Form of
Certificate.

XXIV. 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 the 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 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, or the Profits thereof, under or by virtue of any Settlement, Will, or Bequest, or in a Course of Administration, the Deed of Settlement, or the Probate Copy of the Will, or the Letters of Administration in case the Proprietor shall have died intestate, shall be produced and shewn to the said Clerk, who shall make an Entry of such Settlement, or Will, or of so much thereof as shall relate to the Disposition of

Proofs re-
quired when
Rights accrue
by Marriage
or Death.

[*Local.*]

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the

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, 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 or her 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 Trusts, and all other Persons claiming in Trust or otherwise under such Testator, any Rule of Law or Equity to the contrary notwithstanding.

First and
other General
Meetings of
Proprietors.

XXV. And be it further enacted, That the said Company of Proprietors shall meet together at some convenient Place within the said Town of *Louth*, within Thirty Days next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon; and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time, either to the same Place or such other convenient Place in the said Town as the said Proprietors shall think proper and convenient; and from and after the First General Meeting of the said Company of Proprietors, there shall be in each Year Two General Meetings of the said Company; (that is to say), on the Twenty-fifth Day of *March*, and the Twenty-ninth Day of *September*, or within Ten Days next after either of such Days respectively, and also such and so many Special General Meetings of the said Proprietors as shall be called as herein-after provided, of which several Half-yearly General Meetings Ten Days Public Notice at the least shall be given by Advertisement in the *Stamford Mercury*, or in such other Newspaper published or circulated in the County of *Lincoln* as the said Company of Proprietors shall from Time to Time direct (and such Notice shall specify the Purpose for which any such Special General Meetings are called); and the First Half-yearly General Meeting to be holden by virtue of this Act shall be holden on the Twenty-ninth Day of *September* next, or within Ten Days next after the same; and all such Half-yearly General Meetings and Special General Meetings shall be adjourned from Time to Time, and from Place to Place, within the said Town of *Louth*, as shall be found expedient; and at all such Meetings of the said Proprietors, to be held as aforesaid, the Proprietors then present, not being less in Number than Five, shall and may proceed to Business, and act in the Execution of the several Powers hereby given to the said Company of Proprietors; and if it shall happen that there shall not appear at any of the aforesaid Meetings, a sufficient Number of the said Proprietors to act or to adjourn (Five Proprietors being hereby declared sufficient in all Cases

Five Proprie-
tors to be
present.

to proceed to Business, and Two Proprietors being hereby declared sufficient for the Purposes of Adjournment only); then and so often as the Case may happen, such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, and at the same Place and Hour at which the same Meeting ought to have been held as aforesaid; and so from Week to Week, on the same Day of the Week, and at the same Hour and Place, until a sufficient Number of Proprietors shall attend; and at all Meetings of the said Company they shall in the first Place proceed to the Election of a Chairman, and in case of an Equality of Votes upon any Question, such Chairman, exclusive of his own Vote, shall have the decisive or casting Vote.

XXVI. Provided always, and be it further enacted, That all Notices herein directed to be given of any General or Special Meetings of Proprietors, and not herein otherwise provided for, shall be given by Advertisement in some One Newspaper printed or circulated in the said County of *Lincoln*, or by Letters from the Clerk of the said Company, delivered at the Post Office in *Louth* for, or left at the usual Place of Abode of, the Proprietors respectively; and that such Notices, when so published or given, shall be deemed and considered as good and sufficient Notices for the Purposes of this Act.

Notices of Meetings, &c. how to be given.

XXVII. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General Meetings, to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of their Committee of Management, and for the Regulation of all Officers, Workmen, and Servants to be employed in or about the Affairs and Business of the said Company, and for the Superintendence and Management of the said Undertaking in all respects whatsoever, and from Time to Time to alter, repeal, or add to such Rules, Orders, and Bye Laws, or any of them, and to make others, and to impose and inflict reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Forty Shillings for any one Offence; and all Rules, Orders, and Bye Laws, so made as aforesaid, being reduced into Writing and the Common Seal of the said Company being thereto affixed, shall be printed, and be binding upon all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or any of the express Directions or Provisions of this Act: Provided also, that Copies thereof be affixed and continued in the Office, or other conspicuous Part of the Buildings and Premises of the said Company, and all such Rules, Orders, and Bye Laws shall be subject to Appeal in manner by this Act directed.

General Meetings may make Bye Laws.

XXVIII. And be it further enacted, That at the First Meeting and at every General or Special Meeting of Proprietors of the said Undertaking, One of the Proprietors then present shall be elected

Election of Chairman, and Manner of voting.

to

to preside as Chairman; and all Questions shall be decided by a Majority of Votes of the Proprietors or their Proxies present, according to their respective Number of Shares; that is to say, One Vote may be given for and in respect of every Share, subject to the Restriction herein-after contained; and the Chairman of every such Meeting shall not only be entitled to vote in respect of his Shares, but in case of an Equality of Votes shall also have an additional or casting Vote.

Three Months Possession to entitle to vote.

XXIX. Provided always, and be it further enacted, That after the Expiration of Three Calendar Months from the passing of this Act, no Person or Persons, or Body Corporate or Politic, who shall purchase any Share or Shares in the Joint Stock of the said Company, shall be admitted to vote in respect of the same, until such Person or Persons, or Body Corporate or Politic, shall have been in Possession of such purchased Share or Shares for the full Term of Three Calendar Months, to be computed from the Date of registering the Transfer thereof in the Books of the said Company; but this Provision shall not operate to prevent or hinder any Person or Persons from voting for or in respect of the Share or Shares which shall devolve to him, her, or them, by Marriage or Succession, immediately after the same shall have been registered: Provided further, that no Person or Body Corporate or Politic shall be entitled to vote in respect of any Share or Shares which he, she, or they may possess in the said Undertaking, unless such Person or Body Corporate or Politic shall have fully paid and satisfied all Arrears of Money which shall or may have become due in pursuance of any Call or Calls which shall have been made for or in respect of such Share or Shares; nor shall any Person, Body Corporate or Politic, vote upon any Question in which he, she, or they shall be interested, otherwise than as being a Proprietor or Proprietors of the said Undertaking.

Not to vote if in Arrear for Calls, or if interested.

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

XXX. And be it further enacted, That whenever Two or more Persons shall be jointly possessed or entitled to a Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company, as One of the joint Proprietors of such Share or Shares, shall be deemed to be the sole Proprietor of such Share or Shares, for the Purpose of voting or receiving Notices in pursuance of this Act.

Appointment of Officers.

XXXI. And be it further enacted, That the said Company of Proprietors shall at their said First General Meeting, or at some Adjournment thereof, and in default thereof, at some subsequent General or Special Meeting, elect and appoint a Treasurer or Treasurers, Clerk or Clerks, an Engineer, and such other Officers as shall be thought proper for transacting the Business of the said Company; and it shall be lawful for the said Company at any General or Special Meeting, subsequent to such Election or Appointment, to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer, Clerk, Engineer, or other Officer, or any of them, or any other Person or Persons who shall be thereafter elected and appointed to their respective Offices, and also from Time to Time to elect, choose, and appoint in manner aforesaid, any other Person or Persons

Persons to act as Treasurer or Treasurers, Clerk or Clerks, Engineer, or other Officer of the said Company, in the Room of such of the said Officers as shall happen to die, or to resign, or be removed from their respective Offices, and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers, or any of them, as at any or such General or Special Meetings from Time to Time shall be affixed and determined; provided always, that the said Company of Proprietors shall and they are hereby required to take Security from every Person who shall hereafter be appointed Treasurer, or who shall have the Collection, Care, or Custody of the Monies of the said Company, for the faithful Discharge of the Trust reposed in him.

Security to be taken.

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

Treasurer, &c. not to issue Money without an Order, &c.

XXXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to continue or appoint the Person or Persons who has or have been, or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have been, or may be appointed Treasurer or Treasurers, or Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, to be the Clerk or Clerks to the said Company of Proprietors; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Company of Proprietors other than that of Treasurer, 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

Treasurer and Clerk not to be the same Person.

[Local.]

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Information,

Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Proprietors may vote by Proxy.

XXXIV. And be it further enacted, That any Proprietor or Proprietors of any Share or Shares in the said Company's Stock, entitled to vote in respect of such Share or Shares at any Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes, either in Person or by Proxy, every such Proxy being a Proprietor in the said Undertaking, duly constituted under his, her, or their Hand or Hands, or in Cases of Infancy, Lunacy, or Idiocy, under the Hand or Hands of his, her, or their Guardian or Guardians, Committee or Committees, or any of them respectively: Provided nevertheless, that no One Person shall in his own Right, or in his own Right and by Proxy, vote for more than Twenty-five Shares in the whole on any one Occasion; and the Appointment of such Proxies shall be produced at every such Meeting before any Vote shall be given in respect thereof, and shall be made in the Form or to the Effect following; (*videlicet*),

Form of Proxy.

I *A. B.* of _____ One of the Proprietors [or a Committee or Guardian of *C. D.* One of the Proprietors, *as the Case may be*], of and in the *Louth Gas Light Company*, do hereby nominate, constitute, and appoint *E. F.* to be my Proxy, in my Name, on my Behalf, and in my Absence, to vote or to give my Assent to or Dissent from any Business, Matter, or Thing relating to the said Undertaking that shall be mentioned or proposed at any Meeting of the said Company, in such Manner as he the said *E. F.* shall think proper, according to his Opinion and Judgment, for the Benefit of the said Undertaking or any thing relating thereto; this my Proxy to continue in force until I shall revoke the same by Writing under my Hand, or by the Appointment of a new Proxy. In witness whereof I have hereunto set my Hand the _____ Day of _____

Payment of Dividends, &c.

XXXV. And be it further enacted, That the Receipt or Receipts of the Person, or any Two of the Persons in whose Name or Names any Share or Shares in the said Undertaking shall stand in the Books of the said Company, or his, her, or their authorized Agent or Agents, shall from Time to Time be a good and sufficient Discharge to the said Company, and their Treasurer or Treasurers, for any Dividend or Dividends, Sum or Sums of Money which shall become due and payable, and be paid for or in respect of such Share or Shares, notwithstanding any Uses, Trusts, Intents, or Purposes, upon or to which such Share or Shares shall be then settled, limited, conveyed, or assured.

In case of Minors.

XXXVI. And be it further enacted, That in all Cases where Money shall be payable under the Provisions of this Act, to any Proprietor in the said Undertaking who shall be a Minor under the Age of Twenty-one Years, the Receipt of the Parent or Guardian for the Time being of such Minor shall be a sufficient Discharge to the said Company and their Treasurer for the same.

XXXVII. And be it further enacted, That at the First General Meeting of the said Company after passing of this Act, or at some Adjournment thereof, Twelve Members of the said Company shall be elected and chosen a Committee of Management for managing the Affairs of the said Company, and the Members of such First Committee shall continue in Office for the Term of Three Years from the Day of their Election, and until others be appointed in their respective Stead, in pursuance of this Act, and at the Expiration of the said Term, Four of the Members of the said Committee shall go out of Office by Ballot, and Four Persons duly qualified shall in Manner herein-before mentioned be elected and appointed Members of the said Committee, and on the Twenty-ninth Day of *September* in the then following Year, or within Ten Days thereof, Four other of the said Members shall go out of Office by Ballot, and their Places be supplied in like Manner, and on the Twenty-ninth Day of *September* in the then following Year, or within Ten Days thereof, the last Four of the said Members shall go out of Office, and their Places be supplied in like Manner, and on the Twenty-ninth Day of *September* in every subsequent Year, or within Ten Days thereof, Four of the Members of the said Committee who have been longest in Office shall go out of Office, and their Place be supplied in like Manner; and every such Election of the Members of the said Committee of Management shall be made at some General Meeting of the said Company, to be held pursuant to the Directions of this Act: Provided that nothing herein contained shall render any one of the Committee whose Office shall have expired ineligible to be re-elected a Committee Man, if otherwise duly qualified; and after such Committee of Management shall have been elected they shall at their first Meeting proceed to the appointing a Chairman: Provided always, that no Person shall be qualified to be elected, nor to serve or act as a Member of the said Committee, who shall hold any Place of Profit under the said Company, or who shall be concerned or interested in any Contract or Contracts under this Act, or who shall offer to take, or succeed in taking, or shall participate in any Manner in any Work to be done for the said Company, whether by Contract or otherwise, or who shall be a Dealer, either directly or indirectly, in any one of the Articles to be provided or manufactured by the said Company.

Appointment
of Committee
of Manage-
ment.

XXXVIII. Provided always, and be it further enacted, That no Person shall be eligible to be elected one of the Committee for managing the Affairs of the said Undertaking, unless at the Time of his Election he shall be resident in the said Town of *Louth*, or within Four Miles thereof; and if such Person, having been duly qualified at the Time of such Election, shall afterwards cease to be resident as aforesaid, such Person shall thenceforth be disqualified from serving or acting upon the said Committee.

Committee
to reside in
Louth, or
within Four
Miles.

XXXIX. And be it further enacted, That when and so often as any Member of the Committee of Management to be elected by virtue of this Act shall die or become disqualified, or shall refuse or neglect to attend the Meetings of the said Committee for the Space of Three Calendar Months at any one Period, or for Six Meetings successively,

Supplying
Vacancies.

successively, unless for sufficient Reason to be allowed by the said Committee, it shall be lawful for the said Company at any General or Special Meeting, to be called and held according to the Directions of this Act, to elect some other Proprietor to be a Member of the said Committee, and every such Proprietor, so elected to fill any such Vacancy, to continue in his Office as a Member of the said Committee so long as the Person in whose Place or Stéad he was elected would have been entitled to have continued, if such Death, Disqualification, Refusal, or Neglect had not happened.

Meetings of
Committee,
and Regula-
tions for their
Proceedings.

XL. And be it further enacted, That the said Committee of Management shall hold their First Meeting within Fourteen Days next after their being appointed, at such Place within the said Town of *Louth* as they shall think proper, and shall then, and at every subsequent Meeting of the said Committee, proceed to the Election of a Chairman, and then proceed in the Execution of this Act, and shall have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time, and from Place to Place within the said Town, as they shall think fit, Three Days previous Notice having been given to each of the Committee of every Meeting held otherwise than by Adjournment; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at any of their Meetings, shall be decided and determined by the Majority in Number of Members present not disqualified under the Provisions of this Act from voting upon such Question (the Number present not being less than Three); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Committee, Three Members qualified to vote shall not attend, then and in such Case the Meeting shall be adjourned till the next Day, if not a *Sunday*, and if the next Day should be a *Sunday*, then to the *Monday* following, by the Member or Members then present, or if none be present, then by the Clerk or Clerks of the said Company, or such other Person as shall attend in his or their Place; and that any Two or more Members of the Committee may, at any Time when they shall think fit, call a Meeting of the Committee, by causing Three Days Notice in Writing, signed by such Two or more Members, to be sent by the Post, or otherwise, to the Residence or Address of every Member of such Committee, and also renew the Meetings of the Committee, though they may have been discontinued for want of Adjournment, or to institute a new Meeting independent of any Meeting appointed by Adjournment.

Power of
Committee.

XLI. And be it further enacted, That the Committee of Management for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time, and from Place to Place, and also at any Time to call Special General Meetings of the said Company for any Purpose they may think proper, and to appoint the Places in the said Town of *Louth* of holding General and Special Meetings, and the Times for holding Special Meetings, and to direct
the

the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued and received, laid out, or disposed of for the Purposes of the same Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and in making and entering into Agreements or Contracts for lighting with Gas the Town of *Louth* aforesaid, or any of the Streets, Market Places, Shops, Inns, Taverns, Churches, Chapels, public Buildings, Manufactories, Warehouses, private Houses, Buildings, or private Places within the said Parish of *Louth*, and in nominating, electing, appointing, placing, and displacing any Officer, Workmen, Agent, or Servant of the said Company, (not being a Treasurer, Engineer, or Clerk of the said Company, who are to be elected and appointed and displaced at a General Meeting of the Company as herein-before mentioned), and with such Salaries, Gratuities, or other Recompence, as to the said Committee shall seem proper, and in ordering, directing, and employing the Works and Workmen, and in selling and disposing of all Articles produced by the said Company, and in making, enforcing, and rescinding, compounding, or compromising all Contracts or Bargains touching or in anywise concerning the same, subject to such Orders, Bye Laws, Rules and Regulations, as shall at any Time be duly made by the said Company in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted; and the said Committee of Management may require such Security to be given to the said Company of Proprietors, from any Officer or Officers not being a Treasurer or Clerk of the said Company, or other Person or Persons, for the faithful Execution of their respective Duties or Contracts, or Engagements, as they may think proper or reasonable.

XLII. And be it further enacted, That in case any Five or more of the said Proprietors, being collectively possessed of or entitled to Fifty or more Shares in the said Undertaking, shall think that there is Reason to complain of the Conduct of the Committee of Management for the Time being, or of any Member or Members thereof, or in case they shall think it necessary that any Vacancy or Vacancies in the said Committee, occasioned by the Death or Absence of any Member or Members of the said Committee, or by any Member or Members thereof, becoming disqualified to act as a Member of the said Committee, should be supplied by the Election of another or others, or that a Special Meeting should be called for any other Reason whatsoever, then it shall and may be lawful for them to call a Special Meeting of the said Company, to be held at such Time and Place within the said Town of *Louth* as they shall think fit, provided Ten Days Notice of the Time and Place and Purport of such Special Meeting be given by the Persons calling the same, by Advertisement in some Newspaper circulated in the County of *Lincoln*, or by Letter from the Clerk or Clerks, to be sent to or left for each Member of the said Company, at his or her usual Place of Residence, or directed to such Member at his or her usual Place of Residence, and left at the Post Office in *Louth*; and at each such Special Meeting it shall be lawful for the Proprietors then present, by the Majority of Votes, to be ascertained by Ballot as aforesaid, to remove all or any of the

Special Meetings may be called.

[Local.]

45 M

Committee,

Committee, and to elect others in their Stead; or in the Stead of any Member dead or absent; and the Committee for the Time being shall produce their Accounts, and a Report of their Proceeding at such Special Meeting, if required by the Notice calling or convening the same: Provided always, that if at any such Special Meeting there shall not be Persons present, either as Principals or Proxies, who shall be possessed of or entitled unto at least Sixty Shares in the said Undertaking; the Power hereby given unto the said Company to remove all or any of the Committee, and to elect others in their Stead, on account of any Complaint against the Conduct of such Committee, shall not be exercised, but the Meeting shall be adjourned for that particular Purpose to the same Place, for any Time not exceeding Fourteen Days, and so from Time to Time until there shall be Proprietors present, either as Principals or Proxies, who shall be possessed of Sixty Shares as aforesaid, and the same Rules, Regulations, Penalties, and Provisions as are herein prescribed with respect to the General Meetings for choosing Committees, shall be applicable to the Meetings to be held for removing them.

Entry of
Proceedings.

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

Calls to be
paid.

XLIV. And be it further enacted, That the said Company of Proprietors, or their Committee of Management for the Time being, shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors of Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Company, or their said Committee of Management shall from Time to Time find expedient for the Purposes of the said Undertaking, so that no such one Call do exceed Five Pounds upon each Share of Twenty-five Pounds, and so that no Call shall be made but at the Interval of One Calendar Month at least from the preceding Call, and so that the total Amount of such Calls shall not exceed the Sums subscribed for by the several Proprietors; and that the several Sums of Money which shall be so called for shall be paid into the Hands of the Treasurer of the said Company for the Time being, at such Times and Places as shall be appointed by the said Company, or such Committee of Management, of which Times and Places Ten Days Notice at least in Writing shall be given by the Clerk or Clerks of the said Company to the several Persons liable to pay such Calls, which Notice may be sent by the Post, or in such other Manner as the said Company or such Committee of Management shall direct in that Behalf; and that if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of the Money so to be called for, during the Space of One Calendar Month next after the Time appointed for Payment thereof, with lawful Interest for the same from such appointed
Time

Time of Payment, then and in every such Case such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, or Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the rest of the said Company; and that all Shares which shall be so forfeited, may be sold at a public Sale or by private Contract, for the most Money that can be gotten for the same, and by Writing under the Common Seal of the said Company, be assigned and transferred to the Purchaser or Purchasers thereof, or otherwise become consolidated in the general Fund of the said Company; and in case of Sale, the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Company; but nevertheless, no Advantage shall be taken of any such Forfeiture, unless the same Share or Shares shall be declared to be forfeited at some General or Special Meeting of the said Proprietors, held not sooner than Two Calendar Months after such Forfeiture shall take place; and every such Forfeiture when so declared shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors who shall have incurred such Forfeiture, and his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Proceedings whatever in Law or in Equity, for any Breach of Contract between such Proprietor or Proprietors so forfeiting, and the said Company, in regard to the future Prosecution of the said Undertaking: Provided always, that no Share or Shares of and in the said Undertaking shall be forfeited, or vested in and accrue to the said Company, until Notice shall have been published in the *London Gazette* and some one Newspaper circulated in the County of *Lincoln*; Twenty-one Days at least before the holding of such General or Special General Meeting, in which Notice shall be contained a Statement and Account of how much Money is due from such Person or Persons for such Call or Calls in respect of his, her, or their Share or Shares in the said Undertaking, exclusive of the Interest thereon; and no such Share or Shares shall be forfeited to or vested in the said Company, if the Owner or Owners of such Share or Shares shall, before the holding of such General or Special General Meeting, pay what shall be due thereon for such Call or Calls as aforesaid, and legal Interest for the same, and all the Expences attending the Application for and advertising of the same as aforesaid.

Forfeiture
of Shares.

XLV. And whereas it may happen that the Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become Insolvent or Bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and that no Registry of the Transfer thereof shall have been made with the Clerk to the said Company, so that it may be difficult to ascertain, for the Purposes of this Act, who is or are the Owner or Proprietor, or Owners or Proprietors of such Share or Shares; be it therefore further enacted, That where the Right and Property in one or more Share or Shares in the said Undertaking shall pass from any registered Proprietor or Proprietors thereof to any Person or Persons by any other legal Means than by a Transfer or Conveyance thereof in the Form and

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

and Manner herein specified, an Affidavit shall be made and sworn to by Two credible Persons, before a Master or a Master Extraordinary of 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 from such registered Proprietor or Proprietors to such other Person or Persons, and such Affidavit shall be transmitted to the Clerk of the said Company, to the Intent that he may enter and register the Name or Names of every such derivative Proprietor or Proprietors in the Register Book, or List of Subscribers and Proprietors to the said Undertaking, to be kept in the Office of the Clerk of the said Company; and that after Three Calendar Months Notice shall have been given by the said Clerk to the Owner or Owners, or Person or Persons claiming by such Affidavit to be Owner or Owners, or left at his, her, or their last known or usual Place of Abode, to pay his, her, or their Proportion of Money, which shall have been called for in respect of such Share or Shares, and such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the Subscribers and Proprietors, at any General or Special Meeting, after the Expiration of such Notice, to declare the same Share or Shares to be forfeited, and that in such Case the same shall be and become forfeited, and shall and may be sold and disposed of in such Manner as the said Subscribers and Proprietors at any Meeting or Meetings shall direct, or otherwise become consolidated in the general Fund of the said Company.

Shares may
be trans-
ferred.

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

Form of
Transfer.

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

And every such Transfer shall be produced to the Clerk of the said Company, and shall be registered in the Books of the said Company, and the Entry or Registry thereof shall specify the Date, Names of the Parties, and the Number or Numbers of the Share or Shares transferred,

transferred, for which Entry or Registry the Sum of Two Shillings and Sixpence and no more, shall be paid to the Clerk or other Officer making the same; and a Copy of such Registry, signed by the Clerk or other such Officer of the said Company duly authorized thereto, shall in all Cases be sufficient Evidence of every such Sale and Transfer; and that until such Transfer shall be entered or registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so unregistered, nor be entitled to any Vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking.

XLVII. Provided always, and be it further enacted, That no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, until he, she, or they shall have paid full Twenty-five Pounds *per Centum* on such Shares; and after having paid or contributed such Amount, and any subsequent Calls for Money shall have been made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares in the said Undertaking after such Call, until the Money so called for in respect of his, her, or their Share or Shares intended to be sold shall be paid, and until such Payments or Contributions to the Amount of Twenty-five Pounds *per Centum* shall have been paid, and afterwards until such Money so called for shall be paid, every Sale or Transfer of any such Share or Shares shall be void; and all and every Person or Persons making Default herein, shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Undertaking, to and for the general Benefit of the said Undertaking, unless he, she, or they shall at the Time of such Sale or Sales, or Transfer, pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture, nevertheless, to be first notified and declared in Manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon.

No Shares to be sold before 25l. per Cent. paid, or after a Call until the Money is paid.

XLVIII. And be it further enacted, That on the Twenty-fifth Day of *March* in every Year, or within Fourteen Days of the same, a yearly Dividend or Dividends shall be made by the Committee of Management for the Time being, out of the clear Profits of the said Undertaking, at a Meeting of the said Company, to be held at such Time, unless the Proprietors of the said Undertaking shall at such Meeting declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much *per Annum*, not exceeding the Sum of Two Pounds and Ten Shillings for every Twenty-five Pounds, upon all and every Sum and Sums of Money paid to the said Company by such Proprietors, their Executors, Administrators, Successors, and Assigns, as the said Committee shall think fit at such Meeting or Meetings to appoint and determine: Provided always, that no Dividend shall be declared, made, or paid for Twelve Months after the passing of this Act, nor whereby the Capital of the said Company shall be in any Degree reduced or impaired.

Dividends to be made.

Profits not to exceed 2*l*. 10*s*. per Annum on each Sum of 25*l*.

Annual Accounts.

Surplus to accumulate until it amounts to 1,000*l*.

Surplus Capital to be again accumulated if diminished.

XLIX. Provided always, and be it further enacted, That the Dividends on the clear Profits to be received by the said Company of Proprietors from the said Undertaking shall never exceed Two Pounds and Ten Shillings *per Annum* upon each Share of Twenty-five Pounds; unless a larger Dividend shall at any Time be necessary to make up the Deficiency of any previous Dividend or Dividends, when such previous Dividend or Dividends shall have fallen short of Two Pounds and Ten Shillings *per Annum* upon each Share of Twenty-five Pounds subscribed for the Purpose of the said Undertaking (such Dividend or Dividends being computed from the Time of passing this Act); and in order to ascertain the Amount of the clear Profits of the said Undertaking, the said Company shall and are hereby required from the Time of passing this Act, to cause a true, exact, and particular Account to be kept and annually made up and balanced to the Twenty-fifth Day of *March* in each Year, of the Money collected or received by them or for their Use, by virtue of this Act, and of the Charges and Expences attending the erecting, making, supporting, maintaining, and carrying on the said Works; and if the clear Profits of the said Undertaking shall at any Time amount to a larger Sum than shall be sufficient to make a Distribution amongst the said Proprietors of Two Pounds and Ten Shillings *per Centum per Annum* upon every such Share (such Per-centage, to be computed and take place from the Time of passing this Act), then and in such Case the Excess or Surplus which shall be more than sufficient for the Purpose aforesaid; shall from Time to Time be placed in the Hands of such Person or Persons, or on such Government or other Security or Securities, to answer any Deficiencies that may happen in the next or any succeeding Year or Years, as the said Company shall for that Purpose order or direct, until such Excess or Surplus shall amount to the Sum of One thousand Pounds; and the Interest or Dividends of such Sum of Sums so to be invested shall be paid and applied in like Manner as the Money to be received by or for the Use of the said Company, by virtue of this Act, is to be paid or applied; and every such annual Account as aforesaid, together with an Account of the Dividends and Interest to be from Time to Time received on all such Money so to be placed out as aforesaid, shall be laid before the Justices of the Peace at their *Michaelmas* Quarter Sessions, to be holden for the said Town of *Louth* next after the making up of every such annual Account; and if by any such annual Accounts it shall appear to the Justices at such Sessions, that there is any surplus Profit from the said Undertaking, after paying a Dividend of Two Pounds Ten Shillings *per Annum* upon every Share of Twenty-five Pounds on the said Joint Stock, and after raising and keeping up such surplus Capital, then and in every such Case the said Committee of Management for the Time being shall and they are hereby authorized and required, by an Order to be made at such Sessions, or at any Adjournment thereof, to apply the said surplus Money as herein-after mentioned: Provided always nevertheless, that if by Accident or any unforeseen Event which shall happen to the Works of the said Company, or to any Apparatus belonging thereto, the said Sum of One thousand Pounds (the Excess or Surplus of the said Capital or Joint Stock of the said Company), shall be reduced to a less Sum than One thousand Pounds, then and in every such Case it shall and may be lawful for the said Committee of Management for the Time being, and they are hereby authorized

and required to restore the said Excess or surplus Capital to the Sum of One thousand Pounds at the least, over and above what will be sufficient to make a Dividend of the clear Profits of the said Company to as near Two Pounds Ten Shillings *per Annum* upon every such Share as may be; and for the better ascertaining the Truth of the said Accounts, it shall be lawful for the said Justices of the Peace, at any such General Quarter Sessions as aforesaid, or at any Adjournment thereof, when and as often as they shall think fit, to authorize any Person to examine the Books in which the said Accounts shall be entered and kept, and to take Copies thereof or such Extracts therefrom as they shall think proper; and every such Person shall be permitted, at all seasonable Times, to examine such Books and to take such Copies or Extracts as aforesaid, without paying any thing for the same; and the Justices at any such Sessions may examine any Witnesses upon Oath touching the Truth of the said Accounts.

L. And whereas it would be greatly for the Benefit and Advantage of the Inhabitants of the said Town of *Louth*, if after paying a Dividend of Two Pounds and Ten Shillings *per Annum* upon every Share of Twenty-five Pounds on the said Joint Stock, and providing the said Sum of One thousand Pounds to answer any Deficiencies that may happen to the said Undertaking as aforesaid, the surplus Profits of the said Gas Company were paid to the Commissioners for executing an Act of this Session of Parliament, intituled *An Act for paving, lighting, watching, cleansing, regulating, and improving the Town and Parish of Louth, in the County of Lincoln*, to be by them applied in reducing the Expence of the public lighting of the said Town, or in lighting the Streets, Roads, and public Highways in the said Town more completely and effectually, as they in their Discretion shall think proper; be it therefore enacted, That from and immediately after the said Company of Proprietors shall have received a Dividend of Two Pounds and Ten Shillings *per Annum* upon each Share of Twenty-five Pounds so subscribed as aforesaid, and the said Sum of One thousand Pounds shall have been accumulated or restored, and been funded for Contingencies as aforesaid, the then Surplus shall be paid to the said Commissioners, and be by them applied in such Manner as they shall think proper for the Purpose of reducing the Expence of the public lighting of the said Town, or otherwise in more completely and effectually lighting of the said Streets, Roads, and public Highways, or partly in such Reduction of Expence, and the remaining Part in such better lighting as the said Commissioners or any Five of them shall from Time to Time determine, order, and direct, in case the said Commissioners shall from Time to Time contract and agree with the said Company for lighting the said Streets, Roads, and public Highways: Provided nevertheless, that the whole of the said Surplus shall and may be paid and divided unto and equally amongst the said Company of Proprietors, in proportion to their several Shares in the said Undertaking, during such Time as the said Streets, Roads, and public Highways shall not be lighted by the said Company under any Contract or Agreement made by them with the said Commissioners for the doing thereof, pursuant to the Powers hereby given or otherwise vested in them; any thing herein-before contained to the contrary thereof notwithstanding.

Application
of further
Surplus.

6 G. 4. c. 129.

LI. And

Power to
break up the
Soil, Pave-
ment of
Streets, &c.

LI. And be it further enacted, That it shall be lawful for the said Company and their Successors, and they are hereby fully authorized and empowered, by their Engineer, Servants, Agents, Workmen, and others, from Time to Time to make and erect such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, and other Works, and to sink and lay Pipes of such Construction, and in such Manner as the said Company shall think necessary or proper for carrying the Purposes of this Act into execution; and also to erect, set up, place, and affix any Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in any of the said Streets, Lanes, Roads, Passages, and public Places, or upon or against the Walls of any Dwelling Houses or other Buildings therein, either public or private; and also in a careful and workmanlike Manner, doing thereby as little Damage as may be, to break up the Soil, Pitchings, and Pavements of any Streets, Highways, Roads, Ways, Footpaths, Lanes, and Passages within the said Parish, or any Part of them, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Drain Boxes, Syphons, and Plugs, or Branches from such Pipes, in, under, across, and along such Streets, Highways, Roads, Ways, Footpaths, Lanes, and Passages, or any Part of them, and in such Manner as shall be necessary for the Purpose of carrying this Act into execution, or supplying any such Light as aforesaid; and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stopcocks, Drain Boxes, Syphons, and Plugs or Branches, and to carry, fix up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus from any Main or Pipe laid in any Street, Lane, Road, Passage, or other Place by the said Company, by virtue of this Act, into 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 Mains or Pipes; and to erect and set up any other Apparatus necessary or requisite for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring or ascertaining the Extent of such Supply; and also to alter or amend any Work which shall have been placed when and where the same shall be bad and imperfect, and to do all such other Acts, Matters, and Things of the same or the like Nature as shall from Time to Time be necessary and convenient for the Purposes of carrying this Act into execution: Provided always, that such Soil, Pitchings, and Pavements of any of the Streets or Highways within the Limits of this Act, shall not be broken up without the Consent in Writing of the present or future Commissioners, or other Person or Persons under whose Controul, Direction, or Management such Soil, Pitchings, or Pavements may be, and under the Inspection of the Surveyor or Surveyors of such Commissioners, or other Persons as aforesaid.

After Consent
given to
break up
Pavement no
further Con-
sent neces-
sary.

LII. Provided always, and be it further enacted, That in all Cases where any Consent is required to be and shall be obtained by the said Company to break, or take up, or remove the Soil, Pitchings, or Pavements in or of any Streets, Highways, Roads, Lanes, Passages, or other public Places in the said Town, in order to lay down any
Main

Main or Mains, Pipe or Pipes, to convey Gas, or for any other Purpose which may be required under this Act, nothing in this contained shall, after such Consent obtained as aforesaid, and after Twenty-four Hours previous Notice, or in case of Emergency, after Three Hours previous Notice in Writing from the said Company or their Clerk, given to or left at the Place of Abode of such Surveyor or Surveyors, or of the Clerk to such Commissioners or Trustees respectively, or the Person or Persons having the Property of such Soil, Pitchings, or Pavements, be deemed or construed to extend to prevent the said Company from repairing such Main or Mains, Pipe or Pipes, or from breaking or taking up or removing any Soil, Pitchings, or Pavements in or of any Streets, Highways, Roads, Lanes, Passages, or other public Places whatsoever, for the Purpose of laying down or repairing any such Main or Mains, Pipe or Pipes whatsoever, or for any other Purpose which may be required under this Act.

LIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Company or their Successors to carry or lay any Pipe or Pipes, Cocks or Branches from any Mains or Pipes, against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, or to continue the same without the Consent in Writing of the Owner or Owners, Occupier or Occupiers for the Time being of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid respectively, nor to enable the said Company or their Successors, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Company for lighting such Streets, Lanes, Highways, and other public Places, to enter into or upon any private Lands or Grounds without the Consent in Writing of the Owners and Occupiers of such Lands or Grounds for that Purpose first had and obtained.

Company not to lay Pipes on private Grounds without Consent.

LIV. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Stopcocks, Drain Boxes, Branches, or other Apparatus or Works, shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavements and Roads, and carry away the Rubbish occasioned by such Works, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off the Washings or waste Liquids to be produced from the said Works without any Delay, and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages, and set up Lamps or Lights at or near the same during the Night, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages, under and subject to such Orders and Directions as shall from Time to Time be given in any of the aforesaid respects by the said Commissioners or their Surveyor or Surveyors, or other Officers or Servants for the Time being, the same several and respective Acts to be done to the Satisfaction of the said Commissioners or their Surveyor or Surveyors, in all Cases where such Mains, Pipes, Plugs,

Pavements to be made good when Pipes are laid.

Cocks, Drain Boxes, Branches, or other Apparatus shall be laid or repaired in or under any of the public Streets, Roads, Ways, Foot-paths, or other Places now or hereafter to be within the said Parish of *Louth*, and to the Satisfaction of the Owner or Owners of the Soil for the Time being in all other Places: Provided also, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads as aforesaid, or in fencing, guarding, and lighting the Place where any such Ground shall be opened as aforesaid, then and in every such Case it shall and may be lawful to and for the Commissioners, or their Surveyor or Surveyors, and to and for any other Person or Persons, Body or Bodies Politic, having the Care and Management of the Highways or Turnpike Roads for the Time being where such Delay shall happen, or any other Person or Persons acting by or under their Authority, as to any Street, Highway, Way, Lane, Passage, or Place within their Jurisdiction so broken up, and to and for the Owner or Owners of the Soil for the Time being in all other Places, to fill in such Ground, and remove such Rubbish, and repair and make good any Pavement or Road so broken up, and repair any such other Damage, and to fence, guard, and light such Place so opened as aforesaid, and the reasonable Costs and Charges thereof shall be paid by the said Company of Proprietors, or their Treasurer, to the said Commissioners, or Owner or Owners, as the Case may require; and in default of Payment thereof for Ten Days next after Demand shall be made by the said Commissioners, or their Surveyor or Surveyors, or by such Owner or Owners, Proof of such Demand being made by the Oath of any credible Witness before One or more Justice or Justices of the Peace for the said Town, or for the Parts of *Lindsey* in the said County of *Lincoln* (and which Oath such Justice or Justices is and are hereby authorized to administer), all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds, by way of Penalty, for every Offence in any of the Cases aforesaid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices as aforesaid, which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs, Charges, and Expences shall be paid to such Surveyor or other Person by whom such Demand is hereby authorized to be made.

Altering Situation of Pipes.

LV. And be it further enacted, That if it shall at any Time or Times be deemed necessary or expedient by the Commissioners or Trustees, Surveyors, or other Person or Persons having the Controul, Direction, or Superintendence of the said Roads, Streets, Ways, Lanes, and other public Passages and Places respectively, to require the said Company to raise or sink, or otherwise alter the Situation of any of the Pipes, Stopcocks, Plugs, or Branches, which shall be laid down for the Purposes aforesaid, the said Company shall at their own Expence, within Ten Days next after being required so to do, by Notice in Writing to them given by the said Commissioners, Trustees, Surveyors,

veyors, or other Person or Persons respectively, raise or sink such Pipes, Stopcocks, Plugs, or Branches, according to such Notice, and in default thereof it shall be lawful for the said Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid, to cause such Pipes, Cocks, Plugs, or Branches to be raised or sunk, and the reasonable Costs and Charges of doing the same shall immediately thereafter be paid by the said Company, and if the same be not paid within Twenty-eight Days next after Demand shall be made by the said Commissioners, Surveyors, or other Person or Persons aforesaid, by Writing left at the Office of the said Company, 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 said Town or Parts, 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 Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs and Charges shall be paid to the said Commissioners, Trustees, Surveyors, or other Person or Persons aforesaid.

LVI. Provided always, and be it further enacted, That if by raising, sinking, or altering any of the said Mains, Pipes, Cocks, Plugs, Drain Boxes, or Branches, any Damage or Injury shall be wilfully or negligently done to the same by the said Commissioners, or their Servants or Workmen, or other Person or Persons, then and in every such Case such Damage or Injury shall be repaired and made good by the Company themselves, as soon as Circumstances will permit, and the Costs, Charges, and Expences thereof shall be paid by the said Commissioners, or other Person or Persons, to the said Company or their Treasurer; and in case they cannot agree touching the Amount thereof, the same, and also the Costs and Charges of ascertaining and recovering the same, shall be ascertained and settled by any One Justice of the Peace for the said Town or Parts, who is hereby authorized to hear and determine the same, and his Determination therein shall be final and conclusive; and such Damages and Expences, together with such Costs and Charges, shall be levied and recovered by Warrant of Distress under his Hand and Seal, in like manner as other Penalties and Forfeitures are by this Act authorized to be recovered.

Damage done thereby to be made good to the Company.

LVII. And be it further enacted, That it shall and may be lawful for the said Company from Time to Time to enter into and execute any Contract or Contracts with the Commissioners for the Time being acting in the Execution of the said recited Act, for lighting with Gas any Lamp or Lamps in the said Town of *Louth* or Places thereto adjacent, and to cause to be erected Pillars, Pilasters, and other Apparatus, to receive and exhibit such Gas Lights, and to place, erect, or affix, and continue the same against any such Walls or other Places as may be necessary for the Purposes of this Act.

Company may contract with Commissioners for lighting the Town with Gas.

LVIII. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Company to fix, carry, or lay

Pipes not to be fixed against Dwel-

ling Houses,
&c. without
Consent.

lay any Pipe or Pipes through or against any Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, or to continue the same without the Consent in Writing of the Owner or Occupier of every such Dwelling House or Houses, Manufactory, public or private Building, Yard, or Ground, through or against which any such Pipe or Pipes may be fixed, carried, or laid for the Purposes aforesaid.

Pipes, &c. to
be removed
by Company
when Tenants
quit, if re-
quired.

LIX. Provided always, and be it further enacted, That the said Company shall at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers, who shall have consented to the Company carrying or laying any Pipe or Pipes through or against any Dwelling House or Houses, Manufactory, public or private Buildings, Hereditaments, and Premises, or continuing the same when so carried or laid down for the Purpose of lighting the same, or any other Dwelling House or Houses, Manufactory, or public or private Buildings, Hereditaments, and Premises as aforesaid, or within Ten Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose, for or on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Dwelling 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 shall have been introduced or laid by the said Company of Proprietors in or against any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, pursuant to the Power for that Purpose hereinbefore contained, and repair and make good such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings where the same shall have been so introduced, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof, it shall be lawful for such Owner or Owners, or such new Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks, or Branches, to be removed, taken, and carried away, and the Dwelling House or Dwelling Houses, Manufactories, public or private Buildings where the same shall have been introduced, to be repaired and made good, and the reasonable Costs and Charges for the same shall be immediately paid by the said Company or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require: Provided nevertheless, that if such reasonable Costs and Charges be not paid within One Calendar Month 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 Town of *Louth*, or the Parts of *Lindsey* aforesaid, and which Oath such Justice or Justices is and are hereby authorized to administer, 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

of One or more Justice or Justices of the Peace of the said Town of *Louth*, or the Parts of *Lindsey* aforesaid, 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.

LX. And be it further enacted, That in case any Person or Persons who shall contract with the said Company, or agree to take, or shall use or enjoy the Benefit of the said Gas in their private Dwellings, Shops, Inns, Taverns, or other public or private Buildings or Manufactories, shall refuse or neglect, for the Space of Ten Days after Demand in Writing, to pay the Sum or Sums of Money then due for the same to the said Company, it shall be lawful for the said Company, or their Clerk or Superintendant, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said Town or Parts, to levy the said Sum or Sums in respect whereof such Refusal or Neglect shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) on Demand, to such Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; or the same, with Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Recovery of Rents.

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

Company may take away the Gas from Persons offending.

LXII. Provided always, and be it further enacted, That if any Person or Persons whomsoever, supplied with Gas by virtue of this Act, shall supply any other Person or Persons whomsoever with any Part of such Gas, then and in such Case every Person or Persons offending in that respect shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Ten Pounds; and it shall be lawful for the Clerk or Engineer of the said Company, between the Hours of Ten of the Clock in the Morning and Four of the Clock in the Afternoon of any Day, to inspect all and every Buildings and Places lighted with Gas supplied by the said Company; and if in any Building or Buildings, Place or Places, a greater Number of Jets or Lights of Gas supplied by the said Company shall be burned than shall have been agreed for with the said Company, or if the Meter or Meters which may be used for ascertaining the Quantity of

Penalties on Persons supplying others with Gas, &c.

Gas consumed or supplied shall be in any ways injured or destroyed, the Occupiers of such Building or Buildings, Place or Places, so injuring or destroying such Meter or Meters, or burning or causing such greater Number of Jets or Lights to be so burned, shall for every such Offence forfeit and pay to the said Company a Penalty not exceeding Forty Shillings.

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

LXIII. Provided always, and be it further enacted, That no Person shall place or cause to be placed any Pipe or Burner to communicate with any Pipe belonging to the said Company, without the Consent of the said Company under their Common Seal first had and obtained, or use any Burner or Burners of larger Dimensions, or of a different Form, or more in Number, or for a greater Space of Time than he, she, or they respectively shall contract or pay for, so as to waste or improperly increase the Consumption of Gas, on pain of forfeiting and paying to the said Company any Sum not exceeding the Sum of Forty Shillings a Day for every Day such Pipe or Burner shall so communicate, or such Burner or Burners of larger Dimensions, or of a different Form, or more in Number than contracted for, shall be used, or such Excess be so committed.

Penalty for wilfully damaging Pipes, &c.

LXIV. And be it further enacted, That if any Person or Persons shall wilfully, wantonly, or maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Pedestals, Post, Plug, Lamp, or other Apparatus, Matter, or Thing belonging to the said Company, or shall wilfully, wantonly, or maliciously extinguish or put out any or either of the public Lamps and Lights, and wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Company, every Person so offending in any one or either of the Cases aforesaid, and being thereof lawfully convicted on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justice of the Peace for the said Town or Parts (and which Oath such Justice or Justices is and are hereby authorized to administer), shall forfeit and pay to the said Company any Sum not exceeding the Sum of Five Pounds, and Three Times the Amount of the Damages to be ascertained by such Justice or Justices to be done; such Penalty and Damage, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any) on Demand to the Owner of such Goods and Chattels; or if it shall appear to the said Justice or Justices, either by Confession or otherwise, that the Offender or Offenders hath or have not any Goods or Chattels sufficient to levy such Forfeiture or Damage as aforesaid, such Offender or Offenders shall and may be forthwith committed to the Common Gaol or House of Correction of the said Town, there to remain and be kept to hard Labour for any Time not exceeding Three Calendar Months, unless the said Penalty and Damage, with such reasonable Costs as aforesaid, shall be sooner paid and satisfied.

Satisfaction for accidental Damage to Lamps, &c.

LXV. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, destroy, throw down, damage, or injure any Lamp or Lamps hung out, set up, or belonging to the said Company, or any Pipe, Pedestal, Post, Plug, or other Apparatus,

ratus, Matter, or Thing belonging thereto, or to the said Company; and shall not, upon Demand by the said Company or their Clerk or Superintendant, or other Person or Persons authorized by them, make Satisfaction for the Damage done, or the Excess of Gas obtained and used, then and in every such Case it shall and may be lawful to and for any One or more Justice or Justices of the Peace for the Town aforesaid, wherein the Offence shall arise, or for the said Parts, and he or they is and are hereby required, upon Complaint to him or them made, to summon before or them the Party or Parties against whom such Complaint shall be preferred; and upon hearing the Allegations and Proofs on both Sides, or on Nonappearance of the Party or Parties so complained against, to proceed *ex parte*, and to award such Sum or Sums of Money by way of Satisfaction to the said Company, or to such other Person or Persons as the Case may require, for such 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 Ten 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.

LXVI. And be it further enacted, That if any Person shall wantonly or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works of the said Company, or in the Exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure such Interruption or Hindrance to take place, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum, to be adjudged by any Justice or Justices of the Peace for the said Town or Parts, not exceeding Five Pounds; and such Sum so adjudged shall be recovered in like Manner as any Penalty or Forfeiture can be recovered, or the said Company may at their own Option sue for Damages sustained by them by or in consequence of such Hindrance or Interruption.

Interrupting
Workmen,
&c.

LXVII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall at their own Expence, immediately after receiving Notice by Parole or in Writing, (to be left or given at their Office or usual Place of transacting their Business,) of any such Escape of Gas, from any Inhabitants of the said Parish, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours after such Notice by Parole or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay any Sum not exceeding 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 from Time to

Stopping the
Escape of
Gas.

Time

Time recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices for the said Town or Parts, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner, and subject to the like Provisions as are herein directed touching other Penalties to be recovered from the said Company.

Service Pipes to be kept fully charged with Gas.

LXVIII. Provided always, and be it further enacted, That the Branch or Service Pipes which shall be placed by the said Company for lighting any public Lamps, shall be kept fully charged with Gas, and the Stopcocks shall be so formed and turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time such public Lamps shall be lighted.

Public Lights to be better and cheaper than from Oil.

LXIX. Provided always, and be it further enacted, That the said Company shall, and they are hereby directed and required to supply such of the Streets, Highways, Roads, Lanes, Passages, Market Places, and other public Places in the said Town and Parish as shall be lighted under and by virtue of this Act, with Gas of such Quality as shall at all Times afford a cheaper and better Light than could be obtained from Oil; and every Contract or Agreement which shall be entered into for lighting with Gas any Street, Highway, Road, Lane, Passage, Market Place, or other public Place by the said Company, shall contain a Clause providing that it shall be obligatory on the said Company, that such Street, Highway, Road, Lane, Passage, Market Place, and other public Place, shall at all Times be better and cheaper lighted by the said Company than could be done by Oil, according to the average Expence of lighting with Oil for the Space of Three Years immediately preceding.

Penalty for conveying Washings into any River, &c.

LXX. And be it further enacted, That if the said Company of Proprietors, or any Body or Bodies Politic or Corporate, or Person or Persons whomsoever, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas within the said Town, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Company of Proprietors 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 Imparance 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 Six 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, Substance, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof 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, and the said Company of Proprietors 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 shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, Substance, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

LXXI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Way, public Passage or Place in the said Town and Parish, shall be so laid at the greatest practicable Distance, and wherever the Width of the Carriage-way in such Street or Place will allow thereof, at the Distance of Three Feet at least from the nearest Part of any Water Pipe already laid down, or hereafter to be laid down by the said Company, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, Ways, public Passages or Places in the said Town and Parish, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the Pipes of the said Company of Proprietors, in which Cases the said Gas Pipes shall be laid over and above the said Company's Water Pipes, at the greatest practicable

Gas Pipes to be laid Three Feet from Water Pipes in a particular Manner.

[Local.]

45 Q

Distance

Distance therefrom, and shall form therewith a Right Angle; and that in such Cases the said Gas Pipes so crossing the said Company's Water Pipes, shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Company's Water Pipes than Three Feet at least; and that in laying down the said Gas Pipes, the said Gas Light Company, their Successors or Assigns, shall in no Case join 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 properly 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 all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Ten Pounds, to be recovered and applied as any Penalty is herein directed to be recovered and applied.

For the Protection of Water Pipes.

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

LXXIII. And be it further enacted, That whenever the Water of any Company of Proprietors, or other Owners or Proprietors of any Waterworks within the said Town and Parish, or the Water in any Well or Pond belonging to or used by any Party or Person whomsoever, shall be contaminated or affected by the Gas of the said Company, or of any Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons whomsoever making, furnishing, or supplying any Gas used, burnt, or consumed within the said Town and Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, Well, or Pond, or the Party or Person using any such Water, and suing for such Penalty; and in case any such Water shall be contaminated or affected by Gas in any Way whatsoever, then and in every such Case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of and for the said Company of Proprietors, or by other the Owners or Proprietors of any Waterworks, Well, or Pond, or by any Party or Person interested in or using any such Water, to be left at the usual Office or Place of transacting Business of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or at the last or usual Place of Abode of such other Party or Persons as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes; or contaminating or affecting any such Water; and in case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof such Notice shall be given as aforesaid, then and in every such Case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, on each and every Complaint, whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any one of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or to the Party or Person interested in or using any such Water, and complaining as aforesaid, for the Use and Benefit of such Proprietors or Owners, or Party or Person, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid; the Sum of Ten Pounds for each and every Day during which any such Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be

Penalty for
contaminat-
ing Water.

be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer, Manager, or Chief Clerk for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or by and in the Name of any One or more of the Directors of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, at the Option of the Parties prosecuting such Information, or in the Name of the Party or Person interested in or using any such Water, and complaining as aforesaid against the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, before any Justice of the Peace, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant, and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer, or to One of the Directors for the Time being of the Company of Proprietors, or other the Owners or Proprietors of any Waterworks for the Use of the same Owners or Proprietors, or to the Party or Persons interested in or using any such Water, and informing or complaining as aforesaid.

For ascer-
taining whe-
ther the Wa-
ter has been
contaminated
by the Gas.

LXXIV. 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 Gas Light Company; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Proprietor or Proprietors, Owner or Owners of such Water, his, her, or their Servants and Workmen, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said 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 Gas Light Company, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said 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 Gas Light Company, then and in such Case the said Proprietor or Proprietors, Owner or Owners of such Water, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Gas Light Company any Loss, Injury, or Damage which may be occasioned to the said Pipes, Conduits, or Apparatus of the said Gas Light Company in and by such Search and Examination, and also to the Pavement of the said Streets so broken up or disturbed in 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.

LXXV. And

LXXV. 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 Proceeding, or Proceedings in Equity, the Service thereof upon the Clerk of the said Company, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company, or upon any Member of the said Committee, or left at his last Place of Abode; or upon any immediate Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

What shall be deemed a Service of Notices, &c. on the Company.

LXXVI. Provided always, and be it further enacted, Nothing in this Act contained shall extend, or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Company, or any of their Officers, Servants, or Workmen, for any public Nuisance, in respect of any Works or the Means which shall be employed by them in making the said Gas, or using the same, or furnishing Lights therewith, or from bringing any Action or Actions against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works; or the Use of the said Gas, or the Method of lighting therewith, whether such Nuisance or Injury shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of the Person employed therein, or from any other Cause whatsoever.

Company liable to be indicted for Nuisances.

LXXVII. 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 Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such 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 of the said Company, or of the Goods and Chattels of the Treasurer, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and also the Costs and Expences of hearing the Matter in dispute, then and in such Case such Overplus shall be returned on Demand to the

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

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.

Damages, in Cases of Dispute, to be settled by Justices.

LXXVIII. 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 and Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures.

Recovery and Application of Penalties.

LXXIX. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace in and for the said Town, or for the said Parts of *Lindsey*, in a summary Way, upon Information or Complaint made and exhibited in Writing, (and which shall in every Case be made and exhibited within Six Calendar Months at the farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid, the said Justice or Justices shall examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then, except in Cases otherwise provided by this Act, the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods and Chattels can be found, rendering the Overplus of the Money arising by such Sale, if any, to the Party or Parties whose Goods and Chattels shall be so distrained; One Moiety of which Penalties not herein directed to be otherwise applied,

applied, shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer or Treasurers of the Commissioners for the Time being appointed under the said recited Act, to be applied in aid of the Lighting, Watching, and Improvement Rate; and it shall and may be lawful for the said Justice or Justices 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 or Justices for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security; and which Security the said Justice or Justices is and are 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 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 have or hath not sufficient Goods and Chattels whereupon the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and the same shall not be forthwith paid, then it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the House of Correction of the said Town, or the said Parts of *Lindsey*, there to remain and be kept to hard Labour without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

LXXX. And be it further enacted, That it shall and may be lawful for any of the Proprietors of the said Gas Light Company, or for any of their Collectors, Surveyors, or other Officers, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Proprietors, Collectors, Surveyors, or Officers), who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said Town, or for the said Parts, near to the Place where the Offence or Offences shall be committed; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

LXXXI. And for the more easy Conviction of Offenders against this Act, or against any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act; be it further enacted,

For securing
transient
Offenders.

enacted, That a Conviction in the Form or to the Effect following shall be good; (that is to say),

Form of
Conviction.

County of *Lincoln*,
Parts of *Lindsey*,
(or) Town of
Louth, to wit, [as
the Case may be.] } BE it remembered, That on the _____ Day
of _____ in the Year of our Lord
_____ is [or are, as the Case may be],
convicted before me [or us, as the Case may be],
of His Majesty's Justices of the Peace for the said Town
[or Parts; as the Case may be], of having [here state the Offence, and
the Time and Place when and where the same was committed], contrary
to an Act of Parliament, [or contrary to a Bye Law duly made in
pursuance of an Act of Parliament, as the Case may be], passed in
the Sixth Year of the Reign of His Majesty King George the Fourth,
intituled [here set forth the Title of this Act], for which Offence I
[or we, as the Case may be] do adjudge the said
to have forfeited the Sum of _____ [here state the
Amount of the Penalty, Fine, or Forfeiture for the Offence], accord-
ing to the said Act of Parliament; [and in case where the Justice or
Justices may see cause to mitigate the Penalty, here insert, and I, or
we, the said Justice or Justices, seeing cause to mitigate and lessen
the said Penalty, do, according to the Provisions of the said Act
of Parliament, mitigate and lessen the same to the Sum of _____
] which said Sum of _____ [here
insert the Amount of the Penalty, or mitigated Penalty, as the Case
may be,] is to be distributed and applied in manner following, that
is to say, [here state in what Proportions, if distributable, and to
whom the Conviction Money is to be paid], according to the Provi-
sions of the said Act of Parliament. Given under my Hand and
Seal [or our Hands and Seals, as the Case may be], the Day and
Year first above written.'

Witnesses
not appear-
ing, or re-
fusing to be
examined.

LXXXII. And be it further enacted, That if any Persons shall be summoned as a Witness 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, or against any such Bye Law, Rule, Order, or Regulation as aforesaid, either on behalf of the Prosecution or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Nonappearance, or appearing shall refuse to be examined upon Oath or Affirmation, or to give Evidence touching the Matter in question before such Justice or Justices, then and in every such Case, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds, to be recovered as other Fines and Penalties are by this Act recoverable.

Justices em-
powered to
administer
Oaths.

LXXXIII. And be it further enacted, That in all Cases where the Provisions of this Act direct or require the Oath or Affirmation of any Witness or Witnesses to be had or taken in any Proceeding or Proceedings before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace, and he and they is and are hereby

hereby respectively authorized and required to administer such Oath or Affirmation.

LXXXIV. And be it further enacted, That no Person shall be disqualified from being a competent Witness, and 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 Town, or being One of the Proprietors of the said Company, or holding any Office under the said Proprietors.

Persons paying Rates, &c. may be Witnesses.

LXXXV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for special Damages in an Action upon the Case.

Distress not to be avoided for want of Form.

LXXXVI. And be it further enacted, That no Justice of the Peace being a Proprietor of the said Gas Light Company, shall act as a Justice of the Peace in any Case whatsoever concerning the said Company.

In what Cases Justices may not act.

LXXXVII. Provided always, and be it further enacted and declared, That in all Cases wherein the Warden or Justice of the said Town may or shall be personally interested in any Matter brought before him or them, or whenever he or they, or either of them, shall refuse or neglect to act in the Execution of this Act, then and in either of the said Cases it shall and may be lawful to and for the Justices of the Peace acting for the Parts of *Lindsey*, in the County of *Lincoln*, or any of them, to act as Justices within and for the said Town of *Louth* for the Purposes of this Act; any Law, Custom, or Usage to the contrary thereof notwithstanding.

If Warden or Justice interested.

LXXXVIII. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act, or against any Bye Law made by Authority thereof, shall be quashed or vacated for want of Form only, or be removed or removable 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 thereof in anywise notwithstanding.

Proceedings not to be quashed for want of Form, nor removed by Certiorari.

LXXXIX. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced, of such

Plaintiffs not to recover without Notice, or after Tender of Amends.

intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on the behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of
Actions.

General
Issue.

Treble Costs.

Appeal to the
General
Quarter Ses-
sions for the
Parts of
Lindsey.

Xc. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for anything done or to be done in pursuance or under the Authority of this Act, after the Expiration of Six Calendar Months next after the Fact committed, or the Cause of Action shall have ceased and determined, except as may be herein otherwise directed; and all such Actions and Suits shall be laid and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action and Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein-before limited for bringing the same; or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as herein-before authorized, then and in any of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law: Provided nevertheless, that in the Case of paying Money into Court as aforesaid, the Defendant or Defendants shall be entitled to Treble Costs from the Time of such Payments only.

Xci. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Order, Regulation, Bye Law, or Rule of the said Company of Proprietors, or anything done in pursuance thereof, or by any other Matter

Matter or Thing made or done in pursuance of this Act (and for which no particular Method of Relief is herein-before appointed), he, she, or they may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General or Quarter Sessions of the Peace, or some Adjournment thereof, to be holden for the said Parts of *Lindsey* in the said County of *Lincoln*, or other County or Place where the Cause or Matter of Appeal shall arise, the said Party or Parties, Appellant or Appellants, having given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal happen to be made, or whose Interest may be affected by such Appeal, and within Five Days next after such Notice causing a Recognizance to be entered into before some Justice of the Peace for the said Parts, or such other County or Place as aforesaid, by Two sufficient Persons, in the Sum of Twenty Pounds each, conditioned for the Party or Parties, Appellant or Appellants, to try such Appeal, and abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizances having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, or Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

XCII. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and incident thereto, and the Interest of the Money which shall have been advanced for those Purposes, shall, in the first Place, be paid and discharged by the said Company of Proprietors, or their Committee of Management. Expences of this Act.

XCIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed, or deemed, or taken to extend, to affect, extinguish, defeat, abridge, impeach, annul, prejudice, or destroy the Right, Title, or Interest of the Warden and Six Assistants of the Town of *Louth* aforesaid, and their Successors, to any Rents, Tolls, Pickname, Stallage, free Customs, Dues, Duties, Profits, or Advantages belonging, due, or in anywise appertaining to the said Corporation and their Successors, Owners of the Fairs and Markets for the Time being; but that the said Corporation of *Louth*, as Owners of the said Fairs and Markets, and the Owners of the said Fairs and Markets for the Time being, shall and may demand, exact, take, and enjoy all such Rents, Tolls, Pickname, Stallage, free Customs, Dues, Duties, Profits, and Advantages, with all Powers and Remedies for enforcing Payment thereof, in such and the like Manner, and as fully and beneficially to all Intents and Purposes, as if this Act had not been passed. Saving of Rights.

XCIV. And

Public Act.

XCIV. 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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