



ANNO SECUNDO.

# VICTORIÆ REGINÆ.

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## *Cap. xxxviii.*

An Act for better lighting with Gas the Town of *Brighton*; and the several Places therein mentioned, in the County of *Sussex*.

[14th June 1839.]

**W**HEREAS the Town of *Brighton* in the County of *Sussex* is large and populous, and it would be of Benefit and Advantage to the Inhabitants of the said Town, and of the Public resorting to and passing through the same, if an enlarged Supply of Gas Light were afforded in the said Town, and also in the Parishes of *Hove, Preston, Aldrington, Portslade, Southwick, Kingston-by-Sea, New Shoreham, Patcham, Pyecombe, and Clayton*, all in the said County of *Sussex*: And whereas in the Year One thousand eight hundred and twenty-five several Persons associated themselves to form a Company for the Purpose of undertaking to light the Streets, Roads, Lanes, and public Passages, and the public and private Buildings, in the said Town and Neighbourhood, with Gas; and such Persons, with others who have from Time to Time joined such Association, have raised a Capital or Joint Stock of Fifty thousand two hundred and seventy-six Pounds in the following Shares, namely, the Sum of Forty-nine thousand four hundred and twenty Pounds, Part of the said Capital or Joint Stock of Fifty thousand two hundred and seventy-six Pounds, in Two thousand four hundred and seventy-one

[Local.]

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Shares

Proprietors  
incorporated.

Style of the  
Company.

Shares of Twenty Pounds each (which Shares constitute the Class herein-after designated as Class Number One), and the Sum of Eight hundred and fifty-six Pounds, the remaining or other Part of the said Capital or Joint Stock of Fifty thousand two hundred and seventy-six Pounds, in One hundred and seven Shares of Eight Pounds each (which Shares constitute the Class herein-after designated as Class Number Two), and have, by the Name of "The Brighton General Gas Light and Coke Company," proceeded to carry the said Undertaking into effect, and all the said Shares have been paid up, and the whole of the said Capital or Joint Stock has been laid out in the purchasing of Lands, Erections, Buildings, Gas Works, and Apparatus, and in purchasing, furnishing, providing, and laying down very extensive Lines of Gas Pipes, and in the Manufacture and Supply of Gas in the said Town and Neighbourhood, to the great Benefit and Advantage of the Inhabitants of the said Town and Neighbourhood, and of the Public resorting thereto and passing through the same; and such Persons are desirous of being incorporated by Authority of Parliament for more conveniently and efficiently carrying on the said Undertaking, and of raising a larger Capital or Joint Stock for extending their Works, and affording an enlarged and more effectual Supply of Gas in the said Town and Neighbourhood: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 *Lesley Alexander, Crawshay Bailey, Falkiner Best, Edward Harrison Barwell, John Brettel, William Henry Butler, Samuel Preston Child, Thomas Colbatch, Henry Colbatch, John Copeland, James Richmond Folkard, George Stanfield Furmage, Charles Gray, John Grafton, Samuel Goodman, Rhode Gladman, Ebenezer Herne, Nathaniel Hall the younger, Thomas Hall, Samuel Haines, William Hunt, Richard Heaviside, John King, John Knill, James Lugsden, John Mann, William Moore, William Manfield, Joseph Ottley, Peter Parker, Thomas Prince, Richard Pine, William Perry, John Russell, John Rowe, William Stanford, George Stephens, Walter Stanbridge, Charles Street, William Thompson, Thomas Thorby, James Trangmar, John Tanner Trangmar, John Hamilton Trist, Robert Upperton, John Brooker Vallance, James Neatby Warner, William Wigney, Thomas Were, William Were, Benjamin Wood, James Fleming Ward, John Wells, George Henry Williams, Thomas Williams, George Whiteley, George Whiteley the younger, Thomas Whiteley, Robert Welch, and all and every such other Person and Persons as now is or are or is or are entitled to be a Proprietor or Proprietors of any Share or Shares in the said Association called "The Brighton General Gas Light and Coke Company," and as shall or may from Time to Time, in such Manner as herein-after mentioned, become a Proprietor or Proprietors of any Share or Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company, and declared to be One Body Politic and Corporate, by the Name of "The Brighton and Hove General Gas Company," and by that Name shall have perpetual Succession, and a Common Seal, with full Power*

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and

and Authority to use the same, and by that Name shall and may sue and be sued, plead and be impleaded, at Law and in Equity, and petition for and prosecute any Fiat in Bankruptcy or any other Proceedings whatsoever, and shall and may prefer and prosecute any Bill or Bills of Indictment, Information, or Complaint for any Felony, Misdemeanor, or other Offence indictable or otherwise punishable by the Laws of this Realm, and shall by that Name be authorized and empowered to hold any Lands, Tenements, and Hereditaments (subject to the Provision of this Act respecting any Copyhold Estate) already conveyed to the Trustees of the aforesaid Association, without being subject to the Penalties of the Statutes of Mortmain, and which said Lands, Tenements, and Hereditaments (subject as aforesaid) are hereby vested in the said Company and their Successors in such and the same Manner as the same were immediately before the passing of this Act vested in the said Trustees.

II. And be it further enacted, That the said Company shall be established for the Purpose of producing Inflammable Air or Gas from Coal, Oil, Tar, Pitch, or other Materials, and for lighting with Gas all Streets, Roads, Lanes, public Passages and Places, and also Shops, Inns, Tavern Houses, Manufactories; Warehouses, and public and private Buildings, within the said Town and Parishes of *Brighton, Hove, Aldrington, Portslade, Southwick, Kingston, New Shoreham, Preston, Patcham, Pyecombe, and Clayton*, or any or either of them, and shall have full Power from Time to Time to make Contracts and agree with any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, or Corporation or Corporations, Aggregate or Sole, who may be willing and desirous of contracting or agreeing with the said Company, for the lighting and supplying with Gas the said Town, Parishes, and Places, or any or either of them, and the several Streets, Squares, Lanes, Roads, and Passages therein, or any Churches or Chapels, or any Theatre or Places of public Amusement, Manufactories, Shops, Inns, Taverns, Dwelling Houses, Buildings, or other Places within the said Town, Parishes, and Places, and to sell and dispose of Coal, Coke, and Lime, and such Gas, Oil, and all other Products as aforesaid, in such Manner as the Company shall think proper.

Purposes of  
the Com-  
pany.

III. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered from Time to Time to purchase any Lands, Tenements, or Hereditaments by way of absolute Sale in Fee Simple, or any Estate, Term or Terms for Years, or other Interest therein, for the Purposes of this Act, of any Person or Persons whomsoever who shall be willing to sell the same; or in case the Lands, Tenements, or Hereditaments which shall be necessary for the Purposes of this Act shall be Copyhold, to prevent any Doubts or Difficulties in obtaining Admission thereto of or for the said Company, it shall and may be lawful for any Three or more Persons, as Trustees for and on behalf of the said Company, for the Purposes of Admission to or Surrender of such Lands, Tenements, or Hereditaments, to purchase the same on behalf of the said Company for the Purposes of this Act; and it shall be lawful for the said

Power to  
contract for  
the Purchase  
of Lands.

said Company, or such Trustees on their Behalf, as the Case may be, to hold such Lands, Tenements, and Hereditaments, or any Estate, Term or Terms for Years, or other Interest therein, so purchased by or on behalf of the said Company as aforesaid, without incurring or being subject to any Penalties or Forfeitures of the Statute of Mortmain, or of any other Law or Statute whatsoever: Provided always, that it shall not be lawful for the said Company to purchase or hold at any One Time a larger Quantity of Land than Ten Statute Acres.

Forms of  
Conveyance  
to the  
Company :

IV. And be it further enacted, That all Conveyances and Assurances of any Lands, Tenements, or Hereditaments (not being Copyhold) to be made to the said Company and their Successors may be made in the Form or to the Effect following; (that is to say,)

General  
Form.

‘ I [or We, as the Case may be,] of \_\_\_\_\_ in consideration  
 ‘ of \_\_\_\_\_ Pounds paid to me [or us] by “The Brighton  
 ‘ and Hove General Gas Company,” established under and by virtue  
 ‘ of an Act passed in the Second Year of the Reign of Her Majesty  
 ‘ Queen Victoria, intituled [here insert the Title of this Act], do  
 ‘ hereby grant and release or assign [as the Case may be] to the  
 ‘ said Company and their 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 Com-  
 ‘ pany and their Successors and Assigns for ever, [or, as the Case  
 ‘ may be,] during all the Remainder of my [or our] Term, Estate,  
 ‘ or Interest in the said Premises. 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 \_\_\_\_\_

Or, being Copyhold, in the Form or to the Effect following; (that is to say,)

Form of  
Conveyance  
of Copyholds.

‘ I [or We, as the Case may be,] of \_\_\_\_\_ in consideration  
 ‘ of the Sum of \_\_\_\_\_ to me [or us] paid by or  
 ‘ on behalf of “The Brighton and Hove General Gas Company,” do  
 ‘ hereby covenant and agree, at the next General or other Court  
 ‘ which shall be hereafter holden in and for the Manor of \_\_\_\_\_  
 ‘ well and duly to surrender or cause to be surrendered into the  
 ‘ Hands of the Lord of the said Manor for the Time being, or  
 ‘ otherwise effectually convey and assure according to the Custom  
 ‘ thereof, to the Use and Behoof of A. B., C. D., and E. F.,  
 ‘ Trustees nominated and appointed on behalf of the said Company  
 ‘ and their Successors for the Purposes of Admission to or Sur-  
 ‘ render of the same, and do hereby, so far as I [or we] lawfully can  
 ‘ or may grant, and transfer all [here describe the Premises], and all  
 ‘ my [or our] Right, Title, and Interest in and to the same and  
 ‘ every Part thereof, to the End and Intent that the said Trustees,  
 ‘ on behalf of the said Company and their Successors, may be fully  
 ‘ admitted to the said Hereditaments and Premises, and be entitled  
 ‘ to the Inheritance thereof in Fee Simple, in manner herein-after  
 ‘ mentioned; and I [or we] do hereby surrender, covenant, and  
 ‘ agree

agree that the said Premises shall be had and holden, and the said  
 Surrender thereof, when made, be and enure, to the Use of the  
 said *A. B.*, *C. D.*, and *E. F.*, their Heirs and Assigns, but never-  
 theless in Trust for the sole Benefit and Advantage of the said  
 Company and their Successors for ever, at the Will of the said  
 Lord, according to the Custom of the said Manor, and subject  
 only to the Rent and Services due and of right accustomed in  
 respect thereof; and that until such Surrender shall be made and  
 perfected as aforesaid: I [*or we*] and my [*or our*] Heirs shall and  
 will stand seised and possessed of the same in Trust for the said  
 Company and their Successors. In witness whereof I [*or we*] have  
 hereunto set my Hand and Seal [*or our Hands and Seals*] this  
 Day of \_\_\_\_\_ in the Year of our Lord One  
 thousand eight hundred and \_\_\_\_\_

And the said Company shall be admitted to any such Lands, Tene-  
 ments, or Hereditaments as shall be Copyhold by and in the Name  
 of such Trustees on their Behalf as aforesaid, who shall hold the  
 same in Trust as aforesaid, at the Will of the Lord, according to the  
 Custom of the Manor wherein or whereof the Lands or Heredita-  
 ments shall be situate or holden, subject only to the Rents, Customs,  
 and Services due and of right accustomed in respect thereof; and  
 every such Sale, Conveyance, and Assurance so made shall be good,  
 valid, and effectual as to and against the Person or Persons making  
 the same, and all other Persons claiming or to claim by, from,  
 under, or in Trust for him, her, or them respectively, and the same  
 shall be deemed and construed to merge all Terms of Years, and to  
 bar and destroy the Dower and Dowers, Widow, and Freebench of  
 the Wife and Wives of such Person and Persons.

V. And be it further enacted, That it shall be lawful for the said  
 Company from Time to Time to sell and dispose of, and by Inden-  
 ture under their Common Seal to grant and convey, or in the Case  
 of Copyholds for their Trustees as aforesaid to convey and surrender  
 in Fee Simple, or for such other Estate as they may respectively have  
 therein, all or any Part of any Lands, Tenements, or Hereditaments  
 purchased by, belonging to, or held in Trust for the said Company,  
 and which shall not be wanted for the Purposes of this Act; and all  
 such Conveyances and Surrenders shall be good, valid, and effectual,  
 any Law, Statute, or Custom to the contrary notwithstanding; and  
 upon Payment of the Money which shall arise by Sale of any such  
 Lands, Tenements, or Hereditaments it shall be lawful for the  
 Treasurer of the said Company to sign and give Receipts for the  
 Monies for which the same shall be sold, which Receipts shall be  
 sufficient Discharges to every Person for the Purchase Money for  
 which any such Lands, Tenements, or Hereditaments shall be sold,  
 or for so much thereof as in such Receipts shall be expressed to be  
 received; and no such Purchaser shall be answerable for any Loss,  
 Misapplication, or Nonapplication of such Purchase Money.

Power to  
 resell Lands  
 not wanted.

VI. And be it further enacted, That it shall be lawful for the  
 said Company to raise and contribute amongst themselves, or by  
 the Admission of new Subscribers, in addition to the said Sum of  
 Fifty thousand two hundred and seventy-six Pounds heretofore  
 raised

For raising  
 new Shares,  
 and limiting  
 the Amount  
 of Capital  
 Stock.

[Local.]

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raised as aforesaid, any Sum or Sums of Money which they shall think necessary for extending, completing, or carrying on the said Undertaking and the Purposes of this Act, and, if the said Company shall think fit, with such Priority of Dividend or Dividends as herein-after mentioned, provided that the whole Capital or Joint Stock of the said Company shall not exceed One hundred thousand Pounds.

Capital or  
Joint Stock  
to be divided  
into Shares.

VII. And be it further enacted, That such Part of the Capital or Joint Stock of the said Company as comprises the Shares constituting the said Class Number 1 shall be and continue divided into Shares of Twenty Pounds each, that such Part of the said Capital or Joint Stock as comprises the Shares constituting the said Class Number 2 shall be and continue divided into Shares of Eight Pounds each, and that the Remainder of the said Capital or Joint Stock shall be divided into Shares of Twenty Pounds each; and such Shares as are comprised in Class Number 2 (which have not yet been numbered) shall be numbered, beginning Number 2,472, and proceeding with ascending Numbers, in regular or arithmetical Progression, whereof the common Excess or Difference shall always be One, to Number 2,578 inclusive, and such Shares as shall be issued after the passing of this Act shall be numbered, beginning with Number 2,579, and proceeding with ascending Numbers as aforesaid; and all the said several Shares in the said Undertaking shall always be distinguished by the Number applied or to be applied to the same respectively; and the said Capital or Joint Stock of the said Company shall be and is hereby vested in the several Persons who now hold and who shall hereafter subscribe to the said Undertaking, their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Number and Amount of Shares therein they shall severally possess; and all Bodies Politic and Corporate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally hold One or more such Share or Shares, shall be entitled to and receive, as herein-after mentioned, the net Profits and Advantages of the said Undertaking that shall and may arise and accrue to, or be raised, recovered, or received by the said Company; and every Body Politic or Corporate, Person and Persons, having or holding any such Share or Shares as aforesaid, shall bear and pay a proportionable Sum towards carrying on the Purposes of this Act in manner herein directed and appointed; and all and every Body and Bodies Politic or Corporate, or other Person or Persons, who are now entitled to and in the actual Possession of One or more of the said Two thousand five hundred and seventy-eight Shares in the original Undertaking, and his, her, or their Executors, Administrators, or Assigns, and all and every Body and Bodies Politic or Corporate, or other Person or Persons, who after the passing of this Act shall subscribe for or become entitled to and shall be in the actual Possession of One or more Share or Shares in the Capital or Joint Stock of the said Company, and his, her, or their Executors or Administrators, shall be deemed to be Proprietors or a Proprietor of the said Undertaking, subject to the Provisions and Regulations in this Act contained.

VIII. Pro-

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

Shares to be deemed Personal Estate.

IX. And be it further enacted, That it shall be lawful for the said Company (with the Consent of the Proprietor or Proprietors of any Share or Shares in the said Undertaking comprised in the said Class Number 2) to pay off and discharge to such Proprietor or Proprietors the Amount of the Principal of such Share or Shares, or any lesser Amount in discharge of the same, or to convert the Whole or any Part of such Share or Shares into any Share or Number of Shares of Twenty Pounds each in the said Undertaking.

Power to pay off Shares in Class No. 2.

X. And be it further enacted, That the Lands, Tenements, and Hereditaments, of what Tenure soever, Manufactories, Gasometers, Machinery, Apparatus, and Works, Chattels and Effects of the said Company, shall be answerable for and subject to the just Debts, Liabilities, Engagements, and Demands of all and every the Creditors of the said Company.

Company's Property answerable for their Debts.

XI. And be it further enacted, That the several Persons now composing the said Association shall severally and respectively stand personally responsible and answerable for all the just Debts of the Association already incurred, and for all just Demands of the Creditors of the same Association now existing, and for the due Performance of all Contracts and Engagements already entered into by the said Association, and for all Damages already occasioned by the Execution of the said Undertaking, in such and the same Manner as the said Association were responsible and answerable immediately before the passing of this Act; and that from and after the passing of this Act the several Persons composing the said Company shall severally and respectively stand personally responsible and answerable for all just Debts of the said Company, and to and for all just Demands against the said Company, and for the due Performance of all Contracts and Agreements to be entered into by the said Company, and for all Damages that shall or may be occasioned by the Execution of this Act, to the full Amount of their several and respective Shares in the said Capital, but not further or otherwise; Provided always, that whenever Two or more Persons shall have jointly subscribed for or shall be jointly possessed of One or more Share or Shares in the said Undertaking, such Persons shall severally and respectively be answerable for the said Debts and Demands of the Creditors of the said Company, or other the Contracts and the Engagements aforesaid, to the full Amount of such Share or Shares, but not further or otherwise.

Persons forming the old Association to continue liable for existing Contracts, &c.;

and Persons forming the incorporated Company to be liable to Contracts, &c. to be entered into to the Amount of their Shares, and no further.

XII. And be it further enacted, That in case the said Company shall be desirous of raising any Sum of Money for the Purposes of this Act by Mortgage of the said Undertaking, it shall be lawful for the said Company at any Time to borrow and take up at Interest such Sum or Sums for the Use of the said Company as they shall think proper, not exceeding in the whole Ten thousand Pounds, and either

Power to raise Money by Mortgage.

either in one Sum or several Sums, on the Credit of the said Undertaking, and the Lands, Tenements, and Hereditaments, and the Profits and Advantages thereof, arising to the said Company by virtue of this Act, and thereupon, by Writing under their Common Seal, to mortgage all or any Part of the Property and Effects of the said Company to such Person or Persons as shall lend any such Money, as a Security for the Principal Money to be from Time to Time advanced, together with lawful Interest for the same; and the Charges and Expences of such Mortgage shall be from Time to Time defrayed by the said Company out of the Money so borrowed; and every such Mortgage shall be made by Deed duly stamped, in which the Consideration shall be truly stated, and may be in the Words or to the Effect following; (that is to say,)

Form of  
Mortgage.

‘ WE, “The *Brighton and Hove* General Gas Company,” acting  
 ‘ in pursuance of an Act passed in the Second Year of the  
 ‘ Reign of Her Majesty Queen *Victoria*, intituled [*here insert the*  
 ‘ *Title of this Act*], in consideration of the Sum of  
 ‘ 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 his [*or*  
 ‘ her *or their*] Heirs, Executors, Administrators, or Assigns [*as the*  
 ‘ *Case may be*], such Proportion of the Property and Effects belong-  
 ‘ ing to the said Company as the said Sum of doth  
 ‘ or shall bear to the whole Sum which may at any Time be borrowed  
 ‘ by virtue of the said Act, to be had and holden from the Day of  
 ‘ the Date hereof until the said Sum of with  
 ‘ Interest after the Rate of *per Centum per Annum* for  
 ‘ the same, shall be fully paid and satisfied. In witness whereof  
 ‘ we the said Company have hereunto set our Common Seal  
 ‘ the Day of in the Year of our Lord One  
 ‘ thousand eight hundred and

And every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person to whom the same shall be made, his Executors, Administrators, or Assigns, to the Payment of the Money secured thereby, according to the Form and Effect of such Security, and to the true Intent and Meaning of this Act; and a Copy of every such Security shall be entered in the Books of the Company; and in case of any such Mortgage the Trustees or Trustee for the Time being in whom any Copyhold Estate shall be vested for or on behalf of the said Company shall, (if the said Company or their Directors for the Time being shall so direct,) in due Form of Law, and according to the Custom of the Manor or Manors of which the said Copyhold Estate shall or may be holden, surrender and assure the same unto or to the Use of or in Trust for such Person or Persons as shall from Time to Time lend any such Money as aforesaid, his, her, or their Heirs and Assigns, subject nevertheless to such Right or Equity of Redemption as in any such Surrender or Assurance shall be expressed or contained; and in case of any such Mortgage or Surrender of any Copyhold Estate it shall not be necessary to make any other Entry thereof upon the Court Rolls of the said Manor or Manors than of such Surrender as aforesaid; and every such Surrender may be vacated and discharged in the said



Court Rolls by or by the Authority of the Mortgagee or Mortgagees, or his, her, or their Executors, Administrators, or Assigns, in the customary Manner or Form.

XIII. And be it further enacted, That it shall be lawful for the several and respective Persons entitled to any of such Mortgages, and their respective Heirs, Executors, Administrators, or Assigns, (as the Case may be,) at any Time, by Writing under their respective Hands and Seals, to transfer the same to any Person or Persons whomsoever; and every such Transfer shall be made by Deed duly stamped, in which the Consideration shall be truly stated, and 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 \_\_\_\_\_ under or by virtue of a Mortgage bearing Date the \_\_\_\_\_ Day of \_\_\_\_\_ under the Common Seal of "The *Brighton and Hove* General Gas Company," in pursuance of an Act passed in the Second Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*], and in consideration of the Sum of \_\_\_\_\_ paid by \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ to me at or before the Execution of this Deed, do hereby assign and transfer all my Right and Interest in and to the said Sum of \_\_\_\_\_ and to the Property and Effects mortgaged to me for securing the same, unto the said \_\_\_\_\_ his [*her or their*] Heirs, Executors, Administrators, or Assigns (*as the Case may be*). Dated the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord One thousand eight hundred and \_\_\_\_\_

Form of Transfer of Mortgage.

And every such Transfer shall be produced to the Clerk to the said Company, who shall cause a true Copy thereof to be entered in the Books of the Company, 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, shall entitle the Transferree, his Heirs, Executors, Administrators, or Assigns, to the full Benefit of the Security thereby transferred, including any Copyhold Estate comprised in such Security, without the Necessity of any Surrender of the said Copyhold Estate to such Transferree; nevertheless, and in lieu of such Surrender, every such Transfer of such Security, including any Copyhold Estate, shall be entered upon the Court Rolls of the Manor or Manors of which the same shall be holden, and thereupon such Copyhold Estate shall vest in the Transferree, his Heirs and Assigns, according to the Custom of the said Manor or Manors, as effectually as if the same had been surrendered to him according to such Custom.

XIV. And be it further enacted, That all Persons to whom any such Mortgage or Surrender of any Copyhold Estate shall be made shall be equally entitled one with the other to the said Undertaking and Property and Effects of the Company, and the Profits and Advantages thereof, so to be mortgaged or surrendered, in proportion and according to the respective Sums in such Securities men-

No Priority of Mortgages.

[*Local.*]

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tioned to be advanced, without any Preference by reason of the Priority of any such Mortgage or Surrender, or on any other Account; and it shall not be lawful for any Person or Persons who shall have made any Transfer to make void, release, vacate, or discharge the original Mortgage or Surrender, or any Money thereby secured, or any Part thereof, but neither such Mortgagee or Mortgagees nor his or their Transferree or Transferrees (he or they not being a Proprietor or Proprietors of Shares in the said Undertaking) shall be deemed a Proprietor of the said Undertaking, or be capable of acting in any respect as such.

Property to revert to the Company or their Trustees after Payment of the Mortgage Debts.

XV. And be it further enacted, That after Payment or Satisfaction of all the Monies due from the said Company upon or by virtue of any Mortgage or Surrender made by them or their Trustees under the Powers of this Act, all the Estate, Property, Premises, Rights, and Interests by such Mortgage vested in the Mortgagee, his Heirs, Executors, Administrators, or Assigns, shall, upon a proper Transfer or Reconveyance thereof, duly stamped, or as to any Copyhold Estate upon the customary Authority or Warrant to vacate and discharge the same, immediately revert to and revest in the said Company or their Trustees, as the Case may be.

In case Mortgages are paid off, the Company may raise the Amount again.

XVI. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the Money herein-before authorized to be raised by Mortgage as aforesaid, and shall afterwards pay off all or any Part of the Principal Money so raised upon Mortgage as aforesaid, then and in every such Case it shall be lawful for the said Company, immediately, or at any Time thereafter, again to raise, in lieu of the Principal Money so paid off by them, such Sum of Money as they shall from Time to Time have paid off, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any event borrow upon Mortgage as aforesaid in such Manner or to such Extent as that more than the Sum of Ten thousand Pounds in the whole shall be owing at any One Time on Mortgage upon the said Undertaking.

Power to make Calls.

XVII. And be it further enacted, That the said Company, at any General Meeting or Special General Meeting to be called for that Purpose, or at any Adjournment thereof respectively, or the Directors for the Time being of the said Company, shall have full Power and Authority from Time to Time to make such Call or Calls for Money from the several new Subscribers or Proprietors of Shares in the said Undertaking who shall not have then paid or contributed to the full Amount or Sum of Twenty Pounds upon or in respect of each Share, their Executors, Administrators, Successors, or Assigns, as the said Company or the said Directors shall from Time to Time find expedient for the Purposes of the said Undertaking; so that no such Call do at any One Time exceed Five Pounds upon each Share of Twenty Pounds, and so that no Call or Calls shall be made but at the Interval of Two Calendar Months at least from each other, and so that the total Amount of such Call or Calls shall not exceed the Sum of Twenty Pounds in respect of each Share held by the several

several new Subscribers or Proprietors, and so that Fourteen Days Notice at the least shall be given of every such Call as aforesaid in the Manner herein-after directed.

XVIII. And be it further enacted, That the several Persons who shall become new Subscribers for and towards the said Undertaking, or the Proprietors of any new Share or Shares in the Capital or Joint Stock of the said Company, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed or to be subscribed, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the said Company or their Directors for the Time being; and in case any such Person or Persons shall neglect or refuse to pay any such Money at such Time or Times and in such Manner as shall be ordered and directed by the said Company or their Directors as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise in any of Her Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same, and in like Cases of Neglect or Refusal, where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One or more of such Share or Shares, then in like Manner to sue for and recover the same from all or any of such joint Subscribers or Proprietors.

Enforcing  
Payment of  
Calls.

XIX. And be it further enacted, That if any Subscriber to or Proprietor of any new Share or Shares in the said Undertaking, his, her, or their Executors, Administrators, Successors, or Assigns, shall refuse or neglect to pay his, her, or their Proportion of the Money so called for as aforesaid for the Space of One Calendar Month next after the Time appointed for Payment thereof, with lawful Interest for the same from such appointed Time of Payment, then and in every such Case such Person or Persons so refusing or neglecting shall (whether the same shall have been sued for in any Court of Law or Equity or not) absolutely forfeit all his, her, or their Share or Shares 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, unless otherwise determined by a Special General Meeting; and all Shares which shall be so forfeited shall be vested in the said Company, and be sold at a public Sale to the highest Bidder for the same, and the Produce thereof shall be applied and disposed of in manner by this Act directed: Provided always, that no Advantage shall be taken of any such Forfeiture until after Fourteen Days Notice in Writing shall have been given by the Directors of the said Company, or by the Clerk of the said Company, to the Proprietor or Proprietors thereof, or left at or sent by Post addressed to his, her, or their last known or usual Place or Places of Abode, nor unless the same Share or Shares shall be declared forfeited at some General Meeting or Special General Meeting of the Company held not sooner than One Calendar Month next after the Day on which Notice of such Forfeiture shall have been given as aforesaid; and every such Forfeiture, when so declared,

On Nonpay-  
ment of Calls  
within One  
Month after  
the Time ap-  
pointed, the  
Shares to be  
forfeited and  
sold.

Notice of  
Forfeiture to  
be given pre-  
vious to act-  
ing there-  
upon.

declared, shall be an absolute Indemnification and Discharge to and for the Proprietor who shall have incurred such Forfeiture, and his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Proceedings whatsoever, at Law or in Equity, for any Breach of Contract between such Proprietor so forfeiting and the said Company, for or on account of not paying such Call or Calls, or in regard to the future Prosecution of the said Undertaking; and every Share so sold shall be transferred to the Purchaser or Purchasers thereof by the said Company or the said Directors under the Common Seal of the said Company, and the Name or Names of the Purchaser or Purchasers shall be registered in the Books of the Company; and such Purchaser or Purchasers shall be subject to all the same Liabilities as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking, and to all the Rules and Directions of this Act; and thereupon the Proprietor or Proprietors of such Shares so sold and transferred shall be and be deemed a Member or Members of the said Company to all Intents and Purposes whatsoever, and shall be entitled to all the same Privileges and Advantages as if he, she, or they had been a Subscriber or Subscribers to the said Undertaking.

If the Purchase Money for forfeited Shares shall be more than sufficient to pay the Arrears of Calls and Interest and the Expences thereon, the Surplus to be paid to the Owner, on Demand,

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

Proceedings in Actions for Calls.

XXI. And be it further enacted, That in any Action to be brought by the said Company against any Proprietor of any Share in the said Undertaking to recover any Money due and payable to the said Company for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant, being a Proprietor of a Share or so many Shares (as the Case may be) in the said Undertaking, is indebted to the said Company in such Sum of Money as the Call or Calls in arrear shall amount to, for a Call or so many Calls of such Sum or Sums of Money upon a Share or so many Shares belonging to the said Defendant, whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on

the Trial of such Action it shall be only necessary to prove that the Defendant, at the Time of making such respective Calls, was a Proprietor of such Share or Shares in the said Undertaking as such Action is brought in respect of, or some one such Share, and that such Notice was given as is directed by this Act of such Call or Calls having been made, without proving the Appointment of the Directors who made such Call or Calls, or any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, including Interest, computed as aforesaid, on such Call or Calls, unless it shall appear that the Principal Monies previously paid on any such Share, together with such Call, exceeded the Sum of Twenty Pounds on each Share, or was made payable before the Expiration of Two Calendar Months from the Day appointed for Payment of the last preceding Call; and in order to prove that the Defendant was a Proprietor of such Share or Shares in the said Undertaking, as alleged, the Production of the Books in which the said Company is by this Act directed to enter and keep respectively the Names, Designations, and Residences of the several Proprietors of Shares in the said Undertaking, with the Number of Shares they are respectively entitled to, shall be *prima facie* Evidence that such Defendant is a Proprietor, and of the Number and Amount of his Shares therein.

XXII. And be it further enacted, That the Books of the aforesaid Association in which the Names, Designations, and Residences of the several Holders of the aforesaid Two thousand four hundred and seventy-one Shares constituting the said Class Number 1, and of the aforesaid One hundred and seven Shares constituting the said Class Number 2, in the said Undertaking, have been entered, and for which said Two thousand four hundred and seventy-one Shares Certificates have been issued before the passing of this Act by the aforesaid Association, shall be kept by the Clerk to the Company hereby incorporated; and the said Company shall and they are hereby required to cause the proper Number by which every Share in the said Class Number 2 shall be distinguished to be entered in such Books, and to cause the Names, Designations, and Residences of the several Persons who shall hereafter become Subscribers under this Act for further and new Shares in the said Undertaking, with the Number of Shares possessed by each of such Subscribers, and also the proper Number by which every new Share shall be distinguished, to be distinctly entered in a Book to be also kept by such Clerk; and a Certificate or Ticket, with the Common Seal of the said Company affixed thereto, shall be made out in respect of each Share in the said Class Number 2 and of each new Share in the said Undertaking, specifying therein the Name, Designation, and Residence of the Subscriber or Proprietor of such Share, and the proper Number by which such Share shall be distinguished; and every such Certificate or Ticket shall be delivered to the Proprietor, his Executors, Administrators, or Assigns, upon Demand; and the aforesaid Certificates so issued before the passing of this Act, and entered in such Books as aforesaid, and such Certificates or Tickets so to be delivered in pursuance of this Act as aforesaid, shall be admitted in all Courts and Proceedings whatsoever as Evidence of the Title of every Proprietor, his Executors,

Books of Entries of Shares and of Proprietors Names, to be kept by the Clerk.

Regulations respecting old and new Certificates of Shares.

cutors, Administrators, or Assigns, to the Shares therein specified respectively in the said Undertaking, and to the Profits and Advantages accruing in respect thereof, but the Want of such Certificate or Ticket shall not hinder or prevent any Proprietor of any of the said Shares from selling or disposing thereof; and in case any such Certificate or Ticket shall not be produced or forthcoming, the Entry as aforesaid in any such Book as aforesaid, or a true Copy thereof, certified by the Clerk of the said Company, shall be deemed *prima facie* Evidence of Title; and for each Certificate or Ticket which shall be delivered in pursuance of this Act the said Clerk shall be paid the Sum of One Shilling and Sixpence, and no more; and which said Certificates or Tickets to be delivered as aforesaid after the passing of this Act may be in the Words or to the Effect following; (that is to say,)

Form of  
Certificate.

‘ The *Brighton and Hove* General Gas Company.

‘ Number

‘ THESE are to certify, That of  
‘ is the Proprietor of the Share Number of the Capital or  
‘ Joint Stock of “*The Brighton and Hove* General Gas Company,”  
‘ subject to the Rules, Regulations, and Orders of the said Company.  
‘ Given under the Common Seal of the said Company the  
‘ Day of in the Year of our Lord

Shares may  
be sold and  
transferred.

XXIII. And be it further enacted, That it shall be lawful for the several and respective Proprietors of any Share or Shares in the said Undertaking, or for their Executors, Administrators, Successors, and Assigns, (as the Case may be,) to sell and transfer any such Share or Shares; and every such Transfer shall be in Writing duly stamped, and may be in the Form or to the Effect following; (that is to say,)

‘ I [or We] of in consideration  
‘ of paid to me [or us] by  
‘ of do hereby bargain, sell, and transfer to the  
‘ said my [or our] Share [or Shares] Number [or  
‘ Numbers] in the said Capital or Joint Stock, Property, and  
‘ Effects of “*The Brighton and Hove* General Gas Company,” to  
‘ hold to the said his [or her] Executors, Adminis-  
‘ trators [or their Successors], and Assigns, subject to the same  
‘ Rules, Regulations, and Orders, and on the same Conditions, that  
‘ I [or we] held the same immediately before the Execution hereof;  
‘ and I [or we] the said do hereby agree to take and  
‘ accept the said Share [or Shares], subject to the same Rules, Regu-  
‘ lations, Orders, and Conditions. As witness our Hands and Seals  
‘ this Day of in the Year of our  
‘ Lord

Transfers to  
be regis-  
tered.

And every such Transfer shall be produced and notified to the Clerk of the said Company, and shall be entered and registered by him in the Books of the said Company, and the Entry or Registry thereof shall specify the Date of such Transfer, and the Names, Designations, and Residences of the Parties thereto, and the Numbers of the Shares thereby transferred; and a Copy of the Registry of the Transfer of any

any Share entered before the passing of this Act in the Books of the aforesaid Association acting under the Name of "The Brighton General Gas Light and Coke Company," (and which Books shall be kept by the Clerk to the Company hereby incorporated,) signed by the Clerk or other authorized Officer of the Company hereby incorporated, and a Copy of the Registry of the Transfer of any Share which shall be registered as aforesaid after the passing of this Act, signed by the Clerk or other authorized Officer of the said Company, shall be sufficient Evidence of every such Sale and Transfer, and received as such in all Disputes and in all Trials before any Court of Judicature; and no Purchaser or Purchasers of any Share or Shares in the said Undertaking, or his, her, or their Executors, Administrators, or Assigns, shall have any Part or Share in the Profits or Advantages of the said Undertaking, or receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors in the said Undertaking in respect of such Share or Shares, unless such Entry or Registry of such Transfer shall have been made as aforesaid, or such Transfer shall have been produced and notified to the Clerk of the said Company as aforesaid.

XXIV. And be it further enacted, That no Person shall sell or transfer any Share which he or they shall possess in the said Undertaking after any Call shall have been made for any Sum of Money in respect of such Share, unless he or they, at the Time of such Sale or Transfer, shall have paid the full Sum of Money which shall have been called for in respect of such Share.

After a Call is made no Share to be sold until the Call is paid.

XXV. And whereas by the Death of or by other Events happening to Proprietors, or by the Marriage of Female Proprietors of Shares in the said Undertaking, it may be difficult to ascertain to whom such Shares, or the Dividends arising or becoming due upon such Shares, may belong or ought to be paid; be it therefore enacted, That in all Cases when the Right of Property in any Share in the said Undertaking shall pass from any Proprietor thereof to any other Person by any other legal Means than by a Transfer or Conveyance thereof, duly made and executed as herein-before directed, a Declaration pursuant to an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits;'* and to make other Provisions for the Abolition of unnecessary Oaths, shall be made by some credible Person before some Master or Master Extraordinary in the High Court of Chancery, or any of Her Majesty's Justices of the Peace, stating the Manner in which such Share hath passed to such other Person; and such Declaration shall be delivered to the Clerk of the said Company, who shall thereupon enter and register the Name, Designation, and Residence of every such new Proprietor in the Books of the said Company; and the Clerk of the said Company shall be entitled to receive for such Entry the Sum of One Shilling,

Acquisition of Shares in certain Cases.

5 & 6 W. 4. c. 62.

Shilling, and no more, for and in respect of each Share ; but the said Company shall not be bound to see to the Execution of any Trust, whether express or constructive, to which any such Share or Shares shall be subject or liable ; and before such Declaration shall have been delivered, and such Entry made as aforesaid, no Person to whom any such Share shall have passed as aforesaid shall be entitled to receive any Part of the Profits of the said Undertaking, or to vote or exercise any of the Privileges of a Proprietor, in respect of such Share : Provided always, that where the Right of Property in any Share shall so pass to any Person in right of Marriage with any Female Proprietor a Copy of the Register of such Marriage shall be delivered to the Clerk of the said Company with such Declaration as aforesaid ; and where the Property in any Share shall so pass to any Person by virtue of any Will or Letters of Administration, the Probate of such Will or the Letters of Administration, or an Office Copy of such Will or Letters of Administration, shall be produced and shown to the Clerk of the said Company with such Declaration as aforesaid ; and such Clerk shall have full Power (if he shall think proper) to make a Copy of or any Extract from such Will or Letters of Administration.

Register  
Books to be  
Evidence of  
the Proprietorship  
of Shares.

XXVI. And be it further enacted, That the Person or Persons who for the Time being shall appear in the aforesaid Register Books of the said Company to be the Owner or Owners of any Share or Shares in the said Undertaking shall, for all the Purposes of Notice and Liabilities and other the Purposes of this Act, be deemed and considered as the Proprietor or Proprietors of such Share or Shares ; and all the Parties interested under the Powers of this Act shall be bound and concluded by the Registry ; and the said Company shall be fully and effectually indemnified in paying the Dividends and Incomes arising from or in respect of such Share or Shares to the Person or Persons whose Name or Names for the Time being shall appear as such Proprietor or Proprietors in the said Registry Books.

First and  
other General  
and Special  
General  
Meetings.

XXVII. And be it further enacted, That the First General Meeting of the said Company shall be held at the *Albion* Hotel, or at some other convenient Place in *Brighton* aforesaid, on the Third *Tuesday* after the Day of the passing of this Act ; and from and after such First General Meeting of the said Company a Half-yearly General Meeting of the said Company shall be held on the First *Monday* in *September* and the First *Monday* in *March* in each and every Year, or on such Day within the Space of Twenty-one Days next after each of such Periods, and at such Place, as the Directors for the Time being shall appoint, unless any particular Place for holding any such Half-yearly General Meeting shall be appointed at any General or Special General Meeting of the said Company, and also such and so many Special General Meetings of the said Company as the Directors for the Time being shall think proper to convene, or as shall be convened by the Proprietors in manner herein-after provided ; and at such First and other General Meetings the said Company shall and may proceed to carry this Act into execution ; and such First and all other General Meetings and  
Special



Special General Meetings may be adjourned from Time to Time as shall be found expedient: Provided that all such General Meetings, Special General Meetings, and adjourned Meetings shall be assembled before the Hour of Three of the Clock in the Afternoon and not earlier than Ten of the Clock in the Forenoon; and Ten Days Notice at the least of such General Meetings and Special General Meetings shall be given in the Manner herein-after directed; and every Notice of a Special General Meeting shall specify the Purpose for which any such Special General Meeting is called.

XXVIII. And be it further enacted, That Five or more Proprietors of the said Company, being collectively possessed of or entitled to One hundred or more Shares of Twenty Pounds each, or an Equivalent in a greater Number of Shares of a less Amount each, in the said Undertaking, and every of whom shall have been a Proprietor at least Six Calendar Months, may at any Time, by Writing under their Hands left at the Office of the said Company, require the Directors for the Time being to call a Special General Meeting of the said Company, so as such Requisition fully express the Object for which such Special General Meeting is required to be called, and the Day and Hour on which and the Place where the same is required to be held; and in case of Neglect or Refusal of the said Directors to call such Meeting for the Space of Ten Days next after such Requisition as aforesaid, the same may be called by such Five or more Proprietors, by giving Ten Days Notice thereof, in manner herein-after provided; and the said Company are hereby authorized to meet in pursuance of such Notice; and such of the Proprietors thereof as shall be present at such Meeting personally or by Proxy shall proceed to the Execution of the Powers by this Act given to the said Company, with respect to the Matters so specified in such Notice; and all Acts of the major Part in Votes of the Proprietors of the said Company so present, personally or by Proxy, at any such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice as if the same had been done at a General Meeting held at the Time herein-before appointed for holding the same.

Proprietors  
may call  
Special  
General  
Meetings.

XXIX. And be it further enacted, That no Business shall be transacted at any Special General Meeting other than the Business for which it shall have been called, and no Business shall be transacted at any adjourned General or Special General Meetings other than the Business left unfinished at the Meeting from which such Adjournment took place.

Business at  
Special and  
adjourned  
General  
Meetings.

XXX. And be it further enacted, That no Order, Rule, Resolution, Regulation, Act, or Proceeding made, done, allowed, or carried into effect at any Meeting of the said Company held in pursuance of this Act, shall be altered or suspended, revoked, annulled, or disallowed, in any Manner whatsoever, unless at some subsequent Half-yearly General Meeting of the said Company, or at some Special General Meeting of the said Company to be called for that Purpose on the Requisition of or by Ten or more Proprietors of the said Company, being collectively possessed of or entitled to Two

As to re-  
scinding Re-  
solutions of  
Meetings.

[Local.]

90

hundred

hundred or more Shares of Twenty Pounds each, or an Equivalent in a greater Number of Shares of a less Amount each, in the said Undertaking, and every of whom shall have been a Proprietor at least Six Calendar Months, in manner herein-before directed for the calling of Special General Meetings by the Proprietors of the said Company.

Mode of  
proceeding,  
voting, &c.  
at Meetings.

XXXI. And be it further enacted, That at all General Meetings and Special General Meetings of the said Company to be held under the Authority of this Act One of the Directors of the said Company, or any Proprietor then present qualified to vote at such Meeting, to be chosen at such Meeting, shall preside as Chairman; and all Questions shall be decided by the Majority of Votes, to be reckoned as herein-after mentioned; and in case the Number of Votes on any Question, including the Vote of the Chairman, shall at any Time be equal, the Chairman shall have and give the casting Vote; and the several Proprietors of Shares of Twenty Pounds each (who shall have been Proprietors for Two Calendar Months next preceding the Time at which such Meeting shall be holden, but not otherwise,) shall be entitled to vote according to their respective Number of such Shares; that is to say, each Proprietor who shall be the Holder of One such Share, and less than Five, shall be entitled to One Vote; each Proprietor who shall be the Holder of Five such Shares, and less than Ten, to Three Votes; each Proprietor who shall be the Holder of Ten Shares, and less than Twenty, to Five Votes; and each Proprietor who shall be the Holder of Twenty such Shares and upwards in the said Undertaking, to Eight Votes; and that no Proprietor shall be entitled to more than Eight Votes as Principal and in his own Right; and the Proprietor of any Number of Shares of less than Twenty Pounds each shall for all the Purposes last aforesaid be considered as a Proprietor of so many Shares of Twenty Pounds as shall be equivalent in Amount to the Shares held by him; but no Proprietor shall vote at any such Meeting upon any Question in which such Proprietor shall be interested in any other way than as being such Proprietor; and whenever Two or more Persons shall be jointly possessed or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as one of the joint Proprietors of such Share or Shares shall be deemed to be the Proprietor of such Share or Shares for the Purpose of voting, and shall have the sole and entire Right of voting at all such Meetings in respect of such joint Share or Shares; and all Notices necessary to be given to the Proprietors of Shares in pursuance of this Act shall in such Cases of joint Ownership of any Share or Shares be given to such Person, and being so given shall be considered as a Notice given to all the Proprietors of such joint Share or Shares.

As to joint  
Proprietors.

Lunatics and  
Minors to  
vote by their  
Committees  
or Guar-  
dians.

XXXII. And be it further enacted, That in case any of the Proprietors entitled to vote as aforesaid shall be a Lunatic or Lunatics or Minor or Minors, such Lunatic or Lunatics may vote by any One of his, her, or their Committee, and such Minor or Minors shall or may vote by any One of his, her, or their Guardians.

XXXIII. And be it further enacted, That the several and respective Proprietors of any Share or Shares in the said Undertaking entitled to vote in respect of such Share or Shares at any General or Special General Meeting of the said Company shall have full Power and Authority to vote at such General Meetings, or at any Special General Meeting as aforesaid, either in Person or by Proxy (every such Proxy being a Proprietor of a Share or Shares in the said Undertaking, and entitled to vote in respect of his own Share or Shares,) duly constituted under his or her Hand, or, in Cases of joint Possession of any Share or Shares, under the Hand of the Person whose Name shall stand first in the Register Book of the said Company, or in Cases of Minors or Lunatics under the Hand or Hands of his or their Guardian or Guardians or Committee or Committees; or in case of any Bodies Politic or Corporate under their Common Seal; and the Appointment of such Proxies may be made in the Form or to the Effect following; (that is to say,)

Empowering  
Proprietors  
of Shares to  
vote by  
Proxy.

‘ I of one of the Proprietors of a Share  
‘ [or Shares] in “The *Brighton* and *Hove* General Gas Company,”  
‘ do hereby nominate, constitute, and appoint of  
‘ to be my Proxy, in my Name and in my Stead to  
‘ vote or give my Assent to or Dissent from any Business, Matter,  
‘ or Thing relating to the said Undertaking that shall be mentioned  
‘ or proposed at any General Meeting or Special General Meeting or  
‘ Meetings of the said Company, or any Adjournment thereof, if I  
‘ shall not be present, in such Manner as the said shall  
‘ think proper. In witness whereof I have hereunto set my Hand  
‘ the Day of

Form of  
Proxy.

XXXIV. Provided always, and be it further enacted, That no Person shall be entitled to vote as the Proxy of any Person or Corporation as aforesaid unless the Instrument appointing such Proxy shall have been transmitted to the Clerk of the said Company so that he may receive the same before Ten o’Clock of the Morning of the Day of the Meeting at which such Proxy is intended to be used, and thereupon such Clerk shall make an Entry of such Instrument in a Book to be kept for that Purpose; but it shall not be necessary to transmit the same Instrument to such Clerk more than once; and any Appointment of such Proxy may be withdrawn by a Notice in Writing from the Person making the same delivered or sent by the Post directed to such Clerk.

Proxies to be  
transmitted  
to the Clerk.

XXXV. And be it further enacted, That all Notices requisite or necessary to be given for the Purposes of this Act, the Publication or Service of which is not by this Act specially provided for, shall be given by Advertisement to be inserted in One or more *Brighton* Newspaper or Newspapers, and by Letters sent by the Post addressed to the several Proprietors of Shares in the said Undertaking at their last known or usual Place of Residence in *England*, or left at such last known or usual Place of Residence, or so sent, addressed to, or left at the last known or usual Place of Residence in *England* of the individual Proprietor entitled to such Notice, (as the Case may be,) and any Notice or Notices so given shall be deemed and considered the same as personal Notice.

Notices how  
to be given.

XXXVI. And

Appoint-  
ment of  
Directors.

XXXVI. And be it further enacted, That *John Grafton, Edmund Vallance, Henry Vallance, Samuel Preston Child, Richard Heaviside, John King, Joseph Ottley, William Stanford, Thomas Thorby, Robert Upperton, Robert Welch, John Wells, William Were, George Whiteley* the younger, and *William Wigney*, shall be and they are hereby constituted and appointed the first Directors of the said Company; and the said Company, at any General or Special General Meeting, shall have Power to fix what Remuneration shall from Time to Time be allowed to the same or any future Directors of the said Company out of the Funds of the said Company.

Present Di-  
rectors to  
continue  
until others  
appointed.

XXXVII. And be it further enacted, That the several Directors herein-before named shall continue in Office until the First *Monday* in the Month of *September* next after the passing of this Act, or until others shall be appointed in their Stead in pursuance of this Act.

Election of  
future Di-  
rectors.

XXXVIII. And be it further enacted, That at the Half-yearly General Meeting to be held on the First *Monday* in the Month of *September* next after the passing of this Act, or within Twenty-one Days next after, or at some Adjournment thereof, and at the Half-yearly General Meeting which will be held on the First *Monday* in the Month of *September*, or within Twenty-one Days next after, in every succeeding Year, or at some Adjournment thereof, any Number not exceeding Fifteen nor less than Twelve of the Proprietors of Shares in the said Undertaking, being respectively Proprietors of at least Ten Shares of Twenty Pounds each, or an Equivalent in a greater Number of Shares of a less Amount each, in the said Undertaking, shall be elected Directors in the Place of the former Directors; nevertheless any former Director or Directors whose Office shall then have expired shall (if otherwise eligible) be again immediately re-eligible.

Disqualifi-  
cation of  
Directors.

XXXIX. Provided always, and be it further enacted, That in case any Director shall hold or accept any Place or Office of Profit under the said Company, or shall either directly or indirectly take any Contract, or shall participate in any Manner in any pecuniary Advantage to be derived from the said Company further than as a Proprietor, or shall cease to hold Ten Shares of Twenty Pounds each, or an Equivalent in a greater Number of Shares of a less Amount each, in the said Undertaking, the Office of such Director shall thereupon become vacant, and he shall thenceforth be disqualified from acting as a Director; and upon any such Vacancy, or on the Death or Resignation of any Director, it shall be lawful for the said Company, at any General Meeting or Special General Meeting to be held pursuant to the Directions of this Act, to elect some other Proprietor duly qualified to supply every such Vacancy; and every such Proprietor so elected shall continue in Office as such Director so long as the Person in whose Place or Stead he was elected would have been entitled to have continued in Office if such Disqualification, Death, or Resignation had not happened.

For supply-  
ing Vacan-  
cies in the  
Direction.

XL. And

XL. And be it further enacted, That the Directors, or any Three or more of them, shall hold their Meetings at such Time and Place within the said Town of *Brighton*, or elsewhere, as they shall from Time to Time think proper and appoint, and may from Time to Time adjourn such Meetings as shall be found expedient; and at every such Meeting One of the Directors then present shall be elected to preside as Chairman for that Occasion; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors at any of their said Meetings shall be decided and determined by a Majority in Number of the Directors present (the Number of Directors present being not less than Three); and in case of there being an equal Number of Votes upon any Question (including the Vote of the Person acting as Chairman of such Meeting for the Time being), such Chairman shall have the deciding and casting Vote; and if on the Day appointed for any Meeting of the said Directors Three shall not attend, then and in every such Case the Meeting shall be adjourned till such Time and to such Place as the Director or Directors then present, or if none be present then as the Clerk of the said Company, or such other Person as shall attend in his Place, shall appoint; and any Two or more Directors may at any Time when they shall think fit call a Meeting of the said Directors by Notice in Writing, signed by such Two or more Directors, to be sent by the Post or otherwise to the last known Residence or Address in *England* of every Director, and also may renew the Meetings of the said Directors, although they may have been discontinued for Want of Adjournment, or may institute a new Meeting independently of any Meeting appointed by Adjournment.

Meetings of  
Directors.

Chairman  
to have a  
casting Vote.

Two Direc-  
tors may call  
a Meeting.

XLI. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to use the same on behalf of the said Company, and shall superintend all the Affairs of the said Company, and shall have full Power and Authority to do all Acts whatsoever for carrying into effect the Purposes of this Act, and for the Management, Regulation, and Direction of the Affairs of the said Company or relative thereto, which the said Company are by this Act authorized to do, except such as are herein required and directed to be done at some General or Special General Meeting of the said Company; and the said Directors shall appoint, elect, or displace all the Officers and Servants of the said Company (not being a Treasurer of the said Company) with such Salaries, Gratuities, or other Recompence as to the said Directors shall seem proper, subject to any special Orders, Regulations, or Resolutions of the said Company in restraint, control, or regulation of the Powers and Authorities by this Act granted, and to all which Orders, Regulations, and Resolutions, not being contrary to any express Provisions or Directions in this Act, the said Directors shall pay due Obedience; and the said Directors may require and take such Security from any Officer or Officers (not being a Treasurer of the said Company) or other Person, for the faithful Execution of their respective Offices or Duties, as they may think proper.

Powers of  
the Direc-  
tors.

[*Local.*]

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XLII. And

Execution may be issued against any Holder of a Share.

XLII. And be it further enacted, That in case any Execution upon any Judgment or Decree in any Action, Suit, or other Proceeding obtained against the said Company, whether as Plaintiff or as Defendant or Respondent, shall be ineffectual for obtaining Payment of or Satisfaction for the Sum or Sums sought to be recovered thereby, it shall be lawful for the Court in which such Action, Suit, or other Proceeding may have been brought or instituted, upon the Application of the Party or Parties who shall have obtained such Judgment or Decree against the said Company, to issue Execution against any Person or Persons who shall be a Proprietor or Proprietors of any Share or Shares in the Capital or Joint Stock of the said Company: Provided always, that in case such last-mentioned Execution against such Proprietor or Proprietors shall also be ineffectual for obtaining Payment of or Satisfaction for the Sum or Sums sought to be recovered thereby, it shall be lawful for the said Court, upon Motion to be made in open Court, on Notice to the Person or Persons sought to be charged, to issue Execution against any other Person or Persons who shall be a Proprietor or Proprietors of any Share or Shares in the said Capital or Joint Stock of the said Company: Provided also, that the Sum which shall be recovered from the Proprietor of any such Share or Shares shall not in any Case exceed the Sum or Sums remaining unpaid upon the Share or Shares of which such Proprietor shall be possessed, and for the Payment of which Sum or Sums such Proprietor would have been liable if called for by the Directors of the said Company; provided also, that the Sum recovered from any such Proprietor shall be considered as so much Money advanced to and for the Use of the said Company; and it shall be lawful for the Directors of the said Company to make Calls in respect of any Share belonging to such Proprietor for such Sum of Money only as, together with the Sums already paid thereon and the Sum recovered from such Proprietor in respect thereof, shall amount to the Sum of Twenty Pounds for each such Share: Provided also, that for the Purpose of ascertaining the Proprietors of the said Shares it shall be lawful for any Judgment Creditor, or Creditors by Decree, at all reasonable Times, to inspect the Book containing the List of Proprietors of Shares in the said Capital or Joint Stock of the said Company, without Fee or Reward.

No larger Sum to be recovered than the Amount remaining unpaid upon any Share.

Certain Creditors may inspect the Book of List of Proprietors.

Directors not to be personally liable.

XLIII. And be it further enacted, That no Director for the Time being shall be personally answerable for the Performance of any Contract or Agreement into which he shall enter hereafter as one of the said Directors on behalf of the said Company, but all Persons with whom any Contracts or Agreements shall from Time to Time be entered into by the said Directors shall have full Power to resort to and proceed against the said Company, either at Law or in Equity, for the Performance of every such Contract or Agreement, or for Damages occasioned by any Breach or Nonperformance thereof.

General Meetings to appoint Treasurer.

XLIV. And be it further enacted, That it shall be lawful for the said Company, at their First General Meeting, or at any other General or Special General Meeting, to elect and appoint a Treasurer,

surer, and from Time to Time to remove and displace any such Treasurer, and from Time to Time to elect and appoint any other Person to act as Treasurer in the Room of such as shall happen to die, or resign, or be removed from his Office, and to allow such Salary or other Emolument to the said Treasurer as at any such General or Special General Meeting shall from Time to Time be fixed upon and determined: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Company, for the faithful Execution of his Office, before he shall enter thereupon.

Security to be taken from the Treasurer.

XLV. Provided always, and be it further enacted, That it shall not be lawful for the said Company or their Directors to appoint the Person who may be appointed to act as the Clerk to the said Company in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Company; 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 of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company 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, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case.

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

XLVI. And be it further enacted, That no Sum of Money shall be issued by the Treasurer or other Officer or Officers to be appointed by the said Company or their Directors, on account of the said Company, without an Order in Writing made at a General Meeting or Special General Meeting of the said Company, and signed by the Chairman of such Meeting, or without an Order in Writing signed by the Chairman of any Meeting of the said Directors for the Time being, or by any Three or more of the said Directors, and countersigned by the Clerk of the said Company; and the Receipts of such Treasurer for all Monies payable to the said Company shall be effectual Discharges for the same.

Treasurer not to issue Money without an Order.

XLVII. And

Books of Proceedings and of Accounts, &c. of former Company to be kept by the Clerk of the Company incorporated under this Act.

XLVII. And be it further enacted, That all Books of the Orders and Proceedings of the aforesaid Association acting as aforesaid by the Name of "The *Brighton* General Gas Light and Coke Company," and all Books of the said Association heretofore kept by them, or by their Secretary, containing the Names and Designations of the Holders of Shares in the Undertaking of the said Association, and the Transfers, Certificates, and Number of such Shares respectively, and all Books of the Accounts of the said Association, and all Vouchers and Documents relating thereto, and all other Books heretofore kept by the Secretary or any other Officer of the said Association relating to the Affairs or Business of the said Association, shall henceforth be kept by the Clerk of the Company hereby incorporated in the Office of such Clerk, or by such other Officer of the said Company or in such other Office of the said Company as the said Company or their Directors shall order and direct; and all Holders of Shares in the said Undertaking shall at all seasonable Times be allowed to inspect such Books, Papers, and Documents without Fee or Reward.

Books to be kept by the Company.

XLVIII. And be it further enacted, That Books shall be provided and kept by the said Company for the Purpose of entering and registering the Proceedings of the said Company and of their Directors, and all Orders and Resolutions made at any of their Meetings respectively, and the Names and Designations of the Subscribers to the Undertaking, and of all Holders of Shares therein, and the Numbers of such Shares, and of all Transfers of such Shares, and all Mortgages of the Undertaking, or Securities for Money borrowed, and all Transfers thereof, and all other Proceedings, Matters, and Things to be done in pursuance of the Directions of this Act; and such Books shall (subject to the Orders of the Company and their Directors) be kept by the Clerk to the said Company; and such Books, and the Entries therein, entered or signed pursuant to the Directions of this Act, shall be admitted in Evidence by and before all Judges, Justices, and others, and in all Courts and Places whatsoever; and any Person interested shall at all seasonable Times be allowed to inspect such Books without Fee or Reward.

Accounts to be kept of Receipts and Disbursements.

XLIX. And be it further enacted, That the said Company shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept in which shall be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the Proprietors of Shares in the said Undertaking, and all Persons and Bodies respectively possessing or entitled to any Security affecting or charged upon the Estate and Effects, Rents and Profits of the said Company by virtue of this Act, who may take Copies thereof or Extracts therefrom, without Fee or Reward.

Officers to render Accounts when required.

L. And be it further enacted, That all Officers appointed by the aforesaid Association or by their Directors, and all Officers who shall



shall be appointed by the said Company or by their Directors, shall from Time to Time, when thereunto required by the said Company or by their Directors, deliver to the said Company or to such Directors, or to such Person or Persons as the said Company or such Directors shall for that Purpose appoint, true, exact, and perfect Accounts in Writing under their respective Hands of all Monies which they and every of them respectively shall have received by virtue of their Office, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their respective Hands to the said Company or to the said Directors, or to such Person or Persons as the said Company or the said Directors shall appoint to receive the same; and if any such Officer shall refuse or neglect to deliver up or produce such Accounts, and the Vouchers relating to the same, in his Possession or Power, in manner aforesaid, or shall refuse or neglect to pay the Money received on such Accounts, or the Balance of such Monies, or if any such Officer shall refuse or neglect to deliver up to the said Company or such Directors, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required, all the Books, Papers, or Writings in his Custody or Power relating to the Execution of this Act, then and in every of the said Cases it shall be lawful for any Justice of the Peace for the County of *Sussex*, upon Complaint made before him by or on behalf of the said Company or their Directors, and such Justice is hereby required, to summon such Officer to appear before him, and upon his appearing, or upon satisfactory Evidence that such Officer cannot be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts if produced; and if upon Confession of the Officer against whom any such Complaint shall be made, or by the Oath or Oaths, Affirmation or Affirmations (as the Case may require) of any Witness or Witnesses, which Oath or Affirmation such Justice is hereby empowered and required to administer and take, or upon Inspection of the said Accounts, if produced, it shall appear to such Justice that any of the Money which shall have been collected or received shall be in the Hands of such Officer, such Justice may and is hereby authorized, on Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer shall not appear before the said Justice at the Time and Place appointed for that Purpose, unless for some sufficient Reason, or if appearing shall refuse or neglect to give and deliver to such Justice an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to such Justice the several Vouchers and Receipts, Books, Accounts, Papers, and Writings, in his Custody or Power, belonging to the aforesaid Association, or to the said Company, or any of them, then and in any or either of the Cases aforesaid such Justice may and he is hereby authorized, by a Warrant under his Hand and Seal, to commit such Officer to the Common Gaol or House of Correction for the County of *Sussex*, there to remain without Bail or Mainprize, in case he shall be committed

[Local.]

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for

for Nonpayment of any Money received by him or in his Hands, until he shall have accounted for and paid the full Amount thereof; or compounded with the said Directors and paid such Composition in such Manner as the said Directors shall appoint, (which Composition the said Directors are hereby empowered to make,) or, in case he shall be committed for not delivering any Accounts, Books, Papers, or Writings as aforesaid, until he shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof to the said Company or their Directors: Provided that no Person who shall be so committed for Want of sufficient Distress shall be detained in Prison by virtue of this Act for a longer Space of Time than Three Calendar Months.

Executors  
or Adminis-  
trators of  
deceased  
Officers to  
account.

LI. And be it further enacted, That in case of the Death of any such Officer before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of his Office as aforesaid or by virtue of this Act, or made such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such Officer so dying shall pay and satisfy the same out of the Estate and Effects of such Officer unto the said Company or their Directors, or any Person appointed by them in that Behalf, in like Manner as other Debts are directed by Law to be discharged by such Executors or Administrators, and also shall deliver up all Deeds, Papers, Writings, and other Things belonging to the said Company, or concerning his Office, or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators; and in case of the Nonpayment of such Monies, or the Nondelivery of such Deeds, Papers, Writings, and other Things, for the Space of Fourteen Days after Demand made thereof in Writing by or on behalf of the said Company or their Directors, it shall be lawful for the said Company or their Directors to commence and prosecute an Action or Actions in any of Her Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, for the Recovery of the said Monies, or the Recovery of Damages for the Detention of such Deeds, Papers, Writings, and other Things.

Not to pre-  
judice Re-  
medies  
against Sure-  
ties of  
Officers.

LII. And be it further enacted, That nothing herein contained, or any thing to be done by virtue hereof, shall extend or be construed to extend to deprive the said Company of any Action or Actions, Suit or Suits, against the Surety or Sureties of any Officer or Person whomsoever to be appointed in execution of this Act, for the Payment of any Monies remaining due to the said Company, or for the Nonperformance of any Covenant or Agreement entered into by such Officer or Person to be appointed as aforesaid, or his Surety or Sureties, touching any thing to be done under or in pursuance of this Act.

Auditors  
shall be  
appointed.

LIII. And be it further enacted, That at the First General Meeting of the said Company to be held as herein-before mentioned, or at some Meeting to be held by Adjournment from such General Meeting, Three Persons who shall be Proprietors and respectively possessed in their own Right of Ten Shares of Twenty Pounds each,  
or

or an Equivalent in a greater Number of Shares of a less Amount each, at the least, in the said Undertaking, shall be elected and chosen to be Auditors of the said Company, by whom the Report of the Receipts and Disbursements of the Company, to be prepared as herein-after is provided by the Directors of the said Company previously to the holding of the Half-yearly General Meetings of the said Company, may be examined, and the Accounts from which such Report shall or ought to have been drawn may be audited by the said Auditors or any Two of them; and in order thereto the said Auditors, or any Two of them, may, with the Assistance of the Clerk and other Officers of the said Company, inspect and examine all the Books, Papers, and Vouchers of the said Company which they may think necessary, and after a careful Examination of such Report with such Books, Papers, and Vouchers, such Auditors, or any Two of them, may, previously to the Day on which such Half-yearly General Meeting is to be held at which such Report must be produced, sign their Names at the Foot thereof in testimony of their Approbation of the same: Provided always, that in case the said Auditors, or any Two of them, shall, in the Exercise of their Discretion, think it fitting or necessary to make any Observations upon any Part of such Report, or of the Accounts of the said Company produced to them, or shall disapprove of such Report, or the Manner in which such Accounts are kept, they shall subjoin such Observations or Disapprobation to the said Report, and shall sign the same.

LIV. And be it further enacted, That at the Half-yearly General Meeting which shall be held in the Month of *September* One thousand eight hundred and forty the Auditors who shall be so elected as aforesaid shall go out of Office and cease to be Auditors of the said Company, and Three other Persons qualified as aforesaid shall be elected Auditors of the said Company in their Place and Stead; and at the Half-yearly General Meeting to be held in the Month of *September* in every subsequent Year the Auditors who shall be then in Office shall go out of Office and cease to be Auditors of the said Company, and their Places shall be supplied in like Manner; nevertheless every Auditor who shall go out of Office as aforesaid may (if otherwise eligible) be immediately or at any future Time re-elected by the said Company an Auditor of the said Company.

How long  
Auditors to  
remain in  
Office.

LV. Provided always, and be it further enacted, That in case any Auditor shall hold or accept any Place or Office of Profit under the said Company, or shall either directly or indirectly take any Contract, or shall participate in any Manner in any pecuniary Advantage to be derived from the said Company further than as a Proprietor, or shall cease to hold Ten Shares of Twenty Pounds each, or an Equivalent in a greater Number of Shares of a less Amount each, in the said Undertaking, the Office of such Auditor shall thereupon become vacant; and upon any such Vacancy, or on the Death or Resignation of any Auditor, it shall be lawful for the said Company, at any General Meeting or Special General Meeting to be held pursuant to the Directions of this Act, to elect some

Disqualifi-  
cation of  
Auditors.

For supply-  
ing Vacan-  
cies.

some other Proprietor duly qualified to supply every such Vacancy ; and every such Proprietor so elected shall continue in Office as such Auditor so long as the Person in whose Place or Stead he was elected would have been entitled to have continued in Office if such Disqualification, Death, or Resignation had not happened.

Accounts to  
be made up  
half-yearly.

LVI. And be it further enacted, That the said Company or the Directors of the said Company shall and they are hereby required to cause a true and particular Account to be kept, and to be made up twice in every Year, that is to say, on the Thirtieth Day of *June* and the Thirty-first Day of *December*, of the Money received by or for the Use of the said Company by virtue of this Act, and of the Charges and Expences attending the making, maintaining, and carrying on the said Undertaking, and of all other the Receipts and Expenditure of the said Company, up to those Periods respectively ; which Account shall be laid before the Half-yearly General Meeting of the said Company herein-before directed to be held in the Months of *September* and *March* respectively, and which Account shall also be produced to any Proprietor who shall require to be allowed to examine or inspect the same at any convenient Time within Twenty-eight Days prior to the Day of such Half-yearly General Meeting : Provided always, that if the Account so to be laid before any Half-yearly General Meeting shall not be considered satisfactory by such Meeting, then and in such Case the said Meeting shall have Power to appoint a Committee of Inspection, to consist of Five Proprietors, each of whom shall hold at least Ten Shares of Twenty Pounds each, or an Equivalent in a greater Number of Shares of a less Amount each, in the said Undertaking, who shall examine into such Account, and report thereon to a future Meeting of the said Company to be held for that Purpose by Adjournment or otherwise ; and for the Purpose of such Examination the said Directors shall, on Demand, at all convenient Times cause to be produced to such Committee, or any Three Members thereof, all Books of Accounts, Vouchers, and Documents in the Possession of the said Directors relating to the Affairs of the said Company.

Dividends to  
be declared  
at the Half-  
yearly Gene-  
ral Meetings.

LVII. And be it further enacted, That it shall be lawful for the said Company, at any General or Special General Meeting, or some Adjournment thereof, from Time to Time to call for and examine all or any of the Accounts of the said Company ; and at every Half-yearly General Meeting, or some Adjournment thereof, a Dividend or Dividends shall be declared of the Interest, Profits, or Advantages of the said Undertaking (unless such Meeting shall declare otherwise) ; and such Dividend or Dividends shall be at and after the Rate of such a Sum *per Centum* upon or for any Share in the said Undertaking as such Meeting or Meetings shall think fit to order and determine, and the same shall be paid to the respective Proprietors by the Treasurer of the said Company ; but no Dividend shall be made whereby the Capital of the said Company shall be reduced, nor shall any Dividend be paid in respect of any new Share or Shares until all Calls for Money then made in respect thereof by virtue of this Act shall have been paid, nor in respect of any greater Amount than shall have been actually paid upon any such new Share or Shares : Pro-  
vided

vided always, that the Dividend or Dividends upon or for any Share or Shares in the said Undertaking comprised in the said Class Number 2 shall never exceed Six Pounds *per Centum per Annum*, nevertheless that a Dividend or Dividends upon or for such Share or Shares to the Amount of such Rate *per Centum* shall always be declared and paid in preference to and priority of any Dividend or Dividends upon or for any other Share or Shares in the said Undertaking.

LVIII. Provided always, and be it further enacted, That if the said Company shall determine on raising and contributing amongst themselves, or by the Admission of new Subscribers, an additional Capital or Joint Stock as herein-before provided, and shall thereupon declare that the Proprietor or Proprietors of any Share or Shares in such additional Capital or Joint Stock shall be entitled to a Priority of Dividend or Dividends at a Rate not exceeding Five Pounds *per Centum per Annum*, then and in such Case such last-mentioned Dividend or Dividends shall from Time to Time be declared and paid to the respective Proprietors of such new Shares in preference to and priority of any Dividend or Dividends upon or for any other Share or Shares in the said Undertaking; nevertheless the respective Proprietors of such new Shares shall be entitled to receive a Dividend or Dividends at the same Rate *per Centum* as shall be declared and paid upon or for any other Share or Shares in the said Undertaking (except those comprised in the said Class Number 2), if the Rate *per Centum* of such last-mentioned Dividend or Dividends shall at any Time exceed the Rate *per Cent.* of the Dividend or Dividends which the said Company shall declare that the Proprietors of such new Shares shall be entitled to in priority as aforesaid.

Priority of Dividends to new Shareholders.

LIX. And be it further enacted, That the said Company shall always be provided with an Office or House in the said Town of *Brighton*, convenient as to Size and Situation, for transacting the Business of the said Company; and it shall be lawful for the Directors for the Time being, and they are hereby required, out of the Funds or Property of the said Company, to provide such Office, House, or other Building as they may deem suitable and convenient for that Purpose.

Company to have an Office at Brighton.

LX. And be it further enacted, That all and every the Main Pipes and other Pipes and Works which have been purchased or provided, and laid down or placed in the several Streets, Roads, Ways, Lanes, and other public Passages and Places within the Limits of this Act, by the aforesaid Association, and belonging to them at the Time of the passing of this Act, and all Retorts, Purifiers, Gasometers, Receivers, Cisterns, Engines, Machines, Pipes, Posts, Lamp Irons, Lamps, Erections, Buildings, Matters, and Things the Property of or belonging to the aforesaid Association, or vested in *John Lashmar*, *John Grafton*, *Edmund Vallance*, and *Henry Vallance*, by virtue of a certain Indenture of Contract dated the Twenty-fourth Day of *June* One thousand eight hundred and twenty-five, for lighting the said Town of *Brighton* with Gas, or otherwise in relation thereto, at the Time of the passing of this Act, shall be and the same and each

Property of the Association vested in the Company.

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and

and every of them are hereby vested in the Company incorporated by virtue of this Act, subject to any existing Charges thereon or Claims in respect thereof under the said Contract; and also that all and every Person and Persons in whom any Copyhold Lands, Tenements, or Hereditaments shall be vested in Trust for or on behalf or for the Benefit of the said Association at the Time of the passing of this Act shall stand seised and possessed of such Lands, Tenements, and Hereditaments in Trust for and on behalf and for the Benefit of the said Company and their Successors, and shall surrender and assure the same to such Person or Persons and in manner as the said Company or their Directors for the Time being shall from Time to Time direct.

Power to make and erect Retorts, and break up the Soil and Pavement of the Streets, &c. for laying Pipes.

LXI. And be it further enacted, That it shall be lawful for the said Company and they are hereby fully authorized and empowered from Time to Time to make, erect, and fix, or cause to be made, erected, and fixed, such Retorts, Purifiers, Gasometers, Receivers, Cisterns, Engines, Pipes, Machines, and other Erections, Buildings, and Works within the Limits of this Act, in such Manner as the said Company or their Directors shall think necessary or proper, for lighting with Gas the Streets, Roads, Ways, Lanes, and other Passages and Places, and any Manufactories, Warehouses, Shops, Inns, Taverns, Houses, and other private and public Buildings and Premises, within the Limits aforesaid, and for carrying the Powers or Provisions of this Act into execution; and for such Purposes also, from Time to Time, in a careful and workmanlike Manner, and doing as little Damage as may be, to break up the Pitchings and Pavements of the Footways or Carriageways, and any Roads, Streets, Ways, Lanes, Bridges, and other public Passages and Places, or any of them, or any Part thereof, within the Limits aforesaid; and also to break up the Soil of any private Grounds, Ways, Passages, and other Places, or any Part thereof, within the Limits aforesaid; and also to dig, sink, and make, construct, or continue, any Culverts, Tunnels, Trenches, Soughs, or Drains, and to lay, put, place, or continue any Main Pipes, Branch Pipes, and other Pipes, with all necessary Drain-boxes, Syphons, Plugs, Stopcocks, and other Apparatus from their Gasometers or others Works, in, under, across, and along such public and private Places as aforesaid, or within or through any such Culverts, Tunnels, Trenches, Soughs, or Drains, and on, along, or over, aside, or under any Bridge or Bridges as aforesaid, in such Manner as shall be necessary for the Purpose of supplying any Gas Lights, and carrying this Act into execution; and to erect, put, place, and continue any Posts, Pillars, Pilasters, Lamp Irons, Lamp, and other Apparatus in the same Roads, Streets, Ways, Lanes, Bridges, and other public Passages and Places, or any of them, and against any Wall or Walls erected on or adjoining to them or any of them, 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 also to carry, place, fit up, furnish, and continue any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Branch Pipes laid in any Road, Street, Way, Lane, Bridge, Passage, or other Place, public or private, into, through, or against any Dwelling House or Houses,

Houses, Manufactories, public or private Buildings, or Grounds, for the Purpose of lighting the same, or any public or private Lamp, from any of such Mains or other Pipes; and to erect, set up, and continue any Machine or Apparatus requisite or necessary for securing to any Dwelling House or Houses, Manufactories, public or private Buildings, a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been placed or which shall be injured or damaged in such Dwelling House or Houses, Manufactories, public or private Buildings, and to do and continue all such other Acts, Matters, and Things as the said Company shall from Time to Time think necessary for completing, amending, repairing, improving, supplying, and using the same, and necessary and convenient for the Purposes of carrying this Act into execution; doing or occasioning as little Damage thereby as may be, and reasonable Compensation being made for any Damage occasioned thereby: Provided always, that no Main Pipes shall be laid down in any of the Streets or Places as aforesaid at a less Depth than Eighteen Inches at least from the Surface of the Street to the upper Part of the Pipe, except in passing over Bridges or Vaults: Provided also, that it shall not be lawful for the said Company, or their Agents or Workmen, or any other Person or Persons, under the Provisions of this Act, to break up the Soil or Pavement of any private Land or Ground without the Consent in Writing of the Owner or Occupier thereof first had and obtained.

LXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, taken, or construed to extend; to authorize or enable the said Company, nor shall it be lawful for them, to erect, build, or establish any Manufactory or Manufactories, or any other Building or Buildings, or Work or Works, used or necessary for the Purpose of creating or making Gas, at or in any Place or Situation in the said Town of *Brighton* within the Distance of One Mile in any Direction from the *Albion* Hotel at the South End of the *Old Steine*, or at or in any Place or Situation in the said Parish of *Hove* nearer to the Sea, or at or in any Place or Situation in the said Parish of *Hove* or in the Parish of *Brighton* nearer to *Brunswick Square* in *Hove* aforesaid, than the present Manufactory of the said Association, under the Penalty of One hundred Pounds for every Day such Manufactory or Manufactories, Building or Buildings, or Work or Works, shall be so used, to be recovered by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster* by any Person or Persons who shall sue for the same.

Manufactory, &c. not to be erected in certain Parts of the Town of Brighton or Hove.

LXIII. Provided also, and be it further enacted, That it shall not be lawful for the said Company to break up or open, or to cause any Part of the Soil or Pavement of any of the said Streets, Roads, Ways, Lanes, and other public Passages and Places to be broken up or opened; nor the Passage upon or over the same to be in any Manner obstructed, for any of the Purposes aforesaid (save and except in Cases of sudden Escape of Gas or other Emergency requiring immediate Repair or Alteration of any Gas Pipes), until after the said

Pavement not to be broken up without Notice.

said Company, or their Clerk, Surveyor, or Engineer, or other Officer employed by them and acting under their Authority, shall have first given Notice of their Intention to break up or open the same Twenty-four Hours at the least and not more than Three Days next before such breaking up or opening shall commence, by Writing under their or his Hands or Hand, to the Surveyor of the Highways of the Parish or District in which such Soil or Pavement shall be situate, or to the Clerk or Surveyor or any One of the Surveyors of the Trustees or Commissioners, Person or Persons, under whose Jurisdiction, Care, or Management such Streets, Roads, Ways, Lanes, and other public Passages and Places may happen to be, either by giving such Notice personally to such Surveyor or Surveyors, Clerk or Clerks, or leaving the same at his or their respective Dwelling House or Dwelling Houses or usual Place of Abode or Business, and specifying in such Notice the particular Place or Places wherein and the Day when such Soil or Pavement is intended to be broken and opened.

Pavements,  
&c. to be  
broken up  
under the  
Inspection  
of Sur-  
veyors, &c.

LXIV. And be it further enacted, That the Soil or Pavement of any Street, Road, or other public Passage or Place as aforesaid shall be broken up under the Inspection of the Surveyor of the Highways of the Parish or District in which such Soil or Pavement shall be situate, or of the Surveyor or One of the Surveyors of the Trustees or Commissioners, Person or Persons, under whose Jurisdiction, Care, or Management such Soil or Pavement shall be, and according to such Plan as such Surveyor shall approve, if such Surveyor shall, before the Expiration of the Time specified in the Notice lastly herein-before directed to be given to him, signify to the said Company, or their Agents or Servants, his Wish or Intention to prescribe a Plan upon which such Soil or Pavement should be broken up, and shall within One Day after the Expiration of such Time deliver such Plan to the Clerk of the said Company, or leave the same at their Office, and in case of any Difference or Dispute between such Surveyor and the said Company, or their Agents or Servants, thereon, then according to such Plan as shall be approved or ordered by any Justice of the Peace, who is hereby empowered to make such Order in the Premises as he shall think fit, on the Application of the said Company, or their Agents or Servants, after hearing both Parties, or after hearing the Party only making such Application, upon Proof of Service of Notice, or such Surveyor specifying the Day or Time and Place when and where the Appearance before such Justice is intended to take place, and the Nonappearance of such Surveyor at the Day or Time and Place so specified in such Notice.

Liberty to  
proceed with  
breaking up  
after Notice  
has been  
given.

LXV. Provided always, and be it further enacted, That in case any such Surveyor of the Highways, or Surveyor or Surveyors of such Trustees or Commissioners, or any such Person or Persons, shall neglect or refuse to inspect or superintend any of the Works aforesaid before the Expiration of the Time herein-before authorized to be fixed for his or their Attendance as aforesaid, then the said Company shall be and are hereby fully authorized to do and perform the Works specified in the Notice which shall have been so given without the Inspection of such Surveyor of the Highways, or such Surveyor  
or



or Surveyors of such Trustees or Commissioners, or such Person or Persons as aforesaid.

LXVI. And be it further enacted, That nothing herein-before contained shall extend to authorize or enable the said Company, nor shall it be lawful for them, or any of their Servants or Workmen, (save and except in Cases of sudden Escape of Gas or other Emergency requiring immediate Repair or Alteration of any Gas Pipes,) to enter upon or break up the Soil or Pavement of, or to erect, put, place, or continue any Posts, Pillars, Pilasters, Lamp Irons, Lamps, and other Apparatus in any of the Streets, Highways, Lanes, Places, Ways, or Passages belonging to or paved or repaired by or under the Direction of the Commissioners for putting in execution an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better regulating paving, improving, and managing the Town of Brighthelmston in the County of Sussex, and the Poor thereof*, or by or under the Direction of the Commissioners for putting in execution an Act passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act for paving, lighting, watching, cleansing, and otherwise improving Brunswick Square and Brunswick Terrace, and certain Streets and other public Places upon certain Grounds late Part of a Farm called the Wick Farm, in the Parish of Hove in the County of Sussex*, without the Consent in Writing first had and obtained of the said Commissioners respectively, to be signified under the Hand of the Clerk for the Time being of the said Commissioners respectively.

Company not to break up the Pavement in Brighton, &c. without the Consent of the Commissioners.

6 G. 4. c. 179.

11 G. 4. & 1 W. 4. c. 16.

LXVII. And be it further enacted, That the said Company shall have full Power and Authority, under the Direction and Inspection of the said Commissioners for putting in execution the last-mentioned Acts respectively, or a Committee of Seven of their or either of their Body or Bodies, to be appointed by the said Commissioners respectively for that Purpose, or their Surveyor or Surveyors acting under the Orders of such Committee at any Meeting of such Committee, or under the Direction or Inspection of such Committee or a Majority of such Committee, to break up the Soil or Pavement of any of the said Streets, Highways, Lanes, Places, Ways, or Passages within the Jurisdiction of such Commissioners respectively, or any Part of them or either of them; and to sink Trenches, and lay any Pipe communicating or to communicate with the Mains of the said Company, under, across, and along any of the said Streets, Highways, Lanes, Places, Ways, or Passages, or any or either of them, requisite for the Supply of any Dwelling House or Houses, Manufactories, public or private Buildings, or carrying into execution the Powers hereby granted; and to erect and set up, by themselves, or their Agents or Servants and Workmen, any Machine or other Apparatus necessary or requisite for securing to such Dwelling House or Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and also to alter the Position of, repair, relay, or amend, any Pipes or bad or imperfect Work which shall have been so placed, or which shall be injured or damaged, in or leading to such Dwelling House or Houses, Manufactories, public or private Buildings as

Power to lay Pipes, and to erect Machinery to supply Dwelling Houses, &c. with Gas.

[Local.]

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aforesaid;

aforesaid ; any thing contained in this Act to the contrary notwithstanding.

In case Surveyor does not attend after Notice, the Company may proceed in the Works, &c.

LXVIII. Provided always, and be it further enacted, That in case the last-mentioned Commissioners respectively, or such Committee or a Majority thereof as aforesaid, or their Surveyor or Surveyors, shall refuse or neglect to attend to direct and inspect any of the Works hereby directed to be done under their or his Direction or Inspection, and after being thereunto required by Notice in Writing from the said Company or their Clerk given to or left at the Place of Abode of the Clerk or Surveyor or Surveyors to the said Commissioners at least Three Days before any such Work shall be done, (except in Cases of sudden Escape of Gas or other Emergency as aforesaid, when no Notice shall be requisite,) then the said Company are hereby fully authorized to do and perform such Works without the Direction or Inspection of any such Commissioners, or such Committee or a Majority thereof, or such Surveyor or Surveyors, or any other Power or Authority whatsoever, any thing herein contained to the contrary notwithstanding ; but in case the said Company, their Servants, Agents, or Workmen, shall commence any such Works (except in the Cases aforesaid) without previously giving such Notice as aforesaid, the said Company, their Servants, Agents, or Workmen, so offending, shall forfeit and pay any Sum not exceeding Twenty Pounds, and shall remove such Works as may have been so commenced,

Company to relay the Mains, if necessary, when the Commissioners lower the Level of the Streets.

LXIX. Provided always, and be it further enacted, That in case the said Company shall at any Time place or lay any Mains or Pipes along, under, or across any of the Streets, Highways, Lanes, Places, Ways, or Passages belonging to or paved or repaired by or under the Direction of the last-mentioned Commissioners respectively, and the said Commissioners respectively shall at any Time or Times thereafter deem it necessary or expedient to lower the Level or take away from the Surface of any such Streets, Highways, Lanes, Places, Ways, or Passages along, under, or across which such Mains or Pipes shall be laid as aforesaid, so as to render it necessary to relay such Mains or Pipes, then and in every such Case the same shall be relaid by and at the Expence of the said Company.

Position of Pipes in private Grounds may be altered.

LXX. Provided also, and be it further enacted, That in case the said Company shall at any Time place or lay any Mains or Pipes along, under, or across any private Ground, Road, Way, or Passage, for the Conveyance of Gas, with the Consent of the Owner or Occupier thereof for the Time being, and such Owner or Occupier shall at any Time or Times thereafter deem it necessary or expedient to alter or vary the Position of such Main or Mains, Pipe or Pipes, the said Company shall, at the Expence, Costs, and Charges of such Owner or Occupier, within One Calendar Month next after being required so to do by Notice in Writing to them given by the said Owner or Occupier, alter and vary the Position of such Main or Mains, Pipe or Pipes, and relay the same according to such Notice, in such Manner and in such Place or Places as the Owner or Occupier

pier shall think proper; and in default thereof it shall be lawful to and for the said Owner or Occupier, or his Agents, Servants, or Workmen, (at the like Costs and Charges of the said Owner or Occupier,) to cause the Position of such Main or Mains, Pipe or Pipes, to be altered, varied, and relaid as aforesaid.

LXXI. Provided also, and be it further enacted, That in case any Pipe, Cock, or Branch shall be carried or laid from any Main or Pipe of the said Company into or through any Dwelling House or other Building, for the Purpose of lighting the same or any other Dwelling House or other Buildings, in pursuance of this Act, and the Owner or Occupier of any such Dwelling House or other Buildings into or through which such Pipe, Cock, or Branch shall be carried or laid, shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such his Desire shall give Notice in Writing to the said Company, then and in every such Case the said Company shall, at the Costs and Charges of the said Party or Parties requiring the same, within Ten Days after Receipt of such Notice, alter or remove and take away, or cause to be altered or removed and taken away, all or any such Pipes, Cocks, or Branches as shall have been so introduced and laid therein or there-upon from any such Main or Pipe of the said Company as aforesaid; and in default thereof it shall be lawful for such Owner or Occupier, or any other Person acting under his Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require.

Company to  
remove  
Branch  
Pipes, &c. on  
private Pro-  
perty upon  
Notice  
given.

LXXII. Provided always, and be it further enacted, That in all Cases where it shall not have been otherwise stipulated by an Agreement in Writing between the said Company and any Person or Persons, the said Company shall, at their own Expence, on the Expiration or Determination of the Tenancy of any Occupier whose Dwelling House, Manufactory, or public or private Buildings shall be supplied with Gas in pursuance of this Act, or of any Occupier who shall have given such Consent as aforesaid within Ten Days next after the Expiration or Determination of such Tenancy, upon receiving Two Days Notice in Writing for that Purpose from the Owner or succeeding Occupier of any such Dwelling House, Manufactory, or 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 other Pipes, which shall have been introduced or laid by the said Company through, into, or against any such Dwelling House, Manufactory, or public or private Buildings as aforesaid (except for public Lamps), pursuant to the Powers for that Purpose in this Act contained, and shall repair and make good any such Dwelling House, Manufactory, or public or private Buildings, where the same shall have been so introduced or have been placed, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall be lawful for such Owner or such new or succeeding Occupier, as the Case may be, or any other Person acting under his Authority, to cause such Pipes, Cocks, and Branches to be

Company to  
remove  
Pipes, &c.  
when Te-  
nants quit,  
if required.

be removed, taken, and carried away (without being thereby subjected to any Penalty or Costs for thereby unavoidably damaging the Works of the said Company), and the Dwelling House, Manufactory, or public or private Buildings where the same shall have been introduced or placed to be repaired, and the reasonable Costs and Charges for so doing the same shall be immediately paid by the said Company, or their Treasurer for the Time being, to such Owner or Occupier, as the Case may be.

Company to  
reinstale  
Pavement,  
&c. broken  
up by them.

LXXIII. And be it further enacted, That when and so often as the Stones, Pavement, Ground, or Soil in or of any Street, Highway, Road, Lane, Passage, or Place, or any Part thereof, shall have been broken up or removed, under the Provisions of this Act, the said Company shall and they are hereby required, as soon as may be thereafter, at their own Costs and Charges, to fill in and effectively make good all Trenches and Drains, and to relay, reinstale, and make good such Stones, Pavement, Ground, or Soil, and for the Space of Two Calendar Months thence next ensuing, from Time to Time and so often as thereunto required, to keep and renew the said Stones, Pavement, Ground, or Soil, and such Parts of the said Streets, Highways, Roads, Lanes, Passages, or Places as shall have been so broken up or removed as aforesaid, in good Repair, Order, and Condition, and of a level Surface, to the Satisfaction of the Surveyors of the Highways, or Turnpike Trustees, or other Person or Persons having the Control, Direction, or Superintendence of such Stones, Pavements, Ground, or Soil, Streets, Highways, Roads, Lanes, Passages, or Places respectively, as well when the same shall have been broken up or removed for the Purpose of first laying down as for the Purpose of repairing, relaying, and amending any Main Pipes, Cocks, Syphons, or Plugs, or for any other Purpose authorized by this Act; and the said Company shall at all Times and on all Occasions, at their own Costs and Charges, remove and carry away all surplus Earth, Filth, and Rubbish occasioned thereby; and during the Time that the Works hereby authorized are carrying on, and until such Stones, Pavement, Ground, or Soil shall be relaid, reinstated, or made good as aforesaid, the said Company shall provide and place necessary Lights at Night, and shall guard and fence off the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriers; and in case the said Company shall make default in filling in and making good such Drains and Trenches, or in relaying, and from Time to Time within the Period aforesaid reinstating and making good, such Stones, Pavement, Ground, or Soil, or in putting and for the Space herein-before mentioned keeping the said Stones, Pavement, Ground, or Soil, and the said Parts of the said Streets, Highways, Roads, Lanes, Passages, or Places, in such good Repair, Order, and Condition, and of such level Surface as aforesaid, or in removing and carrying away all such surplus Earth, Filth, and Rubbish as aforesaid, or in providing and placing such Lights at Night, or in guarding and fencing off the said Works, so as to prevent Accidents to Passengers, Cattle, and Carriers, then and in every such Case the said Company shall forfeit and pay for every such Offence the Sum of Five Pounds, one Half of which Penalty shall be paid to the Informer, and the other Half to the

Surveyor or Surveyors of the Highways, or the Turnpike Trustees, or other Person or Persons having the Control, Direction, or Superintendence of such Highway, Streets, or Roads where any such Default shall happen; and it shall be lawful for such Surveyor or Surveyors of Highways, or Turnpike Trustees, or other Person or Persons having such Control, Direction, or Superintendence as aforesaid, or their or his Servants or Agents, to fill in and make good such Drains and Trenches, and to relay, and from Time to Time to reinstate and make good, such Pavements, Stones, Ground, or Soil, and to put and for the Space aforesaid to keep the same, and also the said Parts of the said Streets, Highways, Roads, Lanes, Passages, or Places which shall have been so broken up or removed as aforesaid, in such good Repair, Order, and Condition, and of such level Surface as hereinbefore is mentioned, and to remove and carry away all the surplus Earth, Filth, and Rubbish, and during the Time that such Works are carried on to provide and place necessary Lights at Night, and to guard and fence off the said Works, so as to prevent any such Damage or Inconvenience as aforesaid, and the Expence of doing all and every or any of the Matters aforesaid shall be repaid by the said Company, or their Treasurer, to such Surveyor or Surveyors, Person or Persons as aforesaid.

LXXIV. Provided always, and be it further enacted, That the said Company, their Servants, Agents, Workmen, and others, shall not by any Work to be done by virtue of this Act damage or injure any public Sewer or Drain, or the Mains, Pipes, and Apparatus for the Supply of Gas of any other Company, within the Limits of this Act; and if any Damage or Injury shall be done by them or any of them to any such Sewer or Drain, and Mains, Pipes, and Apparatus as aforesaid, the said Company shall forthwith well and sufficiently repair and make good such Damage or Injury; and in default thereof the Amount of such Damage or Injury shall be paid by the said Company, or their Treasurer, to the Surveyor or Surveyors of the Highways, or other Person or Persons injured thereby, under whose Jurisdiction and Care the same for the Time being shall be.

Damage to any public Sewer or Drain to be made good.

LXXV. And be it further enacted, That if in carrying into execution any of the Powers or Authorities by this Act given or granted any Injury or Damage shall be done or committed to any of the Pipes, Branches, Apparatus, Materials, or Things for the Supply of Water or Gas in or for the said Town of *Brighton* and Neighbourhood, or any Part or Parts thereof, of or belonging to any Body Politic, Corporate, or Collegiate, or any Person or Persons, either by removing or disturbing the Ground or Soil wherein or whereon the same is or are laid or placed, or by the Compression and subsequent settling or lowering of the same at any Time or Times afterwards, or by any other Means whatsoever, the said *Brighton* and *Hove* General Gas Company shall, at their own Expence, Costs, and Charges, within Twelve Hours next after Notice to them given by such Body Politic, Corporate, or Collegiate, or any Person or Persons, having the Care of such Pipes respectively, by Writing under the Hand of their Clerk or other Officer, cause

In case of Injury or Damage to Water or other Pipes.

[Local.]

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such

such Pipes, Branches, Apparatus, Materials, and Things to be well and effectually repaired and amended or restored; and in default or neglect thereof it shall be lawful for the *Brighton, Hove, and Preston* Waterworks Company, or the said *Brighton* Gas Light and Coke Company, (as the Case may be,) and they are hereby respectively authorized and empowered, to cause such Pipes, Branches, Apparatus, Materials, and Things so injured or damaged as aforesaid to be effectually repaired, amended, and made good, and the reasonable Costs, Charges, Damages, and Expences attending the same shall be paid and defrayed by the said *Brighton* and *Hove* General Gas Company or their Treasurer; and if they cannot agree touching the Amount or Value thereof, the same shall be ascertained and settled and ordered to be paid by such Justice or Justices of the Peace for the said County of *Sussex* in the Manner herein-after described for the Recovery of any Sum of Money ordered by any Justice or Justices of the Peace to be paid for any Damages done by the said Company.

Contracts,  
Debts, &c.  
of the Asso-  
ciation to be  
available  
against and  
to the Com-  
pany.

LXXVI. And be it further enacted, That all Contracts and Agreements entered into or made before the passing of this Act by the said Association acting by the Name of "The *Brighton* General Gas Light and Coke Company," or entered into or made by any Directors of the said Association, or by any Person or Persons acting on behalf of the said Association, and now in force, and particularly by the said *John Lashmar, John Grafton, Edmund Vallance, and Henry Vallance*, under the said Indenture of the Twenty-fourth Day of *June* One thousand eight hundred and twenty-five, shall be as binding upon the said Company hereby incorporated, and be of as full Force and Effect in Law in all respects against and upon the Company hereby incorporated, as if the same respectively had been entered into or made by the said Company after the passing of this Act, or by the Directors of the said Company named or appointed in pursuance of this Act, or by any Person or Persons acting on behalf of the said Company in pursuance of this Act; and that all the Persons forming the said Association, and the said *John Lashmar, John Grafton, Edmund Vallance, and Henry Vallance*, shall be and are hereby indemnified by the said Company from such Contracts and Agreements; and all Bodies Politic or Corporate, and all Persons whomsoever, who at the Time of the passing of this Act shall be Parties or a Party to any such Contract or Agreement as aforesaid, shall be answerable to the Company hereby incorporated for the full Performance of all and every the Conditions or Condition of any such Contract or Agreement therein stipulated to be done or performed by any such Parties or Party, in like Manner as if such Contracts or Agreements respectively had been made or entered into in pursuance of this Act with the said Company, or any Directors named or appointed in pursuance of this Act; and all Bodies Politic or Corporate, and all Persons whomsoever, who at the Time of the passing of this Act shall stand indebted to the aforesaid Association in any Sum or Sums of Money, shall be liable for the Payment thereof to the Company hereby established, or to their Treasurer, or other Person or Persons to be appointed by the said Company to receive the same; and in case of Nonpayment thereof, or of any Part thereof, the said Company are hereby empowered to proceed for the Recovery thereof and to recover

recover the same by Action of Debt in any of Her Majesty's Courts of Record at *Westminster* or otherwise.

LXXVII. And be it further enacted, That in case any Body or Bodies Politic or Corporate, Commissioners, Trustees, Surveyors, or other Person or Persons who shall contract with the said Company, or agree to take or shall use and enjoy the said Gas, shall refuse or neglect for the Space of Ten Days after Demand to pay the Sum or Sums of Money then due under their, his, or her Contract or Agreement for the same to the said Company, according to the Terms and Stipulations of the said respective Parties with the said Company, it shall be lawful for the said Company or their Directors, or any other Person or Persons acting by or under their Authority, to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen, in case the same shall not exceed the Sum of Thirty Pounds, nor any larger Arrear than such as shall have become due within the Space of Six Calendar Months preceding, together with Costs, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same or any Part thereof; wherever such Goods and Chattels may be found, in the same Manner as Rents in arrear upon common Demise may by Law be recovered, rendering the Overplus (if any) to such Person or Persons so neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted; or the same Sum or Sums of Money, whether exceeding the Sum of Thirty Pounds or such Arrear as aforesaid or otherwise, with full Costs of Suit, may be recovered in any of Her Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Complaint, or Information; and it shall also be lawful for the said Company to cut off and take away the Supply of Gas from the House or Houses, Manufactories, public or private Buildings, Grounds, or Premises of every such Person or Persons so making default in Payment of such Sum or Sums of Money then due by his, her, or their Contract to the said Company, for the Space of Ten Days after such Demand as aforesaid, and thenceforth discontinue the Supply of Gas contracted or agreed for by such Person or Persons.

LXXVIII. And be it further enacted, That if the said Company shall at any Time empty, drain, conduct, or convey, or cause or suffer to be emptied, drained, conducted, or conveyed, or to run or flow, any Washings or other waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into the Sea, or into any running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, Springhead, Well, Drain, Sewer, or Ditch, whereby the Water, or any Part thereof, shall or may be soiled, fouled, corrupted, or contaminated, then and in every such Case the said Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and

Recovery of Rents.

Penalty on Washings draining into Wells, &c.

and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, and the whole thereof shall be paid to the Person or Persons who shall sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall have been sued for or recovered or not,) in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into the Sea, or into any running Stream, or any Reservoir, Canal, Aqueduct, or 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 Body or Bodies Politic or Corporate or Person or Persons to whom the same belong, or by any other Person or Persons whomsoever, to the said Company, and the said Company shall not, within Twenty-four Hours after such Notice shall have been given to them as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Company shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and the Amount of such last-mentioned Penalty shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For stopping  
the Escape  
of Gas.

LXXIX. 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 Parol or in Writing of any such Escape of Gas from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, as soon as practicable after such Notice by Parol or in Writing as aforesaid being given, effectually stop and prevent the Gas from further escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay the Sum of Forty Shillings for each and every Day, after it shall

have



have been practicable to remove such Cause of Complaint, during which the Gas shall be suffered to escape as aforesaid.

LXXX. And be it further enacted, That when and so often as the said Company, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main or Mains, Pipe or Pipes, or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Water Pipe or Water Pipes, or Gas Pipe or Gas Pipes, shall have been laid or placed, for the Purpose of conveying Water or Gas within the Limits of this Act, or any Branch of any such Water Pipe or Gas for the Service or Supply of any Dwelling House or Houses, Manufactories, public or private Buildings, within the Limits of this Act, the said Company, their Servants, Agents, or Workmen, shall, and they are hereby required to give previous Notice thereof in Writing to the Proprietor or Proprietors or Person or Persons having the Control of such Water Pipes or Gas Pipes for the Time being, or to the Occupier of such Dwelling House or Manufactory, public or private Buildings, supplied by such Branch or Service Pipes, as the Case may be; and on every such Occasion the said Company, their Servants, Agents, and Workmen, shall, under the Inspection of such Proprietors or Persons or Occupiers, or their or his 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 and may be done to any such Water Pipe or Pipes, or Gas Pipe or Pipes, on such Occasion; and in default being made in any of the Matters aforesaid, the said Company shall forfeit and pay to the Proprietors or Persons, or Occupiers, (as the Case may be,) any Sum not exceeding Five Pounds, together with the Costs and Expences which shall have been incurred by them, him, or her in the securing or protecting, or in repairing and making good any Injury or Damage that may be done to such Pipe or Pipes by the Means aforesaid.

For the Protection of Water and Gas Pipes.

LXXXI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, Way, Lane, or other public Passage or Place within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof at the Distance of Four Feet at least, from the nearest Part of any Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Ways, Lanes, and other public Passages and Places, unless in Cases where it shall be unavoidably necessary to lay the said Gas Pipes or other Conduits across any of such Water Pipes, in which Cases the said Gas Pipes or other Conduits shall, if practicable, be laid over the said Water Pipes at the greatest practicable Distance from the said Water Pipes, and shall form therewith as near as possible a Right Angle; and in such Cases the said Gas Pipes or other Conduits so crossing any such Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any of the said Water

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

[Local.]

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Pipes

Pipes than Four Feet at the least; and such Gas Pipes so crossing the said Water Pipes shall for the whole Length thereof be sufficiently bedded in with good sound Clay of a proper Subsistence, and well worked and rammed into the Trenches all round the said Gas Pipes; and in laying down any such Gas Pipes or other Conduits no Two or more of such Gas Pipes or other Conduit Pipes shall in any Case be joined together previous to their being laid in the Trench, but each Pipe shall be laid as near as may be in its Place in the Trench, and the Jointing with the other Pipes to be added thereto shall be done and completed after such Pipes shall be so laid or placed in the Trench with proper and sufficient Materials; and also, whenever practicable, lay and well and sufficiently bed each and every of the Joints of the said Main Gas Pipes, and also the Joints or Screws of the Branch or Service Gas Pipes connecting with the Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying Gas from the Main Gas Pipes to the Houses and other Buildings, and all other Joints, Inlets, Apertures, or Openings which are or shall or may be made in any of the said Gas Pipes, with such Clay as aforesaid all round the said several and respective Joints, Inlets, Apertures, or Openings, and for Twelve Inches in Length each Way from the Centre of each and every of the Caps and Joints in the Main Pipes, and of the Inlets, Apertures, Screws, or Joints connecting the Service Pipes with the Main Pipes, and all other Joints, Inlets, Apertures, or Openings therein, and for Six Inches at least from the Centre of each of the Joints in the Service Pipes, so as to make and keep all and every such Pipes or Conduits, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, shall be made and kept and continued, Air-tight, so that in all and every respect the said Gas shall be prevented from escaping therefrom, and from every Part thereof, at all Times, on pain of forfeiting Five Pounds for every such Offence, to be paid to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction takes place shall have sustained any Annoyance or Injury or Damage by any such Act so done or committed.

Gas Company liable for and to prevent the Contamination of Water.

LXXXII. And be it further enacted, That whenever the Water of any Company of Proprietors or other Owners or Proprietors of Waterworks, or of any other Person or Persons, or any 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, then and in every such Case the said Company shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, to be applied to and for the Use and Benefit of the Company or Proprietors affected thereby; and the said Company hereby constituted shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Clerk or other Officer of any Corporation, or by any Person whose Water shall be so contaminated or affected, or by any Person or Persons consuming such Water, to be left at the usual Office or Place of transacting Business of the said Company, cause the most proper and effectual Measures to be taken effectually to stop and prevent their Gas from contaminating

or affecting in any such Water; and in case the said Company shall not within Twenty-four Hours next after each and every such Notice so left as aforesaid effectually and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every Case the said Company 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 Committee for the Time being of any Company of Proprietors of Waterworks or other Body Politic or Corporate, or to the Owners or Proprietors of any Water Pipes, Well, or Pond, or to the Person or Persons consuming any such Water, and making such Complaint as aforesaid, for the Use and Benefit of the same Body or Bodies, Owners or Proprietors, or Person or Persons, over and above the before-mentioned Penalty of Twenty Pounds, any Sum not exceeding Ten Shillings for each and every Day during which the said Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid.

LXXXIII. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Company; be it therefore enacted, That in every such Case it shall be lawful for any Company of Proprietors or any Owners or Proprietors of any Waterworks, Well, or Pond, or other Person or Persons using or consuming any such Water, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Company, for the Purpose of ascertaining whether such Contamination proceeds from or that the said Water has been contaminated by any Escape of Gas of the said Company; and if it shall appear that such Water has been contaminated by any Escape of Gas of the said Company, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Road, Street, Way, Lane, or other public Passage which shall be taken up or disturbed, shall be borne and paid by the said Company: 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 Company, then and in such Case the Person or Persons so digging or searching, or causing such digging or searching, as aforesaid, shall bear and pay all the Expences of such Examination, Repair, and Search, and also make good to the Company any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Company in and by such Search and Examination, and also to the Pavement or Ground of the said Roads, Streets, Ways, Lanes, or other public Passages or Places so broken or disturbed in such Search or Examination.

For ascertaining if the Water be contaminated.

LXXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Company, or against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or the Means which shall be employed by them in making

The Company liable to be indicted for Injury sustained by means of their Works.

making the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Manufacture or Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

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

LXXXV. Provided always, and be it further enacted, That no Person shall lay or cause to be laid any Pipe to communicate with any Pipe belonging to the said Company, or fit or alter any of the Fittings of any Pipe or Pipes belonging to or connected with the Mains or Pipes of the said Company, without the Consent of the said Company in Writing first had and obtained, or use Burners of a larger Dimension, or consume a greater Quantity of Gas, than he, she, or they have contracted to pay for, or supply any Inhabitant or other Person with any Part of such Gas, on pain of forfeiting and paying to the said Company any Sum not exceeding the Sum of Forty Shillings for every Day such Pipe, Fitting, or Alteration of a Fitting shall remain, and for every Time any such Burner shall be used, or such greater Quantity of Gas be consumed, or such Supply be furnished as aforesaid.

Penalty on wilfully damaging Pipes, &c.

LXXXVI. And be it further enacted, That if any Person shall wilfully or maliciously destroy, damage, or injure, or cause to be destroyed, damaged, or injured, any Pipe, Pedestal, Post, Syphon, Plug, Lamp, or other Apparatus, Matter, or Thing, or any Part thereof respectively, belonging to the said Company, or shall wilfully or maliciously extinguish or put out any One or more of the public Lamps or Lights, or wilfully or maliciously waste or improperly use any of the Inflammable Air or Gas supplied by the said Company, or shall alter, exchange, or remove from the Burners the Pipes of Supply, or shall wilfully or maliciously do or commit or cause to be done or committed any Injury or Damage to the Main Pipes, Service Pipes, or other Property of the said Company, every Person so offending in any of the respective Premises shall for each and every such Act or Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, and the Amount of Damage done or occasioned.

Satisfaction for accidental Damage of Lamps, &c.

LXXXVII. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally destroy or damage any Lamp or Lamps hung out, set up, or belonging by or to the said Company, or by or to any Person or Persons at his, her, or their private Expence, or any Pipe, Pedestal, Post, Syphon, Plug, Lamp, or other Apparatus, Matter, or Thing belonging thereto, or to the said Company, or belonging to any Person or Persons, and set up by him, her, or them, at his, her, or their private Expence, or waste any Inflammable Air or Gas supplied by the said Company, or keep the Light or Lights burning for a longer or at any other Time than he, she, or they shall have contracted to pay for, every Person

Person doing any or either of the said Acts shall make Compensation to the said Company, or to such other Person or Persons; as the Case may be, for such Destruction or Damage done, or the Gas so wasted, or the Excess of Gas so obtained and used, by keeping the Lights burning longer or at any other Time than he shall have contracted for as aforesaid.

LXXXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, and all Compensation, Costs, Charges, Damages, and Expences allowed or directed to be paid by the Authority of this Act, (the Manner of ascertaining, determining, levying, and recovering whereof is not herein otherwise directed, and not exceeding the Sum of Twenty Pounds,) may be ascertained, determined, and recovered in a summary Way by the Order or Adjudication of any Justice of the Peace for the said County of *Sussex*, on Complaint to him for that Purpose made, and in default of Payment be levied, together with the Costs of such Proceedings, by Distress and Sale of the Goods and Chattels of the respective Offenders or Parties liable to pay the same, by Warrant under the Hand and Seal of such Justice; and the Surplus (if any), after discharging such Penalty or Forfeiture, Compensation, Costs, Charges, Damages, or Expences, and the Costs of such Proceedings, Distress, and Sale, shall be returned, upon Demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid One Half to the Informer and the Remainder to the said Company, unless such Penalties or Forfeitures shall be incurred by the said Company, in which Case the same shall be paid One Half to the Informer and the Remainder to such public Charity as the said Justice shall think proper; and in case such Penalties or Forfeitures shall not (if incurred or ordered to be paid by any Party or Parties other than the said Company) be forthwith paid, it shall be lawful for such Justice and he is hereby required to order the Offender or Offenders to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress as aforesaid, unless such Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice, or some other Justice of the Peace for the said County of *Sussex*, at such Time as shall be appointed for the Return of such Warrant of Distress, such Time not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereon to levy such Penalties or Forfeitures, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties or Forfeitures may be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice of the Peace as aforesaid, and he is hereby required, by Warrant or Warrants under his Hand

Recovery  
and Applica-  
tion of Pe-  
nalties, Com-  
pensation,  
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and Seal, to commit such Offender or Offenders to some Common Gaol or House of Correction for the County of *Sussex*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties or Forfeitures, Compensation, Costs, Charges, Damages, or Expences respectively, and all reasonable Costs attending the same, shall be sooner paid and satisfied.

Justices may proceed by Summons in the Recovery of Penalties, &c.

LXXXIX. And be it further enacted, That in all Cases in which by this Act any Penalties or Forfeitures, Compensation, Costs, Charges, Damages, or Expences, is or are made recoverable before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom any Complaint shall be made for the Recovery of any such Penalty or Forfeiture, Compensation, Costs, Charges, Damages, or Expences, to summon the Party complained against before him or any other Justice of the Peace for the said County of *Sussex*, and upon the Appearance of such Party against whom such Complaint shall be made, or, in default of such Appearance, upon Proof on Oath of the Service of such Summons in manner herein-after mentioned, in the Absence of the Party against whom such Complaint shall be made, to proceed to hear and determine the Matter of such Complaint, and to examine all necessary Parties upon Oath, (which Oath such Justice is in every Case fully authorized to administer,) and on Proof of the Matter of such Complaint, either by the Confession of the Party complained against or by the Oath of any credible Witness or Witnesses, to adjudge such Party to pay the Penalty or Forfeiture, Compensation, Costs, Charges, Damages, or Expences, incurred or determined upon by such Justice, and to take such Proceedings as aforesaid for the Recovery of the same, although no Complaint or Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Complaint or Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if a Complaint or an Information in Writing or in Print had been exhibited.

Penalties and Damages against the Company may be recovered from or paid by the Treasurer.

XC. And be it further enacted, That the Company shall and they are hereby required to appoint a Treasurer, and to take Security as aforesaid from such Treasurer for the Performance of his Trust; and all Penalties, Forfeitures, Compensation, Costs, Charges, Damages, and Expences payable by the said Company by virtue of this Act, and which might by virtue of this Act be levied or recovered by Distress and Sale of the Goods and Chattels of the said Company, may be levied and recovered by Distress and Sale of the Goods and Chattels of such Treasurer: Provided always, that it shall be lawful for any such Treasurer to pay and discharge out of any Monies in his Hands the Amount of all or any of such Penalties, Forfeitures, Compensation, Costs, Charges, Damages, and Expences which upon the Adjudication of any Justice of the Peace shall be payable by the said Company by virtue of this Act; and it shall also be lawful for any such Treasurer against whose Goods and Chattels any such Warrant of Distress shall be issued forthwith to pay and discharge, out of any Monies in his Hands belonging to the said Company, the Amount of the Penalty or Forfeiture, Compensation, Costs, Charges, Damages, or Expences, for which such Warrant of Distress shall be  
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issued,

issued, and also the reasonable Costs of such Warrant of Distress, and to charge such several Payments in his Accounts against the said Company as Monies paid by Authority and on behalf of the said Company, and the said Company shall allow such several Payments accordingly; and in case such Treasurer at the Time of the issuing or executing such Warrant of Distress shall not have any or sufficient Monies for making such Payments in his Hands belonging to the said Company, and shall nevertheless forthwith pay the same as aforesaid, or shall suffer any Loss, Damage, or Injury by reason of such Distress, such Treasurer shall and may recover all Monies so paid, and the Amount of all Loss, Damage, or Injury so sustained, from the said Company, by Action of Debt or on the Case, or if the Amount thereof shall be less than Twenty Pounds then by such other Ways and Means as any Penalty, Forfeiture, or Damages not exceeding Twenty Pounds may be recovered by virtue of this Act.

XCI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, and all Compensation, Costs, Charges, Damages, and Expences allowed or directed to be paid by the Authority of this Act, and respectively exceeding the Sum of Twenty Pounds, shall and may (unless otherwise provided for) be recovered, with full Costs of Suit, by the Party or Parties to whom the same shall be payable, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Penalties and Compensation above 20*l.* to be recovered by Action.

XCII. Provided always, and be it further enacted, That the said Company shall and they are hereby required to provide a Board, and to cause to be painted thereon in legible Characters Specifications of the several Offences for which any Penalty is by this Act imposed, and of the Amount of the Penalty to which any Offender is by this Act subjected in respect of each such Offence, and to cause such Board, with such Specifications painted thereon, to be put up and affixed at or near the Town Hall or on some other conspicuous Place in the said Town of *Brighton*; and in case such Board shall become decayed or defaced, or the Letters or Figures thereon shall be obliterated, the said Company shall from Time to Time restore the same or cause the same to be restored and kept legible; and no Penalty by this Act imposed on any Person or Corporation, except the said Company, shall be payable or recoverable until such Board as aforesaid shall have been provided, put up, and affixed as aforesaid: Provided always, that if any Person shall pull down or break or deface any such Board so put up or affixed, or shall obliterate any of the Letters or Figures thereon, every such Person shall forfeit and pay for each Offence any Sum not exceeding Five Pounds, and shall also pay and defray the Expences attending the restoring of the same, to be recovered and levied as any Penalty by this Act imposed may be recovered and levied.

A Board specifying the Penalties imposed by the Act to be put up in some conspicuous Part of the Town.

XCIII. And be it further enacted, That it shall be lawful for the said Company, or any Number of the same, or for any of their Surveyors, Collectors, and other Officers, and such Person or Persons as they or any of them shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person

For securing transient Offenders.

Person or Persons, being unknown to such Company, Member, Surveyor, Collector, or other Officer, 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 of the Peace for the said County of *Sussex*, and such Justice is hereby required to proceed and act with regard to such Offender or Offenders according to the Provisions of this Act, as if such Offender or Offenders had appeared before him upon Summons.

Form of  
Conviction  
of Offenders.

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

‘ **B**E it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in  
 ‘ the Year of our Lord \_\_\_\_\_ is [*or are*] convicted  
 ‘ before me, One of Her Majesty’s Justices of the Peace for the  
 ‘ County of *Sussex*, by virtue of an Act passed in the Second Year  
 ‘ of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert*  
 ‘ *the Title of this Act*], of having [*specifying the Offence, and Time*  
 ‘ *and Place when and where the same was committed, as the Case shall*  
 ‘ *be,*] contrary to the said Act, and for which Offence I do adjudge  
 ‘ the said \_\_\_\_\_ to have forfeited the Sum of  
 ‘ \_\_\_\_\_ Given under my Hand and Seal the Day  
 ‘ and Year first above written.’

Complaint to  
be lodged  
within Six  
Calendar  
Months.

X CV. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence or Offences against the same, herein-before made cognizable before a Justice of the Peace as aforesaid, unless the Complaint respecting such Offence or Offences shall have been made before such Justice within Six Calendar Months next after such Offence or Offences shall have been committed.

Power to  
appeal to  
General or  
Quarter  
Sessions.

X CVI. And be it further enacted, That any Body or Bodies Politic or Corporate, or any Person or Persons whatsoever, thinking himself, herself, or themselves aggrieved by any Order or Determination of any Justice of the Peace in pursuance of this Act, may, within Six Calendar Months after the Cause of Complaint shall have arisen, or next after any such Order or Determination shall have been made or had therein in pursuance of this Act, appeal to the Justices of the Peace at their General or Quarter Sessions of the Peace to be holden for the said County of *Sussex*, the Person or Persons appealing having first given at the least Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, and forthwith after such Notice, in case of an Individual appealing, entering into a Recognizance before some Justice of the Peace for the said County, conditioned to try such Appeal, and to abide the Order and Award of the Court thereon; and the said Justices shall in a summary Way hear and determine such Complaint at such  
 General



General or Quarter Sessions of the Peace, or any Adjournment thereof, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the said County, and if they see Cause may mitigate any Penalty, Forfeiture, or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order and Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

XCVII. And be it further enacted, That it shall be lawful for any Justice of the Peace for the County of *Sussex* to issue his Summons for the Appearance of any Person before him as a Witness upon the Hearing of any Information or Complaint respecting any Matter cognizable by virtue of this Act by or before such Justice, either on behalf of the Complainant or Defendant; and if such Person so summoned shall refuse or neglect (without a reasonable Excuse) to appear from Time to Time at the Time and Place to be for that Purpose appointed by such Justice, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, or appearing shall refuse to be examined upon Oath, or in case of a Quaker on solemn Affirmation, and to give Evidence before such Justice, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Compelling  
Attendance  
of Witnesses.

XCVIII. And be it further enacted, That in all Cases (save and except as herein-after mentioned) it shall be deemed a valid and effectual Service of any Summons herein-before mentioned if a Copy of such Summons be delivered to the Party or Parties to or against whom such Summons shall be issued as aforesaid, or, at the usual or last known Place of Abode of such Party or Parties, to some Inmate thereof; provided that such Delivery as aforesaid be in every Case at least Twenty-four Hours before the Time in and by such Summons appointed for Appearance.

Service of  
Summons.

XCIX. And be it further enacted, That it shall and may be lawful for any Justice of the Peace, when any Complaint or Information shall be laid or exhibited before him, and in the Opinion of such Justice it shall be fit and proper so to do, to grant a Warrant or Warrants under his Hand and Seal, directed to some Constable or other Peace Officer, directing such Constable or other Peace Officer to take the Person or Persons complained against and bring such Person or Persons before such Justice of the Peace, as the Case may require.

Any Justice  
may grant  
Warrant for  
Apprehen-  
sion of  
Offenders.

C. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before any Justice of the Peace or otherwise under this Act, upon Oath or Affirmation, shall wilfully and corruptly give false Evidence, and shall be thereof fully convicted, he, she, or they so giving false Evidence shall be subject to

Perjury in  
corruptly  
swearing.

[Local.]

[9 Y]

the

the same Punishment as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

Distress not unlawful for Want of Form.

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

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

CII. And be it further enacted, That no Proceeding to be had touching the Conviction of any Offender against this Act, nor any Judgment or Determination to be made or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Directing what shall be deemed a Service of Summonses, Notices, &c. on the Company.

CIII. 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 Summons, or Notice or Notices, upon the said Company, or any Writ or Writs or other Proceedings, either at Law or in Equity, the Service thereof or of a true Copy thereof respectively upon the Clerk of the said Company, or at the principal Office of the said Company, or delivered to some Inmate at the last or usual Place of Abode of the Clerk to the said Company, and in case the Residence of the said Clerk be not known then Service upon any Agent or other Officer employed by the said Company, or upon any One of the Directors for the Time being of the said Company, or delivered to some Inmate at the last or usual known Place of Abode of any such Person, shall be deemed good and sufficient Service of the same respectively on the said Company.

Expences of this Act how to be paid.

CIV. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing of this Act shall be paid and discharged by the said Company out of the Monies already raised or to be raised for the Purposes of this Act, in preference to all other Payments whatsoever.

Rules for Construction of certain Terms in this Act.

CV. And be it further enacted, That whenever in this Act any Word is used importing the Singular Number or the Masculine Gender only, such Word shall extend to and shall be construed to include the Plural as well as the Singular Number, and Females as well as Males; and where the Word "Company" is used, the same shall be understood to mean the said "*Brighton and Hove* General Gas Company;" unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

CVI. Pro-

CVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to take away, lessen, diminish, or affect the Rights, Powers, or Privileges of the Commissioners for the Time being acting in execution of the Powers of the said Act made and passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act for the better regulating, paving, improving, and managing the Town of Brighthelmston in the County of Sussex, and the Poor thereof*, or of the Commissioners for the Time being acting in execution of the Powers of the said Act made and passed in the Eleventh Year of the Reign of His said Majesty King George the Fourth, intituled *An Act for paving, lighting, watching, cleansing, and otherwise improving Brunswick Square and Brunswick Terrace, and certain Streets and other public Places upon certain Grounds late Part of a Farm called the Wick Farm, in the Parish of Hove in the County of Sussex*, except as herein-before is specially provided.

Saving  
Rights of  
the Commis-  
sioners under  
6 G.4. c.179.  
and 11G.4. &  
1 W.4. c. 16.

CVII. 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.

Public Act.

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